



**INCORPORATED
VILLAGE of PORT JEFFERSON**

121 West Broadway
Port Jefferson, NY 11777
Tel. (631) 473-4744 Fax (631) 473-2049
www.portjeff.com

ZONING BOARD of APPEALS

Chair
Lee Rosner

Members
Charles Kenny
Michael Verruto
Jack Giannola
Valerie Kraus

MINUTES

OCTOBER 19, 2006

The Zoning Board of Appeals meeting was held in the Village Court Room, 121 West Broadway, Port Jefferson, NY 11777 at 7:30 PM

PRESENT:

Lee Rosner, Chairman
Charles Kenny
Michael Verruto
Jack Giannola
Valerie Krause
Will Rau, Village Planner
Cindy Suarez, Secretary

Chairman, Lee Rosner called the meeting to order at 7:40 P.M. and called the following:

PUBLIC HEARINGS:

The secretary read the public hearing notice.

1. Appeal No. 352-06 Section 15, Block 5, Lot 13, 17
(Continuance) L.R. Cherry Tree Properties Inc.
East side of Washington Ave, 219. 5' south of Old Post Rd.

Area variance application for permission to build a single -family residence on two non-complying lots situate on the east side of Washington Avenue, approximately 220' s/o Old Post Road in the Single-Family Residence R-B2 District. The appellant requests the following relief:

- 1) Minimum lot area: 15,000 s.f. Required, 8,000 s.f. Requested;
- 2) Minimum side yard setback: 18' required, 8.5' requested;
- 3) Minimum total side yard setback: 40' required, 17' requested;
- 4) Minimum lot width: 100' required, 40' requested.

Bill Jaeger, architect was present for this application.

Charles Kenny made a motion to accept Mr. Jaeger's credentials as presented. Michael Verruto seconded the motion, all in favor the vote was 5 – 0, aye.

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Mr. Jaeger presented the following exhibits:

Exhibit G, a building permit issued for 227 Lincoln Avenue to be used as a comparison.

Exhibit H, property deed dated 8/31/05

Exhibit I, voided building permit dated 10/31/05.

Lee Rosner called Kevin Koubek, Village Engineer to the floor. Mr. Koubek explained the timeline of events to the Board. Mr. Jaeger and the Board presented Mr. Koubek with questions.

Mr. Jaeger read the code description of single and separate.

Mr. Frank Castelli, property owner explained to the Board that he started this process three years ago.

Lorna Nixon, resident questioned the permit application process.

Lee Rosner introduced two new Board members; Jack Giannola and Valerie Krause. Both new members indicated that they had read the transcript of the September 21st, 2006 hearing and would vote on this appeal.

Michael Verruto made a motion to close the hearing, seconded by Charles Kenny; all in favor the vote was 5-0, aye.

2. Appeal No. 355-06 Section 11, Block 4, Lot 1.8
L.R. Michael Rubenstein c/o Richard & Jennifer Spitzenberger

Area variance to build a 6' x 29' 10" front porch and a 4' x 9' 9" side porch with a front yard setback of 35.5 ft where 40' is required and a side yard setback of 14.6 ft where 18' is required.

Mark Lyon, consultant and Michael Rubenstein, property owner were present for this application.

Lee Rosner dismissed hearing this application due to the ZBA application being filed more than thirty days after the building permit was denied.

3. Appeal No. 356-06 Section 16, Block 8, Lot 17
C.K. John Andrews, Attorney c/o Ahmet Kahyaoglu
616 Main Street

A proposed expansion of a pre-existing non-conforming use of a automobile repair/gas service station, which consists of the installation of an additional gas pump and an 18.5' x 4' addition, located in the Village's R-O Residential-Office district on the west side of Main Street (SR 25A).

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John Andrews, Attorney and Mark Lyon, consultant were present for this application. They explained that the applicant would like to enhance the building and make it more compatible with the neighboring community. Photographs were shown.

Items discussed were storage, stairs, roof, canopy and traffic.

Anthony Vertucci, tenant and owner of Anthony's Automotive, was present.

Ahmat Kahyaogou, property owner was present.

Mr. Rubenstein, architect was present. He explained the proposed new canopy would be 23 x 35 and to include a second pump.

Carol Acker, resident spoke in favor of the application.

Charles Kenny made a motion to close the hearing, seconded by Jack Giannola, all in favor the vote was 5 – 0, aye.

DECISIONS:

The Board voted on the following applications:

- | | |
|--|---|
| 4. Appeal No. 354-06
(Closed 9/21/06)
M.V. | Section 3, Block 2, Lots 2 & 3
William Jaeger, P.E., L.S. for Edward & Christina Moylan
17 Old Homestead Rd |
| 5. Appeal No. 348-06
(Closed 9/21/06)
G.A. | Section 12, Block 2, Lot 6 & 7 (did we vote on this?) no
Billie Phillips
109 Main Street |

GENERAL BUSINESS:

Charles Kenny made a motion to approve the minutes of 9/21/06 as per the final draft, seconded by Michael Verruto; all in favor the vote was 5-0, aye.

The meeting was closed at 10:30PM.

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