



INCORPORATED VILLAGE OF PORT JEFFERSON

ZONING BOARD OF APPEALS
88 North Country Road, Port Jefferson, NY 11777
Telephone: (631) 473-4744 Fax: 473-2049

MINUTES

May 17, 2007

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
Michael Verruto
Charles Kenny
Jack Giannola
Valerie Krause
Will Rau, Planner
Cindy Suarez, Secretary

PUBLIC HEARINGS:

The secretary read the public hearing notice.

Appeal No. 367-07JG Section 16, Block 8, Lot 12
Sean & Kathleen Cash
109 Liberty Ave

Applicant seeks a Certificate of Existing Use in accordance with section 250-49(D) for a single-family residence in the Village's RB-2 district located south of Liberty Avenue 150 ft west of Main Street.

Lee Rosner recused himself from this application because he is a neighbor of the applicant. Mr. Charles Kenny filled in as chairman for this application.

Mr. Cash was sworn in to represent himself for this application. He handed in the following affidavits:

Exhibit #1 affidavit from Juanita Thompson, resident of 81 years.
Exhibit #2 affidavit from Beth Pranzo, resident of 43 years.

Lee Rosner was sworn in as a witness to the existence of the single-family home prior to 1963.

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The chairman opened up the floor to the public for comments. There were no comments from the public.

A motion was made by Mr. Verruto to close the hearing, seconded by Mr. Giannola; all in favor, aye, the vote was 4-0.

Appeal No. 368-07LR

**Section 8, Block 2, Lot 14
Keith J. Pennetti
203 East Broadway**

Applicant seeks a Certificate of Existing Use in accordance with section 250-49(D) for a three family residence with detached garage in the Village's RB-2 district north of East Broadway approx 70 ft east of Bleeker Street.

Keith Pennetti was sworn to represent himself on this application.

Mr. Pennetti stated that the house was constructed in the 1800's. There is a letter in the records that was issued by The Village of Port Jefferson Village Clerk on 8/3/77 stating that the structure is not of recent origin and would appear to be an acceptable non-conforming use.

He stated that there were no records in the Town of Brookhaven offices or in the Village of Port Jefferson offices.

The chairman opened up the floor to the public for comments. There were no comments from the public.

Mr. Verruto made a motion to close the hearing, seconded by Mr. Giannola; all in favor, aye, and the vote was 5-0.

Appeal No. 369-07CK

**Section 21, Block 4, Lot 26
Sal Malguarnera for Dr. Mark Cherches
1428 Main St**

Applicant seeks a certificate of Existing Use in accordance with section 250-49(D) for a commercial building in the Village's C-2 district west of Main Street approx 71 ft northeast of Linden Place.

Sal Malguarnera was sworn in to represent the applicant. He handed in the certified mailing receipts for the file.

Mr. Malguarnera stated that he did a search at the Brookhaven offices and there were no records to be found. Pictures of the property site were handed in as exhibits.

The applicant requests the CEU to state "dental office".

The chairman opened up the floor to the audience.

Linda Barlotta #40 Overton Avenue was sworn in. She affirms going to this dentist office in the 1950's.

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

Appeal No. 370-07MV

**Section 8, Block 2, Lot 7.3
Jennifer Sigler for Sean Jordan
122 Bleeker St**

Applicant seeks an area variance for the construction of a second story deck, the requested side yard setback is 10.58 ft where 15 ft is required and the requested combined side yard is 25.58 ft where 30 ft is required.

Jennifer Sigler was sworn in to represent the applicant. She handed in the certified mailing receipts.

The following exhibits were submitted for the record:

Exhibit #1-A - petition of no objections signed by neighbors.
Exhibit #1-B - petition of no objections signed by neighbors.
Exhibit #2 (5)-Photographs.

Ms. Sigler stated that there are four other decks in the immediate area with side or rear yard setbacks less than or equal to the requested side yard setbacks. The proposed plans are in character with the neighborhood. The construction of the deck will not obstruct neighboring views.

Mr. Kenny asked if there would be any other construction besides the deck. Ms. Sigler stated that there already is an open permit for second story construction.

The chairman opened up the floor to the public. There were no comments from the public.

Mr. Rosner made a motion to close the hearing, seconded by Mr. Kenny; all in favor, aye, and the vote was 5-0.

HOLDOVER:

1. Appeal No. 366-07 Section 21, Block3, Lot 15.2
 Tsunis & Gasparis LLP for Joan Rubenstein & Kinga Koreh
 32 Overton Avenue

Area variance application for a proposed two lot subdivision in the Village's residential single family district RB-2 west side of Overton Road approximately 350 feet north of Sheep pasture Road.

Proposed lot #1 requesting 13,488 sq ft where 15,000 sq ft is required,
Proposed lot #2 requesting 13,267 sq ft where 15,000 sq ft is require
Proposed lot #2 requesting 98 feet lot width where 100 feet is required

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Mr. Rosner read into the record a letter from the Suffolk County Planning Commission dated 4/5/07.

John Tsunis was sworn in to represent the applicant. He stated that at the last hearing the Board members had requested the slope elevations of the property. Treimane Eason, licensed land surveyor presented this information.

Mr. Treimane Eason was sworn in. He presented maps to certify and show the lot areas and degree of slope.

Exhibit #1 – Land division map dated June 2006
Exhibit #2 – Radius map dated May 17, 07

The chairman opened up the floor to the public.

Linda Barlotta of #40 Overton Dr. was previously sworn in and affirmed that she was still under oath. She is the neighbor to the north of the subject property. Ms. Barlotta is concerned with the water run off and esthetics of the proposed application.

Mr. Verruto made a motion to close the hearing, seconded by Jack Giannola; all in favor, aye, and the vote was 5-0.

The meeting was closed at 8:30PM.

Respectfully Submitted,

Cindy Suarez, Secretary