

BENNETT & READ, LLP
ATTORNEYS AT LAW

212 WINDMILL LANE
SOUTHAMPTON, NEW YORK 11968-4841

JOHN J. BENNETT
CAROLE L. READ

BAILEY C. LARKIN

631-283-9696
631-283-1259 (FACSIMILE)

WWW.BENNETTANDREAD.COM

Via: Hand Delivery

January 29, 2026

Attn.: Philip DiOrio, Chairman
Town of Shelter Island
ZONING BOARD OF APPEALS
38 North Ferry Road
Shelter Island, New York 11964-0970

Re: Application of Shelter Mary Property LLC
Subject Property: 44 Saint Mary's Road, Shelter Island, New York
SCTM#: 700-15-4-4

Dear Chairman DiOrio and Members of the Board:

Our office represents the applicant and property owner with respect to an appeal of the determination of the building inspector, dated November 11, 2025 (received on January 21, 2026). In the alternative, the Applicant seeks dimensional relief from Town Code Section 133-10B(6) to permit the conditioning of a proposed garage at the subject property. We enclose ten (10) complete applications as follows:

- Letter of Denial, dated November 11, 2025 (received via email on January 21, 2026);
- Zoning of Appeals Application Form, including Rider with Exhibits A-C;
- Affidavit of Michael Schiano, dated January 28, 2026, including Exhibits A-E;
- Authorization Form;
- Certification Form;
- Transactional Disclosure Form;
- Owner's Authorization Form;
- Deed;
- Certificates of Occupancy/Compliance for previously existing structures on the subject property. Note that all previously certificated structures have since been demolished;
- Open Building Permit no. 2025-0142;
- Radius Map and list of property owners within 200 feet of subject property obtained from Town of Shelter Island GIS;
- Survey prepared by George Walbridge Surveyors, P.C., last revised December 17, 2025;

BENNETT & READ, LLP

- Architectural Plans prepared by Vincent Falotico Architecture, P.C., dated December 11, 2025;
- Landscape Plan prepared by Gregory Lombardi Design, Inc., dated January 23, 2026.

We also enclose the following:

- Check no. 21741 made payable to the Town of Shelter Island in the amount of ONE THOUSAND EIGHT HUNDRED AND XX/00 (\$1,800.00) DOLLARS, representing the filing fee;
- Electronic copy (flash drive) of the complete filing package.

Please advise as soon as a public hearing has been scheduled. Should you have any questions with respect to the foregoing or require any additional information, please contact the undersigned.

Respectfully submitted,

John J. Bennett

JJB/bl

Encls.

cc: Shelter Mary Property LLC (via email w/ encls.)
M. Schiano, Inter-Science Research Associates, Inc. (via email w/ encls.)



TOWN OF SHELTER ISLAND
Reed Karen: Principal Building Inspector
38 North Ferry Road, P.O. Box 970
Shelter Island, New York 11964
(631) 749-0772

NOTICE OF DISAPPROVAL

Date: 11/11/2025

ZBA Applications: Special Permit for Area

Owner: Shelter Mary Property LLC
40 Highland Ave
Rowayton, CT 06853

Applicant: Inter-science Research Associates, Inc.
P.O. Box 1201
Southampton, NY 11969

Location of Property: 44 Saint Mary's Rd County Tax Map No. 15.-4-4 Zone: C

Please take notice that your application dated 10/17/2025, revised/received 12/30/2025 to:

Convert a detached garage (listed on drawings as a "Car Barn"), that was previously approved as *unconditioned*, non-habitable storage space, under a separate permit, and is currently under construction, to a *conditioned* garage. Proposed work is per submitted Site Plan/Survey by George Walbridge surveyors, P.C., dated 10/8/2024, last revised 12/17/2025, and on a Site Plan and floor plans dated 12/11/2025 by Vincent Falotico Architecture, P.C. of New Canaan, CT. Note: the first floor of the garage contains, according to the architect's calculations, 5753 SF of conditioned space; the two second floor loft areas, open to the car storage below, contain approximately 2430 SF of conditioned space, as scaled off the drawing, for a total of 8183 SF of conditioned space in this structure. Note: Architect's drawings list the Car Barn as N/A, and give a total SFLA for the property at 5972 SF, which is incorrect.

Is returned herewith and disapproved on the following grounds:

Shelter Island Town Code section 133-10 District C. (Residential) subsection B. Bulk Regulations (6) states: "The square foot living area of a one-family dwelling and any conditioned accessory structures shall not be more than 5,999 square feet, nor less than 1,200 square feet ... excluding the following unconditioned structures: porches, breezeways, attached garages and basements."

The Zoning chapter of Town Code defines "Square Foot Living Area" thus: "Also known as "SFLA" the square footage of heated and/or air conditioned area within the outer walls of all structures on a residential lot, not including an unfinished basement or attic, garage(s) structure(s) without heat or air conditioning."

Per calculations on the submitted drawings cited above, your primary dwelling is to have 5,220 SFLA and the Gate House shows an addition 752 SFLA; with the proposed Garage/Car Barn adding 8183 SFLA, for a total of 14,155 SFLA where 5999 is allowed without Town Approval. Therefore, you must get a ZBA Special Permit for Area before we can issue a Building Permit for the proposed construction.

Please contact the ZBA Clerk to apply for a Special Permit for Area.

Authorized Signature: _____

Reed Karen, Principle Building Inspector

Note to Applicant: Any change or deviation to the above referenced application may require further review by the Shelter Island Building Department. **This denial letter is valid for two years from the date of issuance.**



ZONING BOARD OF APPEALS APPLICATION

Date: _____

TAX MAP NUMBER

700-14-4-4

ADDRESS OF THE SUBJECT PROPERTY

44 St. Mary's Road, Shelter Island, New York

1. APPLICANT- Applicant must be a party of interest

Applicant is: Owner Attorney Architect
 Builder Contractor
 Other (please specify) _____

NAME Shelter Mary Property LLC

COMPANY NAME (if applicable) _____

ADDRESS c/o BENNETT & READ, LLP,

PHONE 631-283-9696

EMAIL jbennett@bennettandread.com

2. OWNER(S) –All owners on the current deed (if different from the applicant)

NAME See Applicant Information

ADDRESS _____

PHONE _____

EMAIL _____

NAME _____

ADDRESS _____

PHONE _____

EMAIL _____

3. Are there any Violation of Notices of Violation outstanding on this property?

YES NO Violation number _____ (If yes, attach copies)

4. Is the property within one mile of an airport or within 500 feet of:

- a. The boundary of any existing or proposed county, state or federal park or other recreation area,
- b. The right-of-way of any existing or proposed county or state parkway, thruway, expressway, road or highway,
- c. Existing or proposed right-of-way of any stream or drainage channel owned by the county or for which the county, state or federally-owned land or
- d. The boundary line of any village or town

YES NO

5. Located in Zone District designated as: C Residence

6. Previous appeals (please check one):

A previous appeal has been made dated _____ ZBA #(s) _____

A previous appeal has not been made with respect to this denial of the Building Inspector or with respect to this property.

7. Indicate value of project requiring variance/special permit:

TBD

Rider to Zoning Board of Appeals Application of Shelter Mary Property LLC
Subject Property: 44 Saint Mary's Road, Shelter Island
SCTM#: 700-15-4-4

The Applicant is owner of an approximately 8.119 acre parcel, located in the Town's C zoning district, which requires a minimum lot area of 40,000 square feet. The property was previously improved a single family residence, garage with second living space, shed, horse barn, pool and additional improvements. The Applicant purchased the subject property with the intention of redevelopment. Prior to purchasing the property, the Applicant retained the expert services of Inter-Science Research Associates, Inc., to review the feasibility of constructing improvements within the subject parcel. Submitted with this Application is the Affidavit of Michael Schiano, dated January 27, 2026, outlining the discussions had with the Town of Shelter Island Building Department prior to the Applicant's purchase of the subject property.

Indeed, Applicant's purchase of the subject property was based upon an expectation that an single family residence with approximately 5,999 square feet of living area could be constructed along with an approximately 6,000 square foot conditioned (*i.e.* heated and cooled) garage for the storage of vehicles. The proposed garage was not intended to be and is not proposed to be utilized for living space, with no bathrooms, bedrooms or cooking or rooms finished, partitioned or in any way fitted for living space proposed therein.

As explained in the Affidavit of Michael Schiano, applications were filed with the Town of Shelter Island Building Department for construction of a proposed residence and accessory structure with sleeping. The combined square footage of living area with the two (2) proposed structures is 5,972, thus, fully compliant with the Town Code. A separate application was filed in connection with the construction of the proposed garage. The proposed garage is the primary subject of this application. At the time of submission, mechanical/electrical/plumbing (MEP) plans associated with the proposed heating and cooling for the garage had yet not been prepared. While a building permit issued of construction of the structure as an unconditioned space, it had always been the intention to condition the garage. The garage's primary purpose, the storage of vehicles, cannot be achieved without conditioning the space. Again, no plumbing, no cooking, no sleeping and no wastewater systems are proposed.

Appeal of the Determination of the Building Inspector:

The Applicant herein appeals the determination of the Building Inspector, dated November 11, 2025, copy attached as **Exhibit A**. Although dated November 11, 2025, it is noted that said determination was delivered via email dated January 21, 2026. Accordingly, it is respectfully submitted that the within appeal is timely. Said determination indicates that relief is required of this Board for the conditioning of the garage, now under construction to allow for additional "square footage of living area" in excess of 5,999 square feet within the subject lot.

Village Code Section 133-1B, defines *square foot living area*,

Also known as "SFLA" the square footage of heated and/or air conditioned area within the outer walls of all structures on a

residential lot, not including an unfinished basement or attic, garage(s) structure(s) without heat or air conditioning.

Indeed, the language of the definition specifically excludes garage(s). It is submitted that based on general rules of construction, the qualifying “without heat or air conditioning” applies to “structure(s),” which precedes, not “garage(s),” which are specifically defined buildings within the zoning code. Indeed, the Town Code Section 133-1B, *garages* are defined as follows:

An accessory building for use by the occupants of the principal building located on the same lot as the principal building allowing the storage of vehicles or other items without compensation.

The garage currently under construction falls squarely within the definition of a garage, to be used solely by the occupants of the principal building for the storage of vehicles. “It is well settled that zoning codes, being in derogation of the common law, must be strictly construed against the enacting municipality and in favor of the property owner” in accordance with their ordinary meaning.” Matter of Baker v. Town of Islip Zoning Board of Appeals, 20 A.D.3d 522, 799 N.Y.S. 2d 541 (2d Dept. 2005). Ambiguities, if any, are to be resolved in favor of the property owner. Matter of Arceri v. Town of Islip Zoning Board of Appeals, 16 A.D. 3d 411, 791 N.Y.S. 2d 149 (2d Dept. 2005). Here, the application of the qualifying “without heat or air conditioning” to the interior spaces (*i.e.* garages) specifically excluded from the calculation of square footage of living area is ambiguous and should be construed in favor of the property owner. Certain of the facts demonstrating the variance argument below should also be read as part of the interpretation request. As discussed below and in the Affidavit of Michael Schiano submitted herewith, the Building Department’s position/interpretation on whether an unfinished garage without any sleeping or cooking, or any ability to house people was submit to square footage limitations solely by reason of being climate controlled, changed over the course of conversations, meetings and emails with the Building Department initially taking the position that the proposal did not impact SFLA. This demonstrates not only one of the bases for a variances, but also demonstrates that the inherent ambiguity of the statute, which buttresses the Applicant’s interpretation argument.

With Respect to Request for Area Variances:

- 1) *Will granting you a variance cause an undesirable change in the character of the neighborhood or a detriment to nearby properties will be created by the granting of the area variance? Why not?*

In the event that this Board does not agree with the Applicant’s interpretation of the definition of *square footage of living area*, the Applicant seeks relief from Town Code Section 133-10B(6) to permit the proposed garage to be heated and air conditioned. As depicted on the plans submitted herewith, the garage has 5,792 square feet of conditioned space within the first floor and additionally second floor loft areas totaling 2,430 square feet for a total of 8,183 square feet. As discussed above, a principal residence of 5,220 square feet is currently under construction along with a gate house containing 752 square feet. Thus, the total proposed square footage of living area is 14,155 square feet. But again, 8,183 square feet is not fit or capable of habitation.

As discussed above, the subject property is approximately 8.119 acres in size and is located within the C zoning district, which requires a minimum lot area of 40,000 square feet. Thus, the subject property is significantly oversized. Attached hereto as **Exhibit B** please find a Yield Plan prepared by Inter-Science Research Associates, Inc., dated January 22, 2026, confirming that the subject property is capable of subdivision into six (6) conforming parcels. Six (6) lots are capable of supporting 35,994 square feet of living area. Indeed, if all structures currently under construction were to be maintained in their location, the subject property is still capable of being subdivided into four (4) conforming parcels with a conforming setback and zoning limitations. Please see the Conceptual 4 Lot Subdivision prepared by Inter-Science Research Associates, Inc., dated January 22, 2026 at **Exhibit C**. each lot of the four (4) lots are capable of supporting structures containing 5,999 square feet of living area as of right, for a total of 23,996 square feet, where 14,155 square feet is proposed herein.

It is further noted that within the C zoning district, a front yard setback of a minimum of thirty (30) feet is required. Here, the proposed garage has been located approximately 75.7 feet from Ram Island Road, more than double the required front yard setback. The Applicant has already planted trees to provide vegetative screening between the street and the barn/garage under construction. The width of the vegetative screening is between 30 and 50 feet wide. Accordingly, it is respectfully submitted that the conditioning of this fully permitted structure, will not cause any undesirable change in the character of the neighborhood or create any detriment to nearby properties.

2) *Can the benefit you seek from this variance be achieved by some other method? What other method have you considered, and why won't they work?*

As discussed above and further in the Affidavit of Michael Schiano, the Applicant purchased the subject property in reliance discussions with the Building Department that the proposed garage could be heated/air conditioned, as proposed herein. Although a building permit was obtained to commence construction of the physical structure as expeditiously as possible that did not permit heat/air conditioning, it was always the Applicant's intention, as represented to the Building Department prior to the purchase of this property, that the garage would be appropriately conditioned for storage of vehicles. The benefits sought, *i.e.* the appropriate and necessary conditioning of the interior space of the garage cannot be achieved without the relief sought herein.

It is again noted that the Applicant is not proposing the installation of any bathrooms, bedrooms or cooking facilities within the garage/barn. The additional square footage of living area does not increase occupancy within the subject property, nor does it increase any water demand/usage. The intention of this structure remains solely for use as a garage, as specifically defined in the Town Code. As a condition of an approval, the Applicant would agree to record a covenant against the subject property limiting the use of the garage/barn and prohibiting future use as an accessory structure with sleeping.

3) *How substantial is the variance you request from what the law allows?*

The relief sought herein is not substantial when considered in relation to the size of the subject property. As demonstrated this property has a six (6) lot yield (see Exhibit B). Six (6) lots are

capable of supporting structures containing 35,994 square feet of living area. Even maintaining all structures currently under construction, a four (4) lot subdivision is feasible. See Exhibit C. Four (4) lots are capable of supporting structures containing 29,995 square feet of living area. Here, the Applicant is proposing a total of 14,155 square feet of living area. Further, as a condition of an approval, the Applicant would agree to record a covenant against the subject property limiting the use of the garage and prohibiting future use as an accessory structure with sleeping.

4) *Will the proposed variance have an adverse effect or impact on the physical or environmental condition in the neighborhood or district? Why or why not?*

The proposed action (*i.e.* the grant of an area variance associated with construction of a residential accessory structure) is a Type II Action. Thus, as a matter of law, the grant of the relief sought herein will not have any impact on environmental conditions. It is further noted that the grant of the relief sought herein will not increase occupancy. As noted above, the garage will not contain any sleeping, cooking or bathrooms and, thus, will not increase water demand.

5) *How did you get yourself into a situation where you need a variance? Was it a self created problem?*

The Applicant's intent from the outset was to heat/air condition the garage. Discussion were had with the Building Department regarding the redevelopment of the property, specifically, the construction of a heated/air conditioned garage prior to the purchase of the subject property. Indeed, as discussed above and further in the Affidavit of Michael Schiano, the Applicant purchased the subject property in reliance on the understanding that the proposed garage could be heated/air conditioned, as proposed herein. The Applicant's builder/architect in an effort to expedite commencement of construction, filed for the building permit prior to completion of mechanical/electrical/plumbing (MEP) plans. However, the builder/architect fully intended to amend the permit once the MEP plans were completed, as the builder/architect have done in common practice. The Applicant was unaware that the building permit application had been filed without complete details for the proposed heating and air conditioning.



ZONING BOARD OF APPEALS

Owner's Endorsement

State of Florida
County of Palm Beach

SS:

Kay Lawson, being duly sworn, deposes and says:

I reside at c/o BENNETT & READ, LLP, 212 Windmill Lane, Southampton,

In the County of Suffolk and the State of New York,

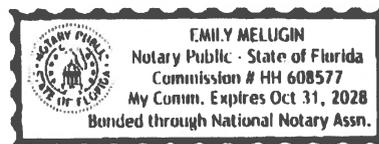
and I am the (owner in fee) (officer of the Corporation which is the owner in fee) of the premises described in the foregoing and that I have authorized John J. Bennett, Esq., to make the foregoing application as described herein.

Name: Kay Lawson
Name of the Corporation Shelter Mary Property LLC
Office's Title President
Signature Kay Lawson

Sworn to before me, this 19th day of December, 2025.

Patricia M. Melugin

Notary Public





ZONING BOARD OF APPEALS CERTIFICATION

To be signed by Applicant(s)/Owner

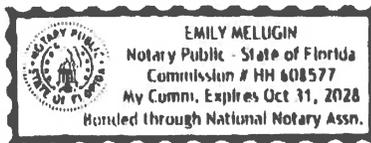
Kay Lawson, being by me duly sworn, deposes and says:

1. I have an interest in an application for a variance and/or special permit now pending before the Town of Shelter Island Zoning Board of Appeals.
 2. I reside at c/o BENNETT & READ, LLP, 212 Windmill Lane, Southampton, NY
 3. The nature of my interest in the aforesaid application is as follows President of LLC owner
 4. It is my understanding that the Shelter Island Town Board has determined that public policy requires a full, frank and complete disclosure of all persons having an interest, direct or indirect, in all applications to the Shelter Island Zoning Board of Appeals and other agencies of Town Government, to insure that no question of conflict of interest or favoritism may arise.
 5. To the best of my knowledge, information and belief, there are no other persons, firms or corporations interested in this application, except as hereafter set forth (If either Corporation or Company, etc., list all officers):
-
-

Sworn to before me this 19th day of December, 2025



Notary Public



Shelter Mary Property LLC

PRINT NAME Kay Lawson, President

APPLICANT'S SIGNATURE 





ZONING BOARD OF APPEALS AUTHORIZATION FORM

I hereby affirm that to the best of my knowledge the list of property owners presented with this application is accurate and that all statements herein are true. By signing this form I authorize town staff and Zoning Board members to enter onto my property to perform an on-site inspection of the changes I am applying for.

NAME Shelter Mary Property LLC
By: Kay Lawson, President

OWNER'S SIGNATURE Kay P Lawson

DATE 12/19/25



TRANSACTIONAL DISCLOSURE FORM (Conflict of Interest Form)

The purpose of this form is to alert the Town if a party of influence has an interest in this application or if someone within the Town who will participate in the decision has an interest.

This form is for:

An individual **AN LLC** A partnership **AN LLC** A corporation An association

APPLICANT'S NAME Shelter Mary Property LLC

OWNER'S NAME Shelter Mary Property LLC

Nature of the Application

Variance Special Permit

Affected parcel (address)

44 St. Mary's Road, Shelter Island, NY

Does any officer or employee of the Town of Shelter Island, member of the Zoning Board of Appeals, or his/her spouse, brother, sister, parent, child, grandchild or spouse of any of them have an interest in this application by virtue of being the actual applicant, being the owner of the actual property or having an interest in the corporation, partnership or association making such application?

Yes No

PRINT NAME Kay Lawson, President

APPLICANT'S SIGNATURE (if other than owner) _____ DATE _____

PRINT NAME Kay Lawson

OWNER'S SIGNATURE Kay P. Lawson

DATE 12/19/25

TOWN OF SHELTER ISLAND
ZONING BOARD OF APPEALS

-----X
Application of Shelter Mary Property LLC

Subject Property: 44 Saint Mary’s Rd.,
Shelter Island, New York
SCTM#: 700-15-4-4

Affidavit of Michael Schiano
in Support of Application

-----X

STATE OF NEW YORK)
) SS.:
COUNTY OF NEW YORK)

MICHAEL SCHIANO, being duly sworn, deposes and says:

1. I am an environmental planner with Inter-Science Research Associates, Inc.
2. In September 2024, prior to the Applicant’s acquisition, Inter-Science Research Associates, Inc., was retained to assist in evaluating the potential redevelopment of 44 Saint Mary’s Road, Shelter Island, NY (hereinafter “Subject Property”).
3. Specifically, we were advised that the Applicant’s primary goal was to confirm that an approximately 6,000 square foot fully conditioned (*i.e.* heated and air conditioned) garage could be constructed on the Subject Property, along with a principal residence.
4. On September 24, 2025, again, prior to the Applicant’s purchase of the Subject Property, I spoke with Brett Poleshuk, Senior Building Inspector by phone to discuss the Applicant’s proposed redevelopment plan for the Subject Property. Prior to our conversation, I sent Mr. Poleshuk an email with a copy of the property survey for the Subject Property. See **Exhibit A**.
5. During our conversation I asked the following specific questions:
 - a. Is there a maximum size for a garage?
 - i. No.

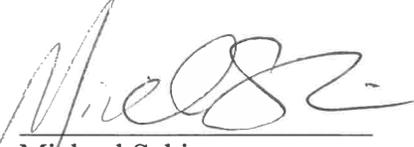
- b. If you condition a garage does that count toward SLFA?
 - i. It may...depends on the appearance, too.
 - c. Does it matter if the building to be conditioned does not have a bathroom?
 - i. It is possible it could have a bathroom...like a half bath, and a slop sink.
6. Mr. Poleshuk advised that he would need to seek further clarification from Reed Karen, Principal Building Inspector, regarding the proposed garage. However, on September 24, 2024, Mr. Poleshuk thereafter confirmed the following:
- a. The garage could be heated provided the inside of the structure was not brought up to a high level of “finish.” While sheetrock on the interior walls is acceptable, the interior finishings cannot include moldings and “ornate” materials, but an epoxy floor is acceptable.
 - b. As a conditioned space, compliance with energy codes would be required for insulation and probably a RESCheck or proscriptive. Shelter Island does not have Stretch Code. A HERS rating is not required.
7. Following my understanding of the phone calls had with Mr. Poleshuk, and, again, prior to the Applicant’s purchase of the Subject Property, I represented the following to the Applicant:
- a. According to Brett Poleshuk, who conferred with Senior Building Inspector Reed Karen, the area of a heated & cooled garage will not contribute to the property’s SFLA if the finishing of the building is kept modest. Mr. Poleshuk indicated in sum that: *Sheetrock is OK, but fancy moldings and ornate materials such as crown moldings would be too much.* You can apply epoxy to the floor and putty & paint the walls, and the New York State Energy Code would still require certain types of

insulation – either proscriptively or through the completion of a RESCheck – but there would be a level of “finishing” that would push this over.

8. Based upon my representation of conversations that I had with the Building Department and under the understanding provided that the garage could be conditioned, the Applicant purchased the Subject Property.
9. On February 20, 2025, I personally met with Brett Poleshuk to review proposed architectural plans for the construction of the garage. The intention of my meeting was to again confirm what I had previously been told that the garage had been design to the level of “finish” so as to prevent habitation. We reviewed a site plan, floor plans, sections and renderings for the garage. Mr. Reed participated during part of this meeting, as well. At the conclusion of our meeting, my understanding was that despite the fact that the garage would be conditioned (*i.e.* heated and air conditioned), that the level of finishes were acceptable to classify the structure as a garage and not “habitable,” and therefore, would not could toward SFLA. Following this meeting, I sent an email to the design team confirming my understanding of the conversations had with the Building Department. See email dated February 21, 2025 annexed at **Exhibit B**.
10. On March 28, 2025 our office filed a building permit application for construction of the proposed garage.
11. On May 12, 2025 I spoke with Brett Poleshuk by phone to discuss the pending application. I confirmed that the plans for the garage did not indicate that the garage would be conditioned. However, I did represent that the Applicant fully intended to either amend the Building Permit to include conditioning or to file a separate application for approval to condition the space.

12. On May 27, 2025, Building Permit no. 2025-0142 was issued by the Building Department. See **Exhibit C**. This Building Permit was issued subject to the following special conditions:
- a. Not to be used for habitable space, no bedrooms or sleeping areas allowed. Storage for personal storage use only not to be used for commercial use. Any future heating or cooling will require a separate permit. No plumbing or piping in garage allowed without SCDH approvals. (Emphasis added).
13. Thus, consistent with my representation to the Building Department that an amendment or separate permit would be sought for conditioning of the garage, the building permit specifically noted, “any future heating or cooling will require a separate permit.” No mention was made of any requirement for the Applicant to obtain a variance.
14. On September 22, 2025, I spoke with Mr. Poleshuk regarding conditioning the garage. He advised that he interpreted the Town Code such that the conditioning of the garage would require necessitate inclusion of the garage in the total SFLA for the property. He recommended seeking clarity from Reed Karen, Principal Building Inspector.
15. On September 22, 2025, Inter-Science Research Associates, Inc., sent an email to Reed Karen seeking clarification. Mr. Karen replied as follows:
- a. Your original proposal was not to be conditioned, so that it could be fully finished. If you want to condition it, then it cannot be finished, meaning no trim, no decorative lighting only bulbs or the most basic functional lighting; no paneling, no decorative flooring; it has to be purely utilitarian. A storage garage. See email dated September 22, 2025 at **Exhibit D**.

16. On October 16, 2025 our office filed a building permit application seeking approval to condition the garage through installation of heating and air conditioning.
17. On October 29, 2025, I received a call from Mr. Karen advising that the garage could not be conditioned without approval from the Zoning Board of Appeals.
18. I submit this Affidavit as my understanding of communications had with the Town of Shelter Island Building Department. Based upon my representation of said communications with the Building Department, the Applicant purchased the subject property under the assumption that a conditioned garage could be constructed on the Subject Property.


Michael Schiano

Sworn to before me this
28th day of January, 2026


NOTARY PUBLIC

BAILEY C. LARKIN
Notary Public - State of New York
Qualified in Suffolk County - No. 02LA6191929
My Commission Expires on 8/25/27

EXHIBIT A

Mike Schiano

From: Mike Schiano
Sent: Tuesday, September 24, 2024 10:28 AM
To: Brett Poleshuk
Subject: 44 St. Mary's Road - Survey
Attachments: 44 St Marys Rd Survey.pdf

Hi Brett:

Please see the attached survey for 44 St. Mary's Road for our phone call.

Mike Schiano, Environmental Planner

INTER-SCIENCE RESEARCH ASSOCIATES, INC.

Providing Environmental Planning, Design & Regulatory Permitting Services

PO Box 1201 • 36 Nugent Street • Southampton, NY 11969-1201

P: (631) 283-5958 • F: (631) 283-5974

mschiano@interscience.info

[Note Inter-Science's New Email Addresses. Click Here for more information.](#)

Confidential E-mail: Please alert sender and delete e-mail if you are not the intended recipient.

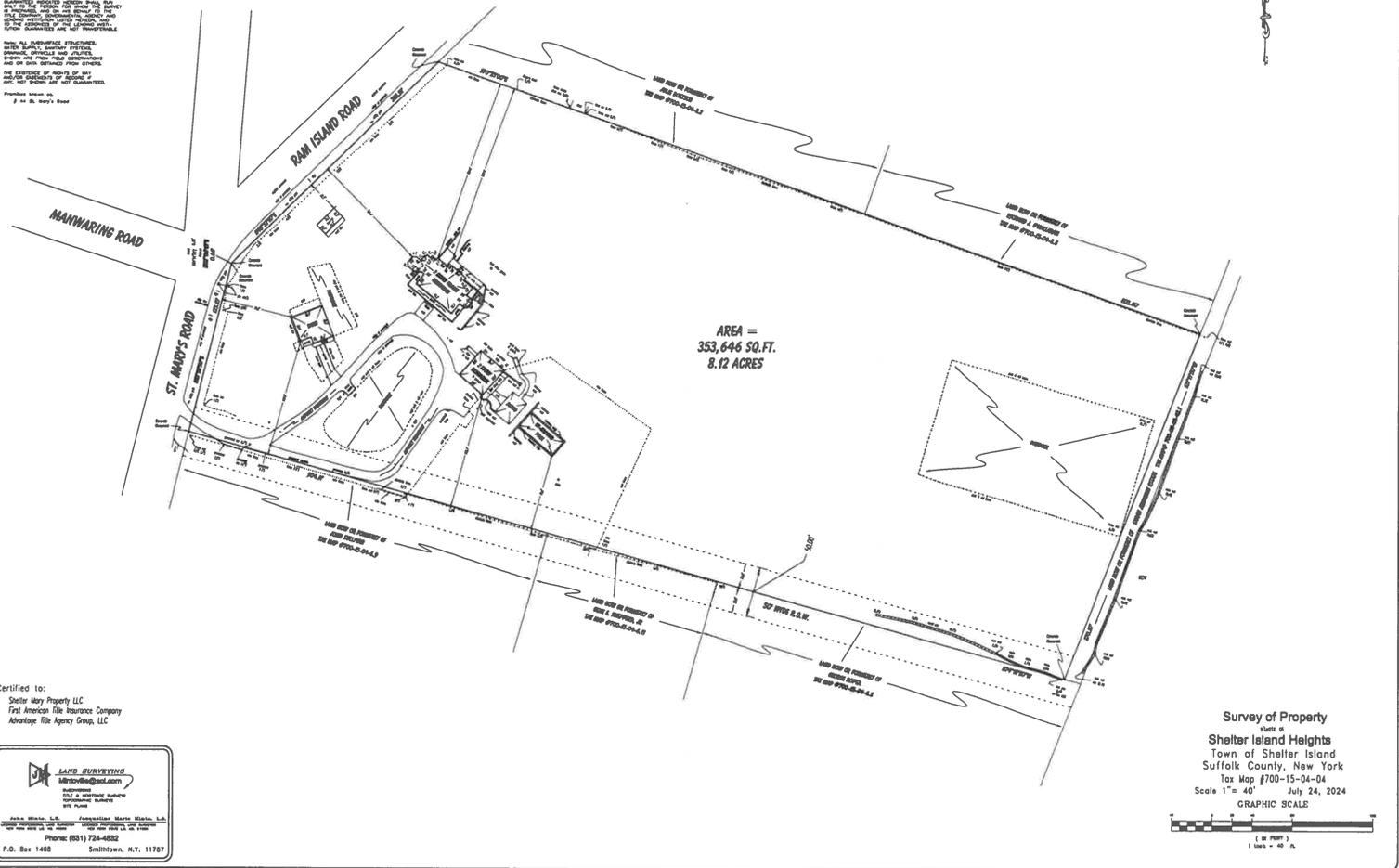
THIS INSTRUMENT IS VALID IN ACCORDANCE WITH THE REAL PROPERTY LAW OF THE STATE OF NEW YORK. THE RIGHTS OF THE PARTIES ARE NOT AFFECTED BY THE DATE OF RECORDATION OF THIS INSTRUMENT.

ALL SURFACE STRUCTURES, INCLUDING BUT NOT LIMITED TO, BUILDINGS, DRIVEWAYS, FENCES, AND UTILITIES, ARE SHOWN AS EXISTING AND ARE NOT TO BE CONSIDERED AS PART OF THE SURVEY UNLESS SPECIFICALLY NOTED OTHERWISE.

THE EXISTENCE OF RIGHTS OF WAY OR OTHER INTERESTS IN THE PROPERTY IS NOT GUARANTEED BY THIS SURVEY.

Prepared for: J. & M. Smith's Road

DATE	2024.07.24
SCALE	1" = 40'
PROJECT	SH-24-001



Certified to:
 Shelter Map Property LLC
 First American Title Insurance Company
 Advantage Title Agency Group, LLC

LAND SURVEYING
 MISTOVICH & ASSOCIATES, L.L.C.
 805 PLUMER
 SMITHTOWN, N.Y. 11787
 Phone: (813) 724-4822
 P.O. Box 1458

Survey of Property
 Shelter Island Heights
 Town of Shelter Island
 Suffolk County, New York
 Tax Map #700-15-04-04
 Scale 1" = 40' July 24, 2024
 GRAPHIC SCALE
 1 inch = 40 feet

EXHIBIT B

Inter-Science

From: Mike Schiano
Sent: Friday, February 21, 2025 10:05 AM
To: Chuck
Cc: Frank; Tony; Elisabeth; Brendons; Emily Guertin; Ben Devos
Subject: 44 St. Mary's Rd - Summary of Meeting with Building Inspector

Categories: Tropin - 44 St. Marys Rd, Mike

Hi 44 St. Mary's Rd Team:

Yesterday afternoon, February 20, 2025, I met with Brett Poleshuk, Senior Building Inspector to discuss the plans for the car barn. We had also left it open that, if the situation allowed, I would also discuss the plans for the new house and gate house, and the process to get the Health Department form that DiLandro Andrews requested signed. We were able to discuss overall site master plan, the new house and gate house, as well as the Health Department form, so I will cover that below, too.

Car Barn: Square Foot Living Area

- We went over the site plan, floor plans, sections and renderings of the car barn. Thankfully, Brett remembered the conversations that the two of us had about the car barn and this specific property.
- After reviewing the plans, he concluded that the car barn as designed will NOT count towards Square Foot Living Area, even though it will be a conditioned space. The level of finishes are acceptable to keep it as just a garage and not to have the Town consider it "habitable."
- He appreciated the renderings, which helped him to see the open truss construction and determine that the level of finishes was appropriate, as well as identify that the loft areas would be open to the area below.

Car Barn: Building Permit Requirements and Timeframe

- We will need to file two applications: a demolition permit applications for any buildings to be removed, and a building permit for the car barn.
- Since there is no running water (e.g., sink, bathroom, etc.) inside the car barn, no approval from the Suffolk County Health Department will be required for the car barn.
- Brett indicated that it should only take about 1 to 2 weeks for the applications to be reviewed after they are submitted.
- Inter-Science will provide Brooks & Falotico with the paperwork we need from the client for submission in a separate email. In addition to that paperwork, we will require the following:
 1. The site plan added to the survey, as we need a survey certified by the NYS licensed surveyor to submit the application.
 2. Two (2) hard copy sets of construction plans stamped by a NYS licensed design professional, with the floor area of each floor identified on the plans. In the case of the car barn, I would include a note that it is all "Non-Habitable Floor Area".
 3. A digital set of the construction plans.
 4. A contractor that has a home improvement licensed with the Town of Shelter Island. Inter-Science will need the license number of that contractor (or contractors, if a different company will be doing the demolition).
 5. If available, the electrical license number of the electrician that the contractor will use. (If one has not been chosen yet, please just let me know.)
 6. If applicable, the plumbing license number for the plumber that may do any work to the building (not sure if there is an external hose spigot).
 7. An estimated costs both the construction and the demolition.

Full Site Review: Attic Issue & Suffolk County Health Department Form

- I discussed the floor plans for the main house and the gate house with Brett, as well as the process to get the Health Department form requested by DiLandro Andrews signed.
- Brett indicated that, while you can have an attic for STORAGE, you cannot put habitable space in an attic because then it will count as a 3rd story, and the maximum number of stories in the Town of Shelter Island is 2.
 - As I discussed with Chuck on the phone yesterday, that Square Foot Living Area can be moved to the basement, as long as egress is provided per the 2020 NYS Residential Building Code.
- In order to get the Health Department form signed:
 - You should revise floor plans for the main house, then we need to submit one (1) hard copy of the architect site plan and floor plans for all 3 buildings stamped by a NYS licensed design professional, as well as a digital copy of the plans, with the form to the Shelter Island Town Building Department.
 - They need the floor plans for all 3 buildings so that there is a record that the plans do not exceed 5,999 sq. ft. SFLA before signing the Health Department form.
 - No survey is required for this part of the process. The survey will only be necessary for the building & demolition permit applications.
 - Once the plans are submitted, Reed Karen, Principal Building Inspector will review them, sign the form, and provide the form back to Inter-Science.

Hope this is helpful. Let me know if you have any questions. Thanks.

Mike Schiano, Environmental Planner

INTER-SCIENCE RESEARCH ASSOCIATES, INC.

Providing Environmental Planning, Design & Regulatory Permitting Services

PO Box 1201 • 36 Nugent Street • Southampton, NY 11969-1201

P: (631) 283-5958 • F: (631) 283-5974

mschiano@interscience.info

[Note Inter-Science's New Email Addresses. Click Here for more information.](#)

Confidential E-mail: Please alert sender and delete e-mail if you are not the intended recipient.

EXHIBIT C



TOWN OF SHELTER ISLAND

38 North Ferry Road, P.O. Box 970
Shelter Island, New York 11964
(631) 749-0772

BUILDING PERMIT

PERMIT MUST BE KEPT ON PREMISES UNTIL COMPLETION OF THE WORK AUTHORIZED

Permit No: 2025-0142

SEC-BLK-LOT: 15.-4-4

Issue Date: 05/27/2025

A permit is hereby given by the Building Department, Town of Shelter Island for the construction described herein:

Demolish existing barn, PVC fences, walkway, 2-story framed accessory dwelling with attached garage, and existing pool. Construct a new unconditioned barn for storage only, approx. 128 sq. ft. x 40' and install a new driveway as per site plan and plans submitted and approved by Building Inspector. Existing two-story dwelling to remain. Special Conditions: Not to be used for habitable space, no bedrooms or sleeping areas allowed. Storage for personal storage use only not to be used for commercial use. Any future heating or cooling will require a separate permit. No plumbing or piping in garage/barn allowed without SCDH approvals. Existing natural grade benchmark required prior to construction. Must not exceed 35' in height from natural grade. Final survey showing all new improvement with setbacks marked, original electrical underwriter certificate with seal must be submitted prior to issuance of CO. All exterior lighting to be "Dark Sky" complaint. Separate permit required for any additional work not listed on this permit. Contractor: Hobbs Inc.

Located At: 44 St Mary's Road

Permit Type: MISC. REN.

Owner Information

Shelter Mary Properties LLC
40 Highland Ave
Rowayton CT 06853

Fee Type	Check No.	Amount
BLDG PMTS	1190	\$5520.71
Total:		\$5520.71

Notes: The Building Inspector must be notified upon the completion of all work. All inspections must be performed before work can continue to the next stage. The holder of this permit is obligated to familiarize themselves with the ordinances under which said permit is granted. Any violation of said ordinances may result in the immediate revocation of the permit. Each and every permit shall expire and become null and void at the expiration of six (6) months from the date of issuance unless the foundation has been built and actual construction of the building under such permit shall have been commenced or unless within such period, an extension of such permit has been duly obtained from the Building Department. All permits will expire after two (2) years with a one (1) year renewal available if the extension is applied for prior to the expiration date of the permit issued.

Permission hereby granted to proceed with the work as set forth in the specification, plans or statements now on file in this Department. Any amendments made to the original plans or specifications must be submitted for approval.

Building Inspector

EXHIBIT D

Inter-Science

From: Reed Karen <rkaren@shelterislandtown.gov>
Sent: Monday, September 22, 2025 5:07 PM
To: Kristen Lisowy
Cc: Brett Poleshuk; Mike Schiano
Subject: RE: 44 St. Marys Road - Desired Conditioned Garage/Car Barn

Categories: Tropin - 44 St. Marys Rd, Mike

Kristen,

The criteria has always been the same, and we are clear about that when asked, I know that this was discussed and explained at the outset. We have *never* used the term “modest” to define a limit to finishing; there is nothing to be “honored.” SFLA that is counted towards the 5999 SF maximum allowance without requiring a ZBA Special Permit for Area is all interior space contained within the sheetrock surface of the exterior perimeter walls that is both conditioned and finished. Your original proposal was not to be conditioned, so that it could be fully finished. If you want to condition it, then it cannot be finished, meaning no trim, no decorative lighting only bulbs or the most basic functional lighting; no paneling, no decorative flooring; it has to be purely utilitarian. A storage garage.

The size of the building is already attracting complaints, and scrutiny. We have assured everyone who has asked about it—including several Town Board and ZBA members that it is not over 5999 SFLA because it is not conditioned. If you want to change that, you will have to submit proof that it is not to be finished. You can amend permits, but this gets tricky because finished and unconditioned, is fundamentally different in approach from conditioned and not finished. How do you intend to meet energy code at this point if you condition it? I’m not clear on where it is in the construction process, but I know the slab and foundation walls are poured, and there would be a number of requirements now that would have to be met retroactively. It’s more than a simple amendment.

Yours,
Reed

From: Kristen Lisowy <klisowy@interscience.info>
Sent: Monday, September 22, 2025 3:06 PM
To: Reed Karen <rkaren@shelterislandtown.gov>
Cc: Brett Poleshuk <bpoleshuk@shelterislandtown.gov>; Mike Schiano <mschiano@interscience.info>
Subject: 44 St. Marys Road - Desired Conditioned Garage/Car Barn

EXTERNAL

Dear Reed:

Earlier today, Mike Schiano and I spoke with Brett Poleshuk on the phone regarding Building Permit No. 2025-0142 (attached) for 44 St. Marys Road. We spoke with him to understand the process of modifying the permit, as the owner would like the car barn/garage to be a conditioned space for his classic cars. We now understand that the Town does not really amend building permits, that we need to submit a separate building permit application request for this, and Brett also suggested we email you directly for a determination regarding adding conditioning to the car barn.

Note that this was not originally applied for because the owner was eager for his team to start construction. Our office has been coordinating with the design professionals to get the work properly permitted and we are seeking your instruction for making the structure conditioned.

However, we also reminded Brett that based on a previous conversations – specifically on September 24, 2024 - that he conferred with you about this and it was indicated that the area of a heated & cooled garage will not contribute to the property's Square Foot Living Area (“SFLA”), as defined under §133-1B, if the finishing of the building is kept modest and it is clear that the work in the car barn will not be “living area”. Since the project has proceeded based on previous conversations from the Town Building Department, we hope that those previous verbal determinations will be honored.

Please feel free to call Mike or me (631-283-5958) to discuss this, but Brett did say that we need a determination from you about the conditioning of the car barn/garage. Please let us know if we may proceed with filing a separate building permit application for conditioning the car barn/garage or exactly how we may be able to proceed with this. Thank you very much.

Respectfully,
Kristen

Kristen Lisowy, Environmental Planner
INTER-SCIENCE RESEARCH ASSOCIATES, INC.

Providing Environmental Planning, Design & Regulatory Permitting Services

PO Box 1201 • 36 Nugent Street • Southampton, NY 11969-1201

P: (631) 283-5958 • F: (631) 283-5974

klisowy@interscience.info

Note Inter-Science's New Email Addresses. Click Here for more information.

Confidential E-mail: Please alert sender and delete e-mail if you are not the intended recipient.

Caution: This is an external email. Please take care when clicking links or opening attachments. When in doubt, contact your IT Department



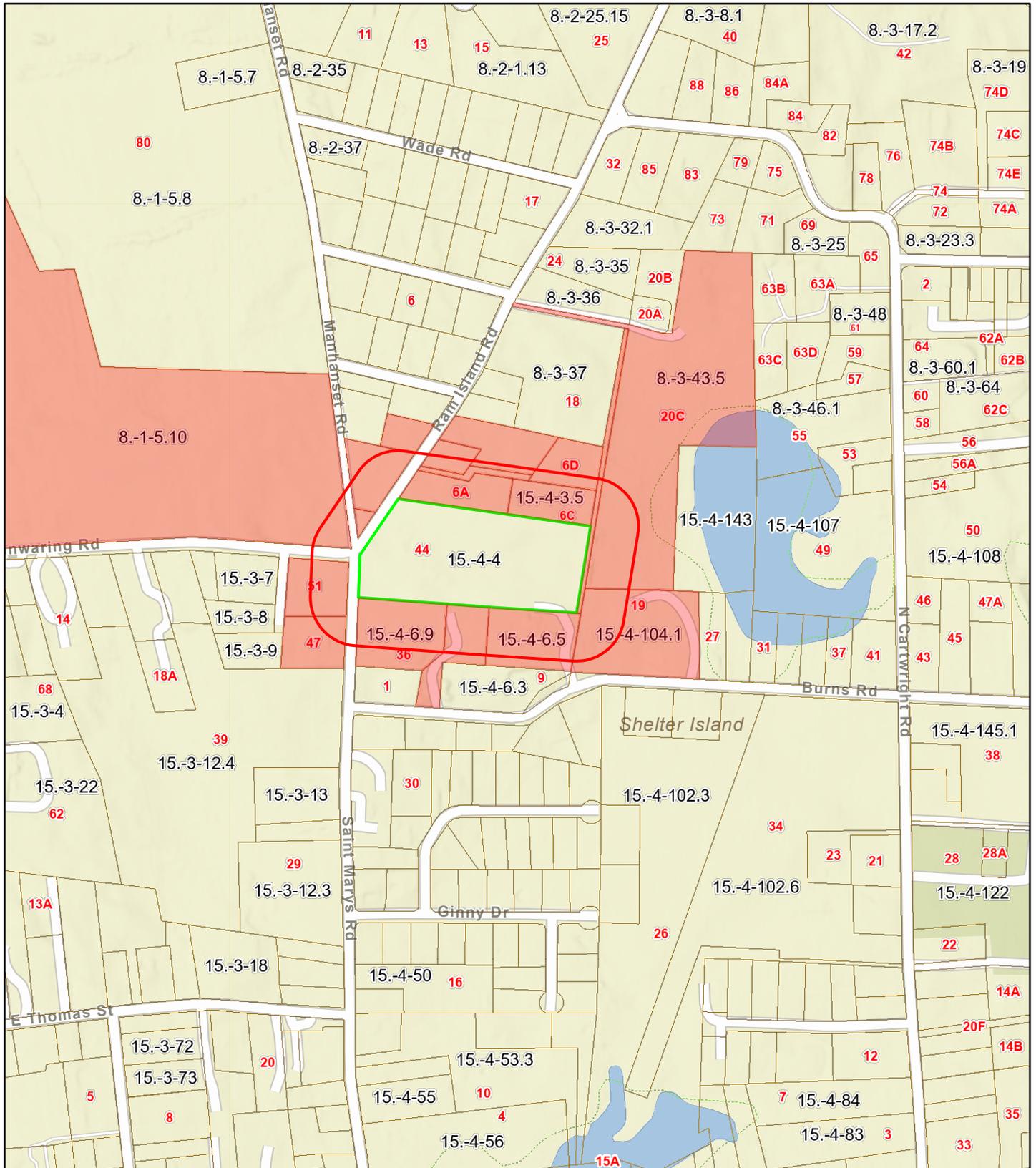
Shelter Island, NY

1 inch = 569 Feet



www.cai-tech.com

January 27, 2026



Data shown on this map is provided for planning and informational purposes only. The municipality and CAI Technologies are not responsible for any use for other purposes or misuse or misrepresentation of this map.



TOWN OF SHELTER ISLAND

38 North Ferry Road, P.O. Box 970
Shelter Island, New York 11964
(631) 749-0772

BUILDING PERMIT

PERMIT MUST BE KEPT ON PREMISES UNTIL COMPLETION OF THE WORK AUTHORIZED

Permit No: 2025-0475

SEC-BLK-LOT: 15.-4-4

Issue Date: 09/04/2025

A permit is hereby given by the Building Department, Town of Shelter Island for the construction described herein:

Demolish existing two-story dwelling with porches, deck, patio. Construct new two-story single-family dwelling with detached accessory apartment (Gate House) with HVAC. Install new pervious gravel driveway layout with parking courts. Remove existing sanitary, replace with an I/A OWTS as per SCDHS approval. Special Conditions: As per SCDHS R-25-0829 for a max. of nine (9) bedrooms in main dwelling & one in Accessory Building. Elevation survey required when highest ridge height is established maximum height is 35' & survey must be submitted prior to continuing work to confirm height. Final updated SCDHS green stamp survey showing all new improvements with setbacks marked, Blower Door/Duct Blast test results, Original Electrical Underwriter Certificate, Well & Septic Registry all must be submitted prior to issuance of CO. SEPARATE permit required for any other work not listed on this permit including, pool, all patios etc. Exterior doors within future pool enclosure required to be alarmed with approved UL2017 Alarms. Windows within pool enclosure required to have sash limiters. Contractor: Hobbs Inc.

Located At: 44 St Mary's Road

Permit Type: SFR 2 STORY

Owner Information

Shelter Mary Properties LLC
40 Highland Ave
Rowayton CT 06853

Fee Type	Check No.	Amount
BLDG PMTS	1189	\$15419.00
Total:		\$15419.00

Notes: The Building Inspector must be notified upon the completion of all work. All inspections must be performed before work can continue to the next stage. The holder of this permit is obligated to familiarize themselves with the ordinances under which said permit is granted. Any violation of said ordinances may result in the immediate revocation of the permit. Each and every permit shall expire and become null and void at the expiration of six (6) months from the date of issuance unless the foundation has been built and actual construction of the building under such permit shall have been commenced or unless within such period, an extension of such permit has been duly obtained from the Building Department. All permits will expire after two (2) years with a one (1) year renewal available if the extension is applied for prior to the expiration date of the permit issued. Permission hereby granted to proceed with the work as set forth in the specification, plans or statements now on file in this Department. Any amendments made to the original plans or specifications must be submitted for approval.

Building Inspector



TOWN OF SHELTER ISLAND

38 North Ferry Road, P.O. Box 970
Shelter Island, New York 11964
(631) 749-0772

THIS IS NOT AN OFFICIAL CERTIFICATE
OF OCCUPANCY OR COMPLIANCE

* Amended Certificate of Occupancy *

CERTIFICATE NUMBER: 2024-075

Date Issued: 07/23/2024

This certificate is hereby granted to: Joan Vecsey
PO Box 20
Shelter Island Hts. NY 11965

Grid Number: 15.-4-4
Property Location: 44 St Mary's Road
Permit Type: SFD
Zone: C

NOT AN OFFICIAL COPY
THIS DOCUMENT DESCRIBES CONDITIONS ON THE
DATE CERTIFICATE WAS ISSUED AND DOES NOT
REFLECT CURRENT CONDITIONS OR IMPLY
COMPLIANCE WITH ZONING OR BUILDING CODES

For:

Construct a two-story, single-family dwelling with three bedrooms, and three bathrooms with covered porches, unfinished basement garage and retaining walls.

In accordance with Permit # 1984-2411

Issued by the Town of Shelter Island, Dated 07/23/2024

New York State Uniform Fire Prevention and Building Code


Building Inspector, Town of Shelter Island



THIS IS NOT AN OFFICIAL CERTIFICATE OF OCCUPANCY OR COMPLIANCE

TOWN OF SHELTER ISLAND
46 NORTH FERRY ROAD, P.O. Box 970
SHELTER ISLAND
NEW YORK 11964

William W. Banks: Building Inspector

NOT AN OFFICIAL COPY
THIS DOCUMENT DESCRIBES CONDITIONS ON THE DATE CERTIFICATE WAS ISSUED AND DOES NOT REFLECT CURRENT CONDITIONS OR IMPLY COMPLIANCE WITH ZONING OR BUILDING CODES

BUILDING DEPARTMENT

AMENDED CERTIFICATE OF OCCUPANCY

Suffolk County, New York

Date August 6, 1996

THIS CERTIFIES that the building located on the east side of St. Mary's Road distant 433 feet north from the intersection of Burns Road in the Town of SHELTER ISLAND, N.Y., and designated as Suffolk County tax map # Q700/Q15/Q4/Q4 conforms with the application and PERMIT No. 2333 Dated November 17, 1983 on file in this office and complies with the requirements of the ZONING ORDINANCE of the Town of Shelter Island, New York.

ZONE..C-Residential..... OCCUPANCY detached garage.....

This certificate issued to: Albert Manelski,
owner, of the aforementioned building. 44 St. Mary's Road ...
(address)
..... Shelter Island, NY

By Order of the Town Board, Town of Shelter Island

No. 1882a

[Handwritten Signature]
BUILDING INSPECTOR

THIS IS NOT AN OFFICIAL CERTIFICATE
OF OCCUPANCY OR COMPLIANCE



NOT AN OFFICIAL COPY
THIS DOCUMENT DESCRIBES CONDITIONS ON THE
DATE CERTIFICATE WAS ISSUED AND DOES NOT
REFLECT CURRENT CONDITIONS OR IMPLY
COMPLIANCE WITH ZONING OR BUILDING CODES

TOWN OF SHELTER ISLAND

38 NORTH FERRY ROAD, P.O. Box 970
SHELTER ISLAND
New York 11964

William W. Banks: *Building Inspector*
Mary C. Wilson: *Building & Zoning Clerk*

Tel. (516) 749-0772
Fax (516) 749-9305

BUILDING DEPARTMENT

CERTIFICATE OF OCCUPANCY

Suffolk County, New York

Date January 24, 2000

THIS CERTIFIES that the building located on the East side
of St. Mary's Road distant ±433 feet
North from the intersection of Burns Road
in the Town of SHELTER ISLAND, N.Y., and designated as Suffolk County
tax map # 0700/015/04/04 conforms with the application
and PERMIT # 5397 Dated April 26, 1999 on file in this
office and complies with the requirements of the ZONING ORDINANCE of
the Town of Shelter Island, New York.

ZONE C-Res. OCCUPANCY Detached horse barn.

This certificate issued to Peter and Joan Vecsey
Owner of the aforementioned building. 44 St. Mary's Road
Shelter Island, N.Y.
(address)

By Order of the Town Board, Town of Shelter Island
No. 5293

Building Inspector

TOWN OF SHELTER ISLAND
38 NORTH FERRY ROAD, PO BOX 970
SHELTER ISLAND, NY 11964

THIS IS NOT AN OFFICIAL CERTIFICATE
OF OCCUPANCY OR COMPLIANCE

CERTIFICATE OF OCCUPANCY

CERTIFICATE NUMBER: 6949

CERTIFICATE OF OCCUPANCY is hereby granted to Vecscy, Peter
P.O. Box 20
Shelter Island Hgts., NY 11965

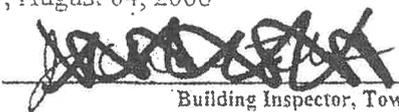
Grid Number: 89/15.-4-4
Property Location: 44 St. Mary's Rd.
Zone :

NOT AN OFFICIAL COPY
THIS DOCUMENT DESCRIBES CONDITIONS ON THE
DATE CERTIFICATE WAS ISSUED AND DOES NOT
REFLECT CURRENT CONDITIONS OR IMPLY
COMPLIANCE WITH ZONING OR BUILDING CODES

For:

Construction of inground swimming pool, 18' x 44'

In accordance with PERMIT # 2003-6133 APPLICATION # 6153 issued By
Town of Shelter Island. Dated Friday, August 04, 2006


Building Inspector, Town of Shelter Island, NY.

TOWN OF SHELTER ISLAND
38 North Ferry Road, P.O. Box 970
Shelter Island
New York 11964

**THIS IS NOT AN OFFICIAL CERTIFICATE
OF OCCUPANCY OR COMPLIANCE**

William W. Banks: Building Inspector & Zoning Officer
J. Chris Tehan: Building Inspector

Tel (631) 749-0772
Fax. (631) 749-9305

**BUILDING DEPARTMENT
CERTIFICATE OF OCCUPANCY**

August 4, 2006

THIS CERTIFIES that the building located at 44 Saint Mary's Road, in the Town of Shelter Island, New York and designated as Suffolk County Tax Map #0700/015/004/04 conforms with the application and Permit No# 6296 dated April 24, 2002 on file in this office and complies with the requirements of the Zoning Ordinance of the Town of Shelter Island, New York.

Zone: C-Residential

Occupancy: Renovation of 2nd floor garage for personal office, full bathroom and deck.

This certificate issued to: Mr. and Mrs. Peter Vecsey
44 Saint Mary's Road
Shelter Island, NY 11964

No. 6950


J. Chris Tehan
Building Inspector

NOT AN OFFICIAL COPY
THIS DOCUMENT DESCRIBES CONDITIONS ON THE
DATE CERTIFICATE WAS ISSUED AND DOES NOT
REFLECT CURRENT CONDITIONS OR IMPLY
COMPLIANCE WITH ZONING OR BUILDING CODES

TOWN OF SHELTER ISLAND
38 NORTH FERRY ROAD, PO BOX 970
SHELTER ISLAND, NY 11964

THIS IS NOT AN OFFICIAL CERTIFICATE
OF OCCUPANCY OR COMPLIANCE

CERTIFICATE OF OCCUPANCY

CERTIFICATE NUMBER: 7105

CERTIFICATE OF OCCUPANCY is hereby granted to Vecsey Peter
Vecsey Joan
PO BOX 20
Shelter Island Hts, NY 11965

Grid Number: 89/15.-4-4

Property Location: 44 St Mary's Road

Zone:

For:

Re-roof existing dwelling.

NOT AN OFFICIAL COPY
THIS DOCUMENT DESCRIBES CONDITIONS ON THE
DATE CERTIFICATE WAS ISSUED AND DOES NOT
REFLECT CURRENT CONDITIONS OR IMPLY
COMPLIANCE WITH ZONING OR BUILDING CODES

In accordance with PERMIT # 2006-0219 APPLICATION # 6997 issued By
Town of Shelter Island. Dated Monday, January 29, 2007


Building Inspector, Town of Shelter Island, NY.



TOWN OF SHELTER ISLAND

38 North Ferry Road, P.O. Box 970
Shelter Island, New York 11964
(631) 749-0772

THIS IS NOT AN OFFICIAL CERTIFICATE
OF OCCUPANCY OR COMPLIANCE

* Certificate of Compliance *

CERTIFICATE NUMBER: 2023-0565

Date Issued: 09/13/2023

This certificate is hereby granted to: Joan Vecsey

PO Box 20
Shelter Island Hts. NY 11965

Grid Number:

Property Location:

Permit Type: Patio

Zone: C

NOT AN OFFICIAL COPY

**THIS DOCUMENT DESCRIBES CONDITIONS ON THE
DATE CERTIFICATE WAS ISSUED AND DOES NOT
REFLECT CURRENT CONDITIONS OR IMPLY
COMPLIANCE WITH ZONING OR BUILDING CODES**

For:

Construct a 478 sq ft. patio as shown on drawing.

In accordance with Permit # 2023-0565

Issued by the Town of Shelter Island, Dated 09/13/2023

New York State Uniform Fire Prevention and Building Code


Building Inspector, Town of Shelter Island



TOWN OF SHELTER ISLAND

38 North Ferry Road, P.O. Box 970
Shelter Island, New York 11964
(631) 749-0772

THIS IS NOT AN OFFICIAL CERTIFICATE
OF OCCUPANCY OR COMPLIANCE

* Certificate of Compliance *

CERTIFICATE NUMBER: 2015-0385

Date Issued: 09/13/2023

This certificate is hereby granted to: Joan Vecsey

PO Box 20

Shelter Island Hts, NY 11965

Grid Number: 15.-4-4
Property Location: 44 St Mary's Road
Permit Type: Generator
Zone: C

For:

Install a generator as per specs submitted & placed as per survey.

NOT AN OFFICIAL COPY
THIS DOCUMENT DESCRIBES CONDITIONS ON THE
DATE CERTIFICATE WAS ISSUED AND DOES NOT
REFLECT CURRENT CONDITIONS OR IMPLY
COMPLIANCE WITH ZONING OR BUILDING CODES

In accordance with Permit # 2015-0385

Issued by the Town of Shelter Island, Dated 09/13/2023

New York State Uniform Fire Prevention and Building Code

Building Inspector, Town of Shelter Island



TOWN OF SHELTER ISLAND

38 North Ferry Road, P.O. Box 970
Shelter Island, New York 11964
(631) 749-0772

**THIS IS NOT AN OFFICIAL CERTIFICATE
OF OCCUPANCY OR COMPLIANCE**

*** Certificate of Occupancy ***

CERTIFICATE NUMBER: 2024-0473

Date Issued: 07/23/2024

This certificate is hereby granted to: Joan Vecsey

PO Box 20
Shelter Island Hts. NY 11965

Grid Number: 15.-4-4
Property Location: 44 St Mary's Road
Permit Type: MISC. REN.
Zone: C

NOT AN OFFICIAL COPY
**THIS DOCUMENT DESCRIBES CONDITIONS ON THE
DATE CERTIFICATE WAS ISSUED AND DOES NOT
REFLECT CURRENT CONDITIONS OR IMPLY
COMPLIANCE WITH ZONING OR BUILDING CODES**

For:

Finish existing basement to a rec room with proper egress. Special Conditions: Not to be used for sleeping. No change in bedroom count.

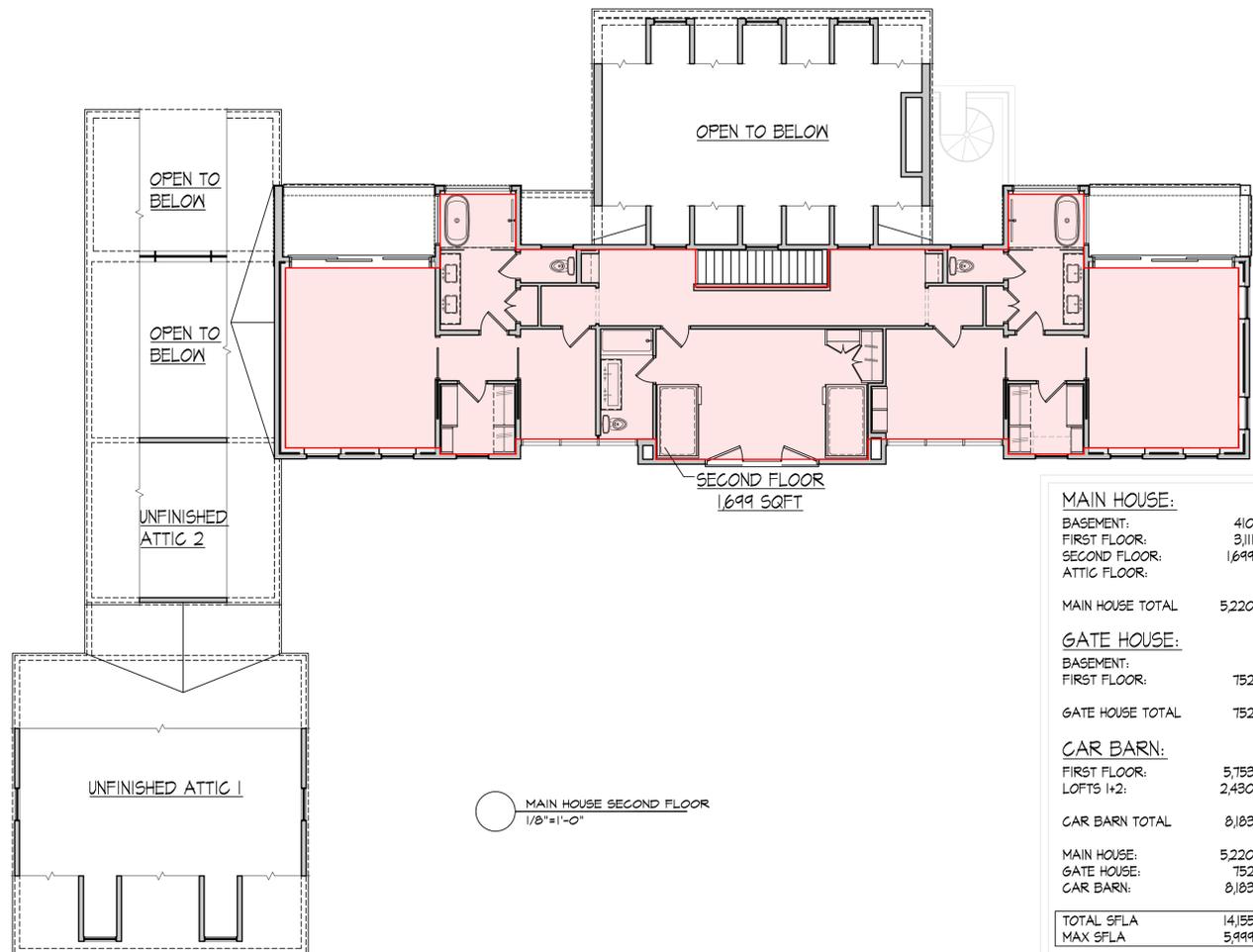
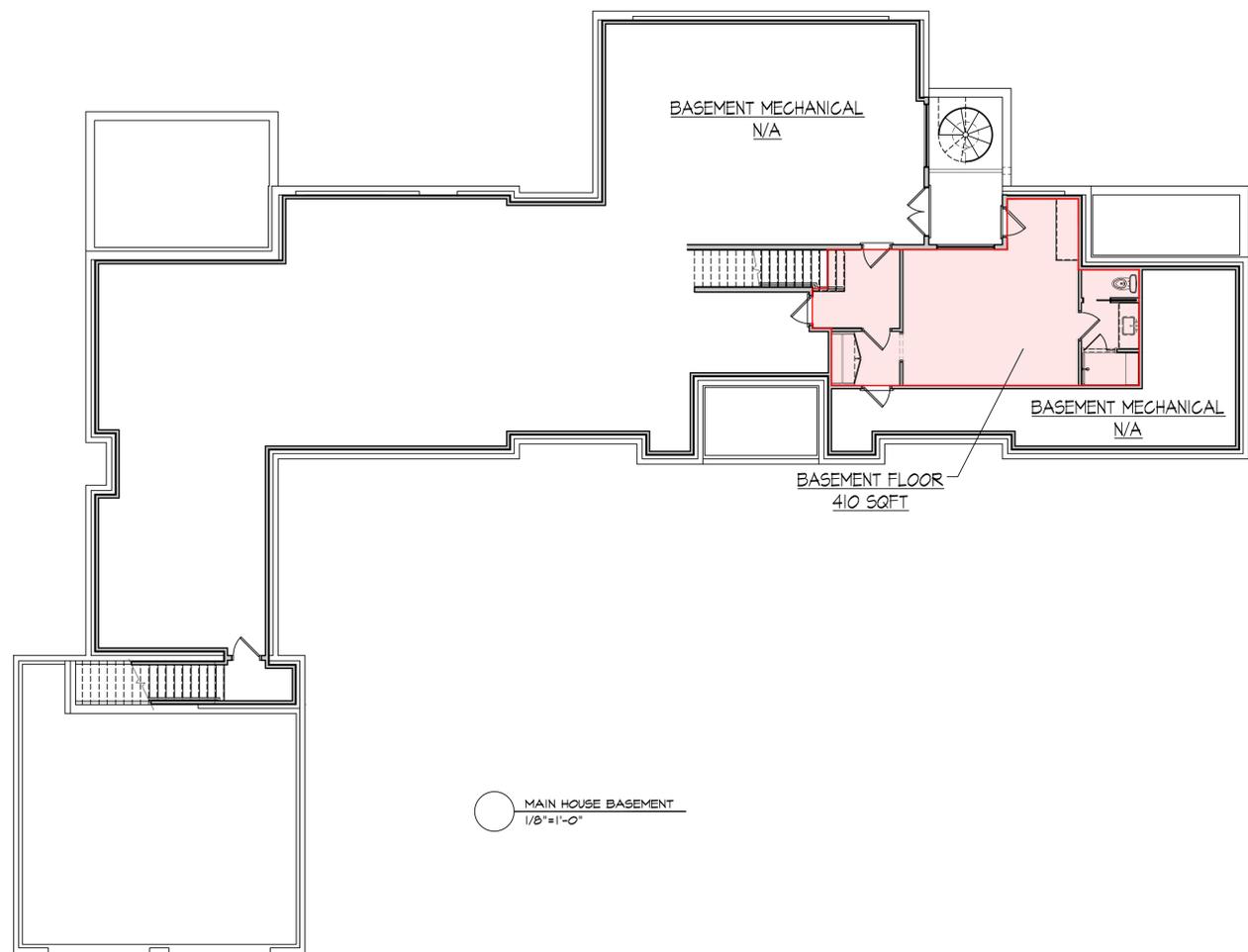
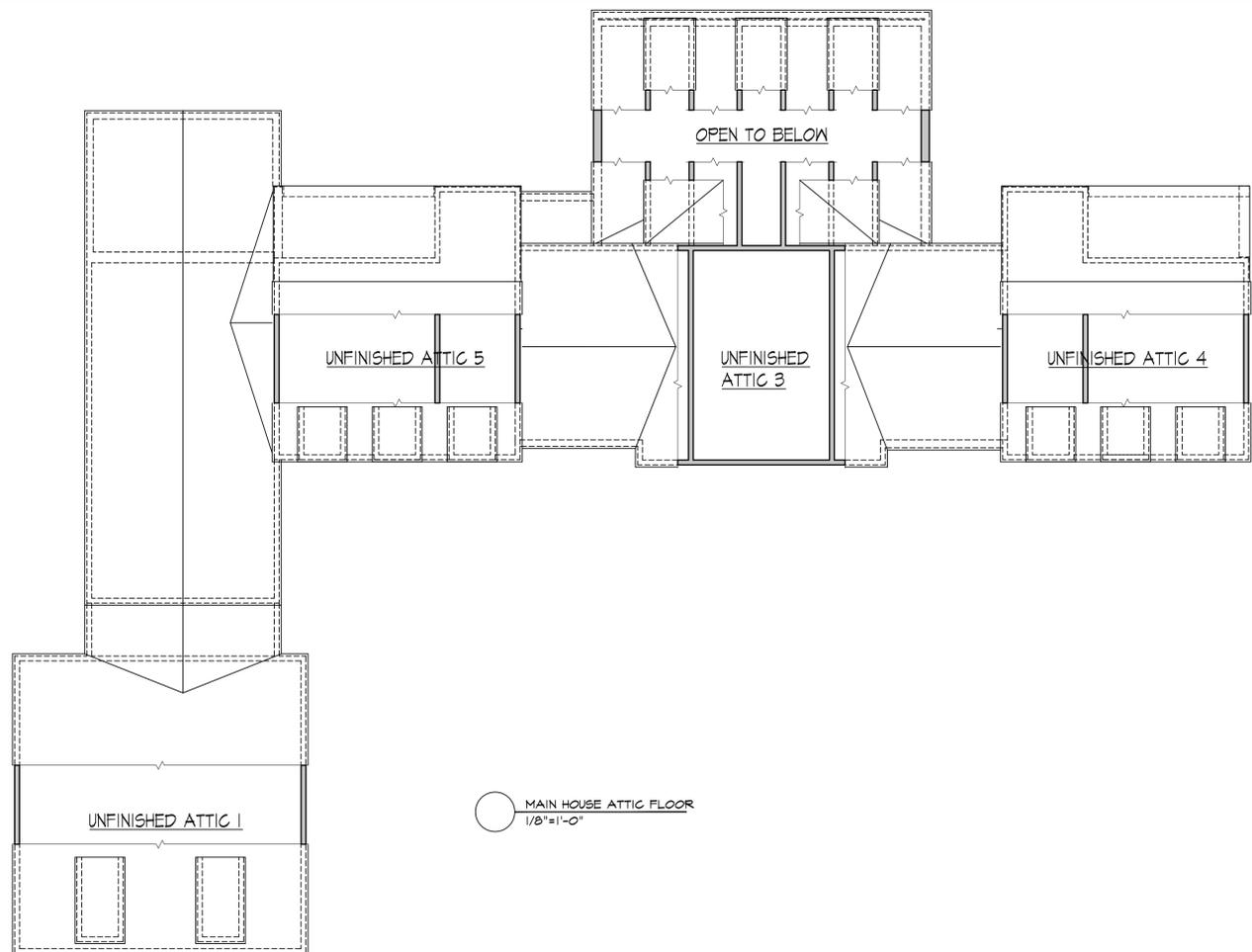
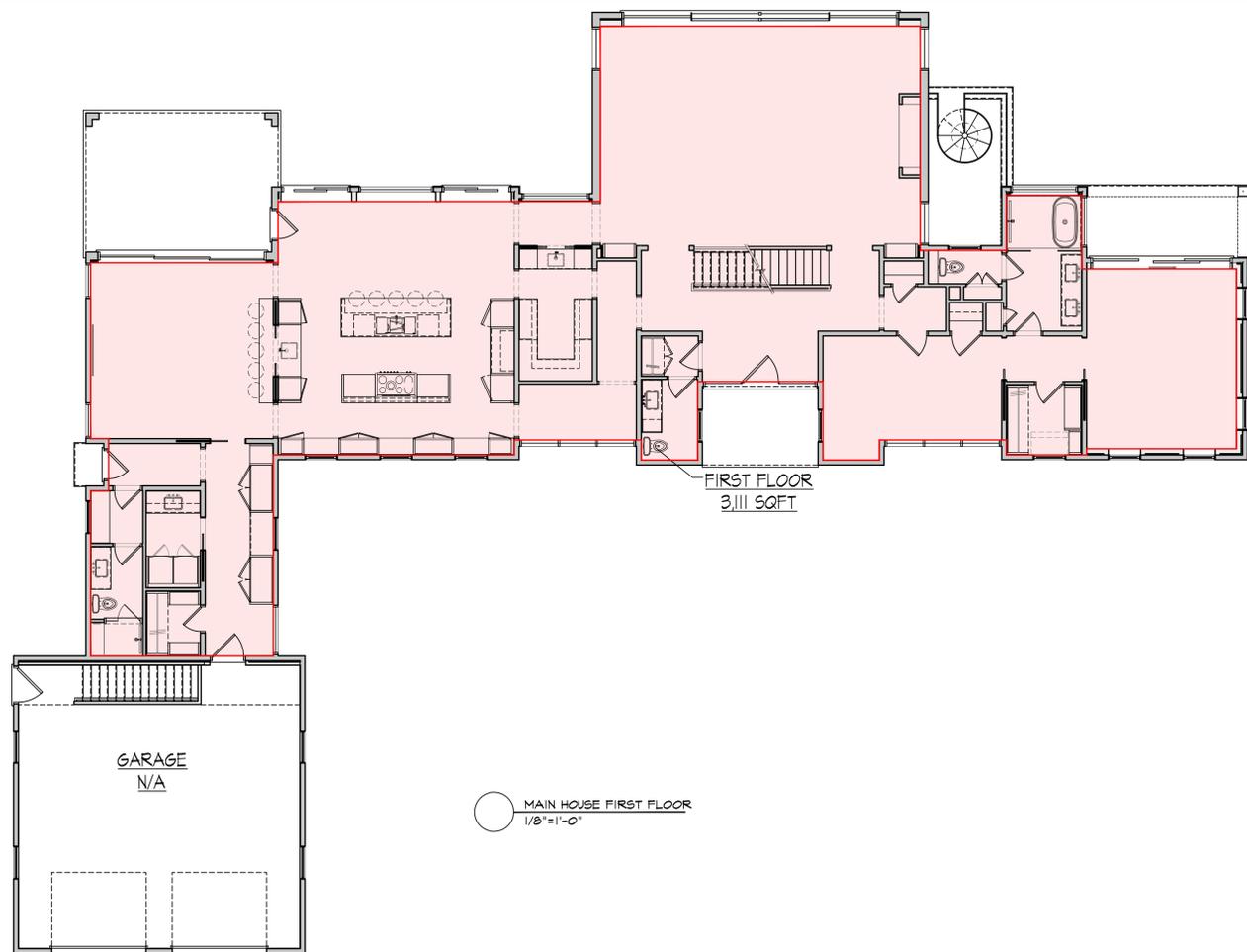
In accordance with Permit # 2024-0473

Issued by the Town of Shelter Island, Dated 07/23/2024

New York State Uniform Fire Prevention and Building Code



Building Inspector, Town of Shelter Island



MAIN HOUSE:	
BASEMENT:	410 SQFT
FIRST FLOOR:	3,111 SQFT
SECOND FLOOR:	1,699 SQFT
ATTIC FLOOR:	N/A
MAIN HOUSE TOTAL	5,220 SQFT
GATE HOUSE:	
BASEMENT:	N/A
FIRST FLOOR:	752 SQFT
GATE HOUSE TOTAL	752 SQFT
CAR BARN:	
FIRST FLOOR:	5,753 SQFT
LOFTS 1+2:	2,430 SQFT
CAR BARN TOTAL	8,183 SQFT
MAIN HOUSE:	5,220 SQFT
GATE HOUSE:	752 SQFT
CAR BARN:	8,183 SQFT
TOTAL SFLA	14,155 SQFT
MAX SFLA	5,999 SQFT

VINCENT FALOTICO ARCHITECTURE, P.C.
 EXCEPTIONAL RESIDENTIAL ARCHITECTURE
 199 ELM STREET NEW CANAAN, CT 06840
 PHONE 203 966 8440
 WWW.BROOKSANDFALOTICO.COM

2026-01-21
 CAR BARN SF ADDED
 2025-12-11
 ISSUED FOR TOWN REVIEW

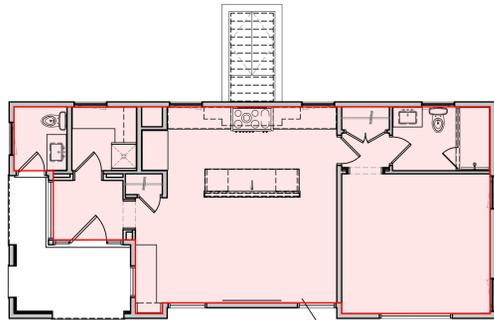
REV. # DATE DESCRIPTION:
 SHELLTER MARY PROPERTY
 44 ST MARY'S RD
 SHELLTER ISLAND, NY 11964
 PROJECT NO.



MAIN HOUSE
 FINISHED FLOOR AREA
 SCALE: 1/8"=1'-0"

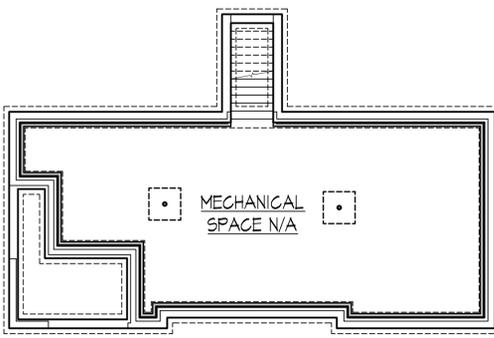
FAR

These drawings and specifications, including the plan and arrangement represented hereby, are the property of the Architect. The Architect is holder of these documents, and shall retain all common law, statutory and other reserved rights including copyright. No part thereof shall be copied, altered or used in connection with any other project without the specific written consent of the Architect. Vertical dimensions shall take precedence over stated dimensions. The Architect shall not be held liable for any discrepancies or omissions from the drawings here to.



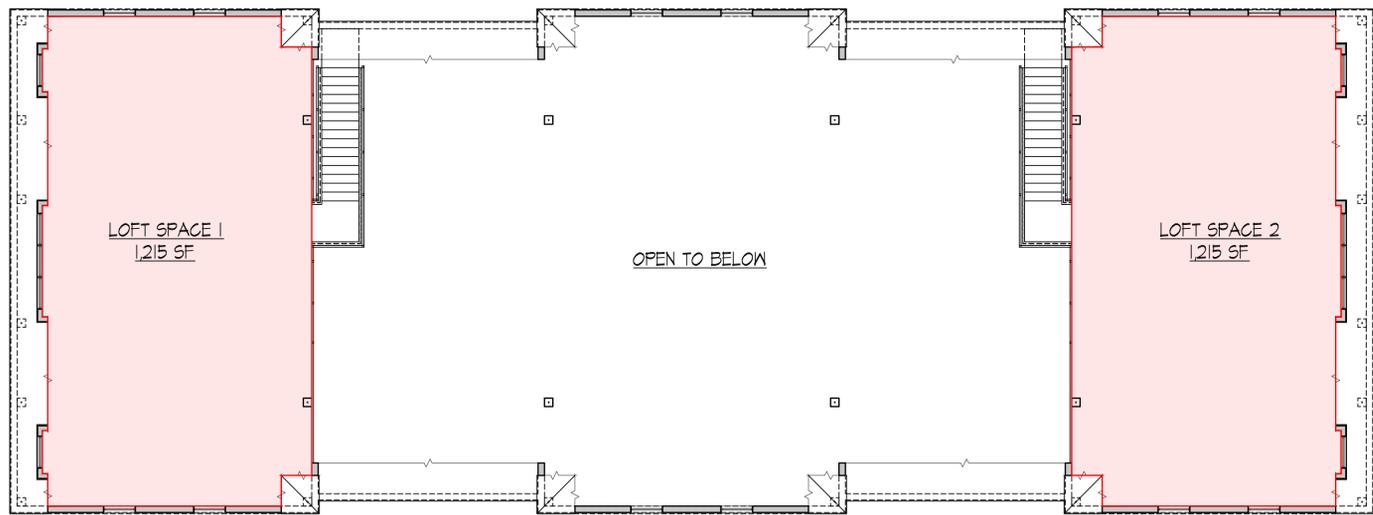
FIRST FLOOR
752 SQFT

GATE HOUSE FIRST FLOOR
1/8"=1'-0"



MECHANICAL
SPACE N/A

GATE HOUSE BASEMENT
1/8"=1'-0"

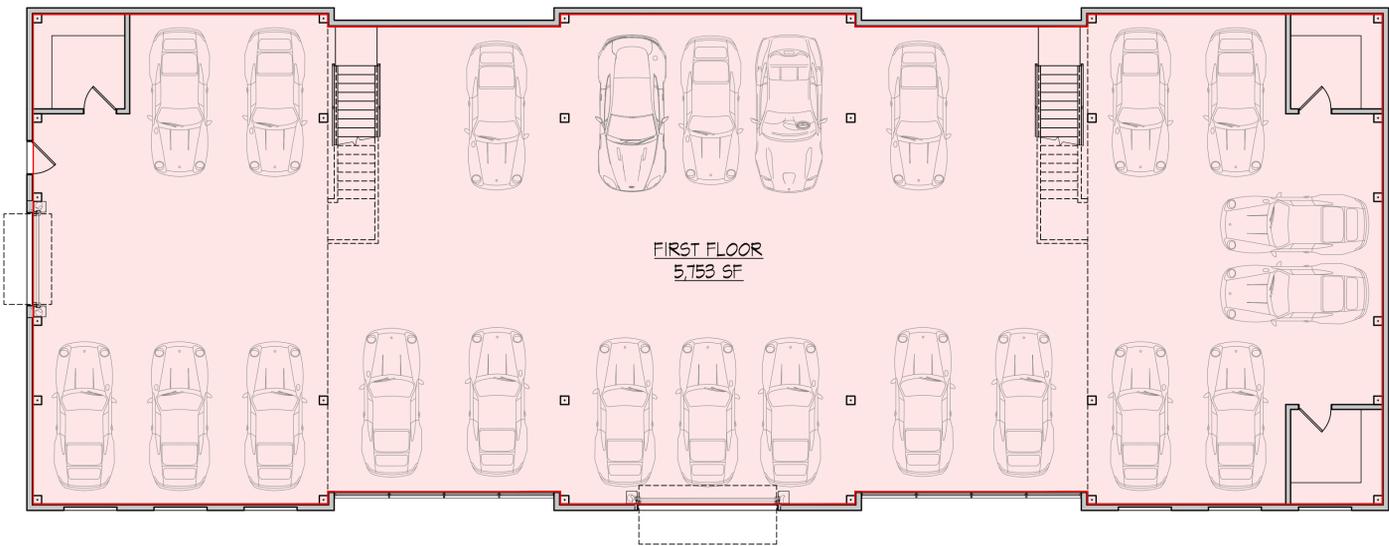


LOFT SPACE 1
1,215 SF

OPEN TO BELOW

LOFT SPACE 2
1,215 SF

CAR BARN LOFTS
1/8"=1'-0"



FIRST FLOOR
5,753 SF

CAR BARN FIRST FLOOR
1/8"=1'-0"

MAIN HOUSE:	
BASEMENT:	410 SQFT
FIRST FLOOR:	3,111 SQFT
SECOND FLOOR:	1,644 SQFT
ATTIC FLOOR:	N/A
MAIN HOUSE TOTAL	5,220 SQFT
GATE HOUSE:	
BASEMENT:	N/A
FIRST FLOOR:	752 SQFT
GATE HOUSE TOTAL	752 SQFT
CAR BARN:	
FIRST FLOOR:	5,753 SQFT
LOFTS 1+2:	2,430 SQFT
CAR BARN TOTAL	8,183 SQFT
MAIN HOUSE:	5,220 SQFT
GATE HOUSE:	752 SQFT
CAR BARN:	8,183 SQFT
TOTAL SFLA	14,155 SQFT
MAX SFLA	5,444 SQFT

VINCENT FALOTICO ARCHITECTURE, P.C.
EXCEPTIONAL RESIDENTIAL ARCHITECTURE
199 ELM STREET NEW CANAAN, CT 06840
PHONE 203 966 8440
WWW.BROOKSANDFALOTICO.COM

2026-01-21
CAR BARN SF ADDED
2025-12-11
ISSUED FOR TOWN REVIEW

REV. # DATE:
DESCRIPTION:

SHELTER MARY PROPERTY
44 ST MARY'S RD
SHELTER ISLAND, NY 11964
PROJECT NO.



GATE HOUSE & BARN
FINISHED FLOOR AREA

SCALE: 1/8"=1'-0"

FAR

This drawing and specifications, including the idea and arrangement represented herein, are the property of the Architect. The Architect is holder of these documents, shall retain all common law, statutory and other reserved rights including copyright. No part thereof shall be copied, duplicated or used in connection with any other project without the specific written consent of the Architect. When dimensions conflict, the dimensions shown on the drawings shall prevail. The Architect shall not be responsible for any discrepancies or omissions from the drawings prior to being received.

44 Saint Mary's Road
 Road
 SHELTER ISLAND, NY

GENERAL NOTES:



CRECORY LOMBARDI DESIGN, INC.
landscape architecture
 221 Boston Road
 North Billerica, Massachusetts 01862
 Phone 617.492.2808

No.	Date	Comment

Date	23 JANUARY 2026	Scale	1" = 30'-0"
Project No.	24026	Drawing by	MD/BD
		Checked by	EG/GL

SITE PLAN



LEGEND

- PROPERTY LINE
- - - ZONING SETBACK
- L.O.W. — LIMIT OF WORK/HEAVY CONSTRUCTION
- - 50 - - EXISTING CONTOUR
- 50 — PROPOSED CONTOUR
- o — TREE PROTECTION FENCE
- ~~~~~ BEDLINE
- EXISTING DECIDUOUS TREE TO REMAIN
- ⊗ EXISTING EVERGREEN TREE TO REMAIN
- PROPOSED DECIDUOUS TREE
- ⊗ PROPOSED EVERGREEN TREE
- ▬ PROPOSED WALL
- FACE OF RISER

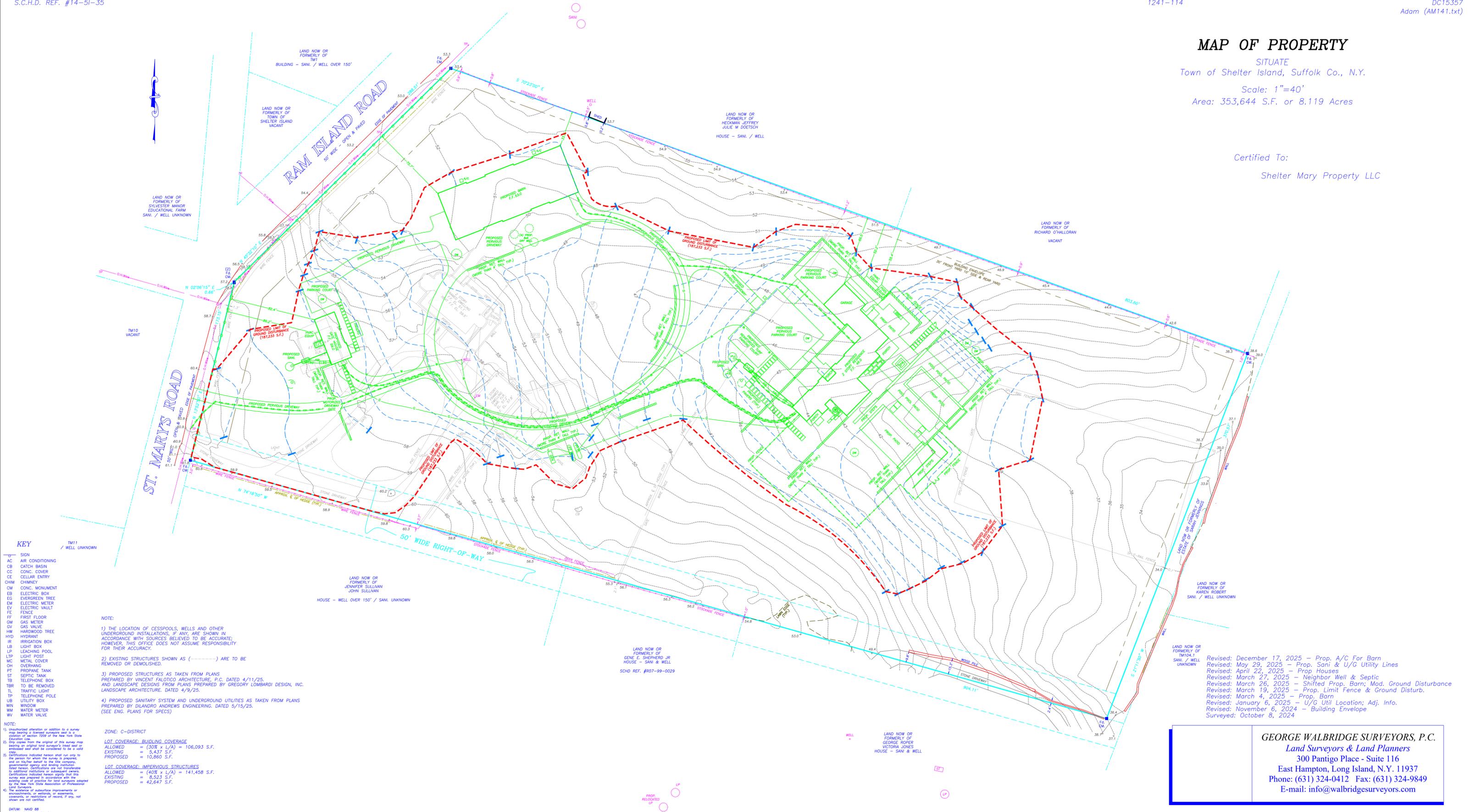
©Gregory Lombardi Design Incorporated

MAP OF PROPERTY

SITUATE
Town of Shelter Island, Suffolk Co., N.Y.

Scale: 1"=40'
Area: 353,644 S.F. or 8.119 Acres

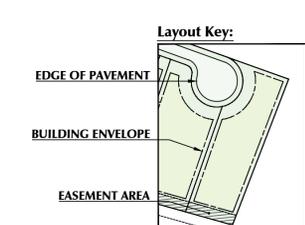
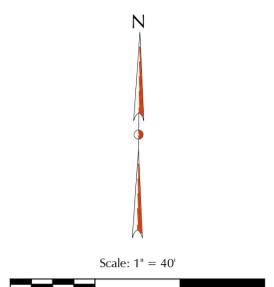
Certified To:
Shelter Mary Property LLC



- KEY**
- SIGN
 - AC AIR CONDITIONING
 - CB CATCH BASIN
 - CC CONC. COVER
 - CE CELLAR ENTRY
 - CHM CHIMNEY
 - CM CONC. MONUMENT
 - EB ELECTRIC BOX
 - EG EVERGREEN TREE
 - EM ELECTRIC METER
 - EV ELECTRIC VAULT
 - FE FENCE
 - FF FIRST FLOOR
 - GM GAS METER
 - GV GAS VALVE
 - HW HARDWOOD TREE
 - HYD HYDRANT
 - IR IRRIGATION BOX
 - LB LIGHT BOX
 - LP LEACHING POOL
 - LTP LIGHT POST
 - MC METAL COVER
 - OH OVERHANG
 - PT PROPANE TANK
 - ST SEPTIC TANK
 - TB TELEPHONE BOX
 - TBR TO BE REMOVED
 - TL TRAFFIC LIGHT
 - TP TELEPHONE POLE
 - UB UTILITY BOX
 - WIN WINDOW
 - WM WATER METER
 - WV WATER VALVE
- NOTE:**
- 1) THE LOCATION OF CESSPOOLS, WELLS AND OTHER UNDERGROUND INSTALLATIONS, IF ANY, ARE SHOWN IN ACCORDANCE WITH SOURCES BELIEVED TO BE ACCURATE; HOWEVER, THIS OFFICE DOES NOT ASSUME RESPONSIBILITY FOR THEIR ACCURACY.
 - 2) EXISTING STRUCTURES SHOWN AS (---) ARE TO BE REMOVED OR DEMOLISHED.
 - 3) PROPOSED STRUCTURES AS TAKEN FROM PLANS PREPARED BY VINCENT FALOTICO ARCHITECTURE, P.C. DATED 4/11/25, AND LANDSCAPE DESIGNS FROM PLANS PREPARED BY GREGORY LOMBARDI DESIGN, INC. LANDSCAPE ARCHITECTURE, DATED 4/9/25.
 - 4) PROPOSED SANITARY SYSTEM AND UNDERGROUND UTILITIES AS TAKEN FROM PLANS PREPARED BY DILANDRO ANDREWS ENGINEERING, DATED 5/15/25. (SEE ENG. PLANS FOR SPECS)

Revised: December 17, 2025 - Prop. A/C For Barn
 Revised: May 29, 2025 - Prop. Sani & U/G Utility Lines
 Revised: April 22, 2025 - Prop. Houses
 Revised: March 27, 2025 - Neighbor Well & Septic
 Revised: March 26, 2025 - Shifted Prop. Barn; Mod. Ground Disturbance
 Revised: March 19, 2025 - Prop. Limit Fence & Ground Disturb.
 Revised: March 4, 2025 - Prop. Barn
 Revised: January 6, 2025 - U/G Util Location; Adj. Info.
 Revised: November 6, 2024 - Building Envelope
 Surveyed: October 8, 2024

GEORGE WALBRIDGE SURVEYORS, P.C.
 Land Surveyors & Land Planners
 300 Pantigo Place - Suite 116
 East Hampton, Long Island, N.Y. 11937
 Phone: (631) 324-0412 Fax: (631) 324-9849
 E-mail: info@walbridgesurveyors.com



Shelter Mary Property LLC

Conceptual Yield Plan

44 St. Mary's Road
Town of Shelter Island
Suffolk County, New York

Prepared for:

Date: January 22, 2026
Site Data:
Area: 353,644 sq. ft. (8.119 acres)
Zone: District C
SCTM: 0700 - 15 - 4 - 4

Zoning Restrictions:
Min. Lot Size: 40,000 sq. ft.
Lot Frontage: 100'
Lot Coverage: By Buildings, 30% of lot area; By all impervious surfaces, including buildings, 40% of lot area.

Setbacks for All Structures:
Front setbacks: 30 feet.
Side and rear setback including all permanently-afixed mechanical equipment other than submersible wells: 10 feet.

NOTE: The 5' setback shown herein front the existing southern R.O.W. is a recommendation, not a Town-codified setback.

NOTE: The square foot living area of a one-family dwelling and any conditioned accessory structures shall not be more than 5,999 square feet, nor less than 1,200 square feet, of which a minimum of 850 square feet must be on the first floor, excluding the following unconditioned structures: porches, breezeways, attached garages and basements.

Subdivision Dimensions:

Lot	Total Including Recorded ROW	Total Excluding Recorded ROW	Building Envelope
1	52,912	46,564	35,756
2	46,229	43,023	32,517
3	45,030	41,823	31,507
4	43,375	40,165	30,115
5	44,571	40,801	29,505
6	43,351	40,445	28,881
Park (10% Lot Area, per §111-34.1A)	35,534	35,534	
ROW	42,642	42,642	
Recorded ROW (Liber 6792, Page 53)		22,641	
Total Lot Area:	353,644	353,644	

Source:

Survey prepared by George Wallbridge Surveyors, P. C. dated May 29, 2025

This is not a survey

The information contained herein is based upon the information and/or data provided to or obtained by Inter-Science Research Associates, Inc. during the course of work being undertaken for the client. While efforts have been made to ensure the accuracy of this drawing/information, Inter-Science acknowledges that any final analysis MUST be made on a survey prepared by a surveyor licensed in the State of New York using up-to-date and site-specific information for the property being analyzed. Accordingly, it is cautioned that the information contained herein should be used for preliminary analysis purposes only, and be used with caution. Inter-Science Research Associates, Inc. assumes no responsibility/liability for errors contained on this drawing.

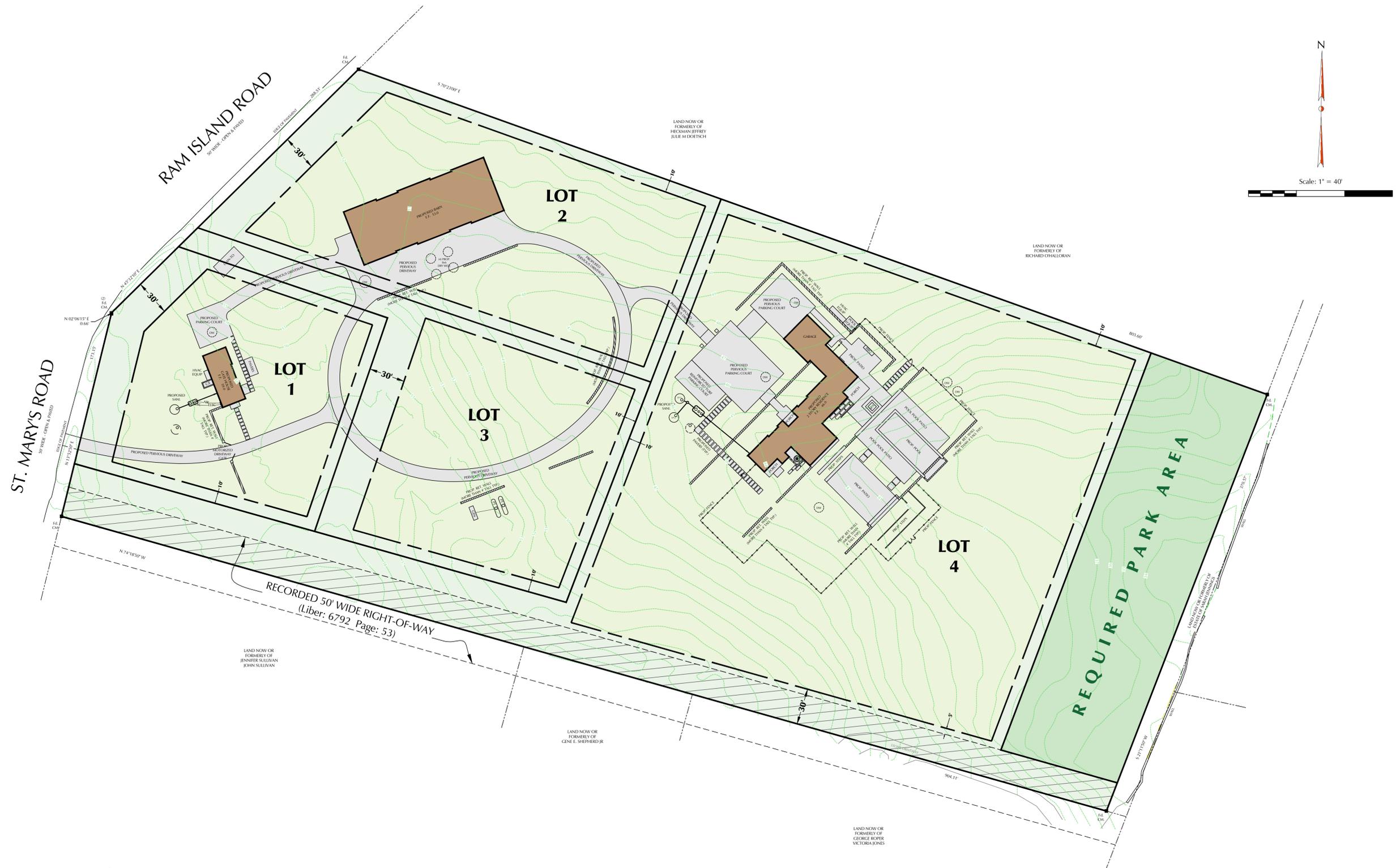
Inter-Science

Research Associates, Inc.
36 Nugent Street, P.O. Box 1201
Southampton, New York 11969-1201
631 283-5958 Fax: 631 283-5974

This is not a survey

File: M:\CLIENTS\Tropin - 44 St Marys Road\44 St Marys Yield Plan 01-22-2026.dwg

©2025, Inter-Science Research Associates, Inc. • Print Date: 1.22.2026



Shelter Mary Property LLC

Conceptual 4 Lot Subdivision Plan

44 St. Mary's Road
Town of Shelter Island
Suffolk County, New York

Prepared for:

Date: January 22, 2026
Site Data:
Area: 353,644 sq. ft. (8.119 acres)
Zone: District C
SCTM: 0700 - 15 - 4 - 4

Zoning Restrictions:
Min. Lot Size: 40,000 sq. ft.
Lot Frontage: 100'
Lot Coverage: By Buildings, 30% of lot area; By all impervious surfaces, including buildings, 40% of lot area.

Setbacks for All Structures:
Front setbacks: 30 feet.
Side and rear setback including all permanently-afixed mechanical equipment other than submersible wells: 10 feet.

Note: The square foot living area of a one-family dwelling and any conditioned accessory structures shall not be more than 5,999 square feet, nor less than 1,200 square feet, of which a minimum of 850 square feet must be on the first floor, excluding the following unconditioned structures: porches, breezeways, attached garages and basements.

	Total Lot	Flag	Lot Area (Coverage)	Lot w Easement	Principal
1	40,317		40,317		29,144
2	48,085	3,570	44,504		45,884
3	59,455		59,455		32,725
4	147,756	8,437	139,319	170,366	126,560
ROW	22,632				
Park	35,400				
	353,644				

Source:
Survey prepared by George Walbridge Surveyors, P. C. dated May 29, 2025

	Building Coverage (30%)	
	Max Allow	Proposed
1	12,095	916
2	13,351	5,812
3	17,836	n/a
4	41,796	4,132
Total Lot Coverage (40%)	Max Allow	Proposed
1	16,127	1,520
2	17,802	5,936
3	23,782	286
4	55,727	13,633

Note: Coverage calculations are approximate and must be confirmed by a licensed surveyor.

This is not a survey
The information contained herein is based upon the information and/or data provided to or obtained by Inter-Science Research Associates, Inc. during the course of work being undertaken for the client. While efforts have been made to ensure the accuracy of this drawing/information, Inter-Science acknowledges that any final analysis MUST be made on a survey prepared by a surveyor licensed in the State of New York using up-to-date and site-specific information for the property being analyzed. Accordingly, it is cautioned that the information contained herein should be used for preliminary analysis purposes only, and be used with caution. Inter-Science Research Associates, Inc. assumes no responsibility/liability for errors contained on this drawing.

Inter-Science

Research Associates, Inc.
36 Nugent Street, P.O. Box 1201
Southampton, New York 11969-1201
631 283-5958 Fax: 631 283-5974

This is not a survey

File: M:\CLIENTS\Tropin - 44 St Marys Road\44 St Marys Prop Map V2

01-22-2026.dwg
©2025, Inter-Science Research Associates, Inc. • Print Date: 1.22.2026