

August 30, 2014

Town Board of Shelter Island
Zoning Board of Appeals
38 North Ferry Road
Shelter Island, NY

Dear Mr. Dougherty, Ms. Lewis, Mr. Reich, Mr. Shepherd, Ms. Dowd and Ms. Ogar, the Town Board of Shelter Island and the Zoning Board of Appeals:

As a long-time resident of Tarkettle Road I have followed with concern the articles in the Reporter detailing the results of government-commissioned studies on the island's fragile aquifer and wetlands. The Town has sounded alarm bells for years about the need for careful water management and cautious development and I have dutifully educated my children about the importance of not wasting water in a community where this precious resource is limited by definition. These issues are not new to Shelter Island – the Town has long been on notice regarding the fragility of its water resources and marine environments, among them areas such as the peninsula between Menantic and Dickerson Creek. A report published in 1977 <http://pubs.usgs.gov/wri/1977/0077/report.pdf>, and more recently the 131-page Watershed Management Plan prepared by New York State Department of State for the Town of Shelter Island in 2012 http://www.shelterislandtown.us/public_ftp/WaterbodyandWatershedInventoryReport.pdf, provide ample evidence.

Therefore it was with great dismay that I recently learned that the Town that we entrust to protect our precious resources is considering granting a variance to allow a residence of over 8,000 square feet to be built at 6 Charlie's Lane at the heart of one of the shallowest of the island's aquifer zones, at the mouth of Menantic Creek and West Neck Bay. With its 10 bathrooms and multiple water needs, the proposed structure turns a blind eye to environmental impact and the effect on the neighboring community. The 2012 study has signaled out these low lying peninsular areas as particularly fragile relative to other parts of the island given the shallower aquifer and proximity to wetlands. Has the Town Board fully reviewed and considered the environmental impact, including all relevant studies and applicable federal and state rules? Have federal and state laws relating to wetlands and marine protection, as well as FEMA flood zones been adhered to in determining the proper setbacks and leeching fields for the large septic usage? If not, it would be derelict or worse on the part of the Town Board to grant such a variance. Knowing that the risks to the water table are not theoretical, but a factual matter, on what basis then can the Town Board grant such a variance? If a house of such scale is allowed to be built on the Tarkettle peninsula, one of the thinnest water tables on the island, it calls into question the purpose and integrity of the zoning review process on Shelter Island. [See Town Code, Section 133-35, "Determinations by the Zoning Board of Appeals or Town Board"]

Less important but also of concern is the fact that the proposed house is out of scale with anything else around it in the entire West Neck and Menantic areas. One of the purposes of zoning laws is to protect the character and feel of a neighborhood and a community. A house of this scale is rarely seen in Shelter Island and certainly not on West Neck or its surrounding water ways. The white house that precedes it is modern and different and it sticks out, but at least the size is correct in proportion to the houses around it and the size of the lot.

I urge you to resist the pressures, which are undoubtedly strong, to move forward with the Tolkin project in its current iteration and consider the environmental impact and precedent that allowing such a project will set in the immediate and long term. I am sure the many hearings and complaints are tiresome and the temptation to close this chapter and move on are great. In weighing this decision, however, I hope you will consider the importance of your decision on the future of the island and the potentially catastrophic precedent that you would create by granting such a variance. Civic duty and stewardship is not supposed to be easy and this is one of those times when it is important to step up and do what is right, not for individuals or interested parties, but for the community as a whole: this is not just a local Tarkettle/Charlie's Lane matter, this is a decision that will impact all Shelter Islanders and the future of the island as we know it.

As money flows in, there will be pressures to build increasingly bigger homes and the Town Board will undoubtedly confront these difficult choices again and again. We rely on you to be the custodians of the island's resources on behalf of the community, as well as to protect its essential character and feel. If the Town does not take a stand on protecting the island's resources on a project of this magnitude in my opinion it is failing in its duties. You have a Town Code in place that allows you a great deal of discretion to make the right decision.

I want to make clear that I am not opposed to the Tolkin family building a house at 6 Charlie's Lane. However, such new construction ought to adhere to the established setbacks and zoning regulations that we all abide by and should not adversely affect the water rights of other longtime island residents.

Respectfully,

Cristina Roig
14 Tarkettle Road