

March 27, 2008

PLANNING BOARD MINUTES

PRESENT:

James Burke, Chairman
Phil Schiavone
Ray DiBiase
Jennifer Sigler
Mark Brosnan
Will Rau, Village Senior Planner
Cindy Suarez, Secretary
Virginia Capon, Trustee

The Planning Board meeting is held on the 2nd floor of Village Hall in the courtroom, 121 West Broadway, Port Jefferson, NY 11777. Applications are scheduled to begin at 7:30 p.m., or shortly thereafter. The Planning Board may add or remove applications from the agenda without further notice. Applications may not be heard in the order as they appear on this agenda.

PUBLIC HEARINGS:

Mr. Brosnan stood in as chairman for Mr. Burke who was arrived later. He read the public notice into the record:

Longacre Court (# 127-07) Sec. 11 Blk. 1 Lot 24

A public hearing for proposed two-lot minor subdivision of a 40,650 sq. ft. parcel in the Single-Family Residence R-B2 District, located on the southeast corner of Longacre Court and North Country Road (SR 25A).

Matthew Crane, Land Surveyor was present along with the applicants, Mr. & Mrs. Seeley. Mr. Crane handed in the affidavit of mailings, sign posting and the mail receipts. He stated that the applicant is seeking to divide their property into two conforming lots. There are two driveways that access off Longacre Court. The proposed lot one is the existing dwelling. All setbacks meet the setback requirements. Both lots are tied into municipality sewers and public water. There is existing curbing. There are no Highway department comments.

Mr. Schiavone questioned whether the driveway for the new house can be flipped to the other side so that both driveways are further apart. Mr. Crane will consider looking into that.

Mr. Brosnan opened the floor up to the public. There were no public comments.

Mr. Schiavone made a motion to close the hearing, Ms. Sigler seconded the motion, all in favor the vote was 4-0.

PRESUBMISSION CONFERENCE:

Hawkins Webb Jaeger PLLC (#136-08) Sec. 11 Blk. 6 Lot 18 +

Discuss proposal to redevelop Island Boat Center with a 3-story 70-unit residential building. Property totals 1.84 acres and is zoned Central Commercial C-1, located on the corner of West Broadway and Brook Road.

Present were: Mark Walsh, agent from Prudential Real estate, Philip Monastero, and Alexander Badalaamenti from Baldassano Architecture, Chris LaBate from Hawkins, Webb, & Jaeger, Architects, and John Scolio, owner of Islander Boat.

The proposed site plan was reviewed. Mr. Crane explained that the applicant would like to demolish the existing building and build seventy one bedroom apartments that would be approximately 650 to 1000 square feet in size. The DEC has been contacted and they had no problems or concerns. Further discussion included; flagged out wetlands, building on top of parking, and clean up. Mr. Crane stated that the code reads that apartments are allowed above retail stores in the C-1 district. Also mentioned was the approval for Invesco Infilates project on Semirø property for 53 apartments on three acres.

Mr. DiBiase suggested that a combined access driveway to Route 25A (with Invesco) be pursued. Mr. Schiavone recommended that the applicant should come back to the Board with building elevations, apartment layouts, and a retail layout.

DEVELOPMENT ACTIONS:

Village of Port Jefferson (# 138-08)

Sec. 3 Blk. 2 Lot 1.1

Consider site development by the Village of Port Jefferson application for the construction of two new maintenance buildings (40ø x 80ø and 40ø x 150ø) which will replace existing buildings and other associated site improvements. Location is zoned R-A on the south side of Fairway Drive.

Present were Architect, Peter Caradonna and Trustee Harry Faulknor. Mr. Faulknor stated that the Board of Trustees will hold a public hearing for this project on 4/2/08.

The proposed site plan was reviewed. Mr. Caradonna explained that the applicant would like to knock down the two existing pre engineered buildings and rebuild two buildings in the same location. The plan shows that one bay would be added to one of the buildings. There would be radiant heat and no air conditioning. The country club has expanded their equipment and needs the space.

Mr. Charles Kenny, #2 Frances Lane, stated that section 25011-D of the code prohibits premanufactured steel buildings in the residential zone and that this application would be highly objected. He also requested a thorough SEQRA review be done by the Planning Board as lead agency. He also stated that the larger building is twice the square footage of the existing structure and half a story is added to the larger building. Mr. Kenny would like justification of the expansion. He also has a concern for the view of the cold storage shed and the environmental impact.

Mr. Delaquino, resident who lives across the street from the proposed project was present. His concerns included; spillage, inefficient anse and alarm system, vandalism and natural vegetation disturbance. He also believes that the footprint is increasing and that the existing septic does not meet Suffolk County Health code requirements.

Spiliotis (# 125-07)

Sec. 18 Blk. 1 Lot 11

Review full environmental assessment form and revised layout for a proposed six lot major subdivision of approximately 3.5 acres and located in the Single-Family Residence R-B2 District on the north side of Pine Hill Road.

Mark Lyon, agent from Jefferson Consultants and Angelo Nicosia, engineer were present. The proposed site plan was reviewed. The radius of the cul-de-sac changed from 32 to 34. The front yard setbacks were reduced from 25 ft to 30 ft. The homes are in the proper location to minimize land disturbance. The full environmental assessment and overall cut and fill analysis were done.

The Village Planner informed the Board that this application is an Unlisted Action and that they have to make a determination of significance pursuant to SEQRA.

Ms. Sigler made a motion to adopt a negative declaration, Mr. Schiavone seconded the motion. All in favor the vote was 4-0.

RESOLUTION:

WHEREAS, a application for the preliminary Map of Pine Hill Woods, a six lot subdivision was received by the Planning Board on October 15, 2007; and

WHEREAS, the subject property of approximately 3.5 acres and located in the Single-Family Residence R-B2 District on the north side of Pine Hill Road; and

WHEREAS, the application meets the criteria for classification as an Unlisted Action, pursuant to Article 8 (State Environmental Quality Review Act, SEQRA) of the New York State Environmental Conservation Law and pursuant to Chapter 129 (Environmental Quality Review) of the Village Code; and

WHEREAS, the Planning Board has reviewed an Environmental Assessment Form (EAF) and considered the magnitude and importance of each impact; and NOW THEREFORE BE IT

RESOLVED, that due to the nature of the proposed project and the existing site conditions, the proposed action will not result in any large and important impact(s), therefore, will not have a significant impact on the environment; and BE IT FURTHER

RESOLVED that the Planning Board hereby adopts the Negative Declaration, Notice of Determination of Non-Significance prepared for the preliminary Map of Pine Hill Woods.

Ms. Sigler requested a memo be written to the PSAC asking them to clarify why they feel a reduction in the road width is a hazardous situation.

Mr. Schiavone made a motion to approve the preliminary map subject to clarification from the CAC. Mr. DiBiase seconded the motion, all in favor the vote was 5-0.

RESOLUTION:

WHEREAS, an application for the preliminary Map of Pine Hill Woods, a six lot subdivision was received by the Planning Board on October 15, 2007; and

WHEREAS, the subject property of approximately 3.5 acres and located in the Single-Family Residence R-B2 District on the north side of the intersection of Pine Hill Road and Edgewood Avenue; and

WHEREAS, a public hearing was held on the evening of November 29, 2007 and all public comments have been duly considered; and

WHEREAS, the Planning Board waives the requirement for land to be set aside for the purpose of a park to be dedicated to the Village and pursuant to § 220-28 (C) (2) of the Code, the park requirement for the proposed subdivision is payment of \$ 9,000 based on the creation of six new lots; and

WHEREAS, Planning Board finds that it is appropriate to reduce the proposed right-of-way from fifty feet to forty feet in an effort to minimize the percent of impervious surface that will result from the construction of the Pine Hill Court, which will minimize impacts associated with stormwater runoff and the amount of grading necessary to site the new homes; and

WHEREAS, the Planning Board finds a grade of ten percent is appropriate over a distance of approximately 165 feet for Pine Hill Court, § 220-25 permits the Planning Board to consider road grades of up to twelve percent over short runs; and

WHEREAS, the Planning Board finds that it is appropriate to relax the setback requirements in order to site homes on most suitable portions of the individual lots thereby reducing the amount of tree removal and grading activities that would result from requiring strict compliance with the setback regulations for said district; and

WHEREAS, the application meets the criteria for classification as an Unlisted Action, pursuant to Article 8 (State Environmental Quality Review Act, SEQRA) of the New York State Environmental Conservation Law and pursuant to Chapter 129 (Environmental Quality Review) of the Village Code; and

WHEREAS, the Planning Board has made a Determination of Non-Significance and issued a negative declaration pursuant to SEQRA on March 27, 2008; and NOW, THEREFORE, BE IT

RESOLVED, that the Preliminary Map of Pine Hill Woods prepared by Harold F. Tranchon JR. P.C. on March 8, 2008, and stamped received by the Planning Board on March 25, 2008 consisting of six (6) lots located on the north side of Pine Hill Road is hereby APPROVED SUBJECT TO THE FOLLOWING CONDITIONS AND MODIFICATIONS:

1. Suffolk County Department of Health Services approval on final plat.
2. Indicate on final plat proposed dwellings, driveways, stormwater drainage and clearing limits as shown on plans prepared by Angelio S. Nicosia, P.E. Engineering & Design dated October 12, 2007 a last revised February 20, 2008.
3. Indicate on final plat a fire hydrant at curb line of proposed lot 3 w/ a supply main with an 8" diameter.
4. Revise right-of-way width from 50' to 40' and provide a pavement width of 26'
5. The pavement radius of the cul-de-sac shall be 34'
6. Revise proposed road grade to 2.5 % measured from 100 feet of the centerline of the intersection of Pine Hill Road and Pine Hill Court.
7. Letters from the following agencies, as applicable:
 - a. Electric power provider (assuring provision of necessary services)
 - b. Water service provider (assuring provision of necessary services)
 - c. NYS DOT (approving proposed construction on associated rights-of-way)
 - d. SC DPW (approving proposed construction on associated rights-of-way)
 - e. School District (acknowledging receipt of the subdivision plans)
8. Submission of official plat in accordance with § 220-32 (Checklist attached)
9. Provide cost estimates for all onsite improvements.
10. Final plat submission within six-months of preliminary approval. The submission will be subject to a final hearing as well as referrals to all the above agencies.

Jefferson Homes (#131-08)

Sec. 17 Blk. 2 Lots: 13.1 & 14.1

Discuss proposed 6-lot clustered major subdivision on 3.05 acres in the Single-Family Residence R-B2 District located on the east side of High Street approximately 130' on the intersection of Maiden Lane and High Street.

The Board reviewed the memo from the Village Administrator, Mr. Juliano, which discussed the motion of the BOT which gave the Planning Board permission to process the application for a cluster subdivision.

SEQRA status was discussed; the Board determined it to be a type I action. Planning staff has coordinated with all involved agencies. Lead agency must be determined in thirty days.

The tree clearing and grading plan were reviewed. Street drainage was discussed briefly.

Ms. Sigler made a motion to schedule a public hearing on 4/29/08, Mr. Brosnan seconded the motion, all in favor the vote was 5-0.

RESOLUTION:

WHEREAS, on January 7, 2008, the Planning Board received an application for a 6-lot major clustered subdivision for Richwood Homes, Inc.; and

WHEREAS, the property totals 3.05 acres in the Single-Family Residence R-B2 District, located on the east side of High Street approximately 130ø north of the intersection of Maiden Lane and High Street; and

WHEREAS, by memorandum dated February 28, 2008 the Village Administrator indicated that the Village Board of Trustees made a motion that was approved by a majority vote which gave the Planning Board the necessary permission in accordance with Chapter 220 Article VII of the Code to consider a cluster subdivision for this location; and

WHEREAS, the application before the Board is classified as a Type I Action pursuant to Chapter 129 of the Code and planning staff mailed coordination letters on March 12, 2008 with all the involved agencies; and

WHEREAS, Lead Agency status must be determined within thirty-days of receipt of the coordination letters; and NOW THEREFORE BE IT

RESOLVED, the Planning Board shall hold a public hearing on the preliminary map for Jefferson Hollow, Inc. on the evening of April 29, 2008 at 7:30 p.m. at Village Hall, 121 West Broadway.

Conte (# 133-08) Sec. 14 Blk. 5 Lot 18.3

Consider tree clearing and grading application for 4 Jefferson Landing Circle. Property is .57 acre, located in the Single-Family Residence R-B1 District.

Joseph LaRosa, owner of Design Built Company and Mr. Conte, property owner were present. Mr. Rau had walked the property site with the contractor. The plan is to hydroseed and create a backyard play area for kids.

Ms. Sigler made a motion to approve the tree clearing and grading plan, seconded by Mr. Burke, all in favor the vote was 5-0.

RESOLUTION:

RESOLVED, that in accordance with Chapter 241 of the Code of the Incorporated Village of Port Jefferson the application to remove trees and grade property as indicated on plans prepared by Hawkins Webb Jaeger PLLC dated February 6, 2008 and stamped received by the Planning Board on March 25, 2008 is hereby approved subject to the following conditions:

1. Applicant shall submit the required \$ 1,440 (360 cu. yds. x \$ 4.00 per cu. yd.) fill removal fee.
2. Applicant shall notify Building Department staff for an inspection prior to removal and grading activities so to ensure that area of disturbance is clearly marked and erosion control measures are in place.
3. Any additional clearing or grading activities not indicated with this application shall be subject to a new application.
4. Upon completion of grading activities Building Department staff shall be notified to conduct a final inspection.

5. Return a copy of this permit signed and notarized within thirty-days (30-days) to the Building Department.
6. Approval is valid for six (6) months.

P.J. Historical Society (# 137-08)

Sec. 12 Blk. 4 Lot 31

Schedule conditional use hearing for a proposed 448 sq. ft. accessory building for the Mather House Museum. Subject property is 1.75 acres and zoned R-B3 located on the west side of High Street and the north side of Prospect Street.

The Board reviewed the proposed site plan. Mr. DiBiase made a motion to schedule a conditional use hearing on 4/29/08, Mr. Schiavone seconded the motion, all in favor the vote was 5-0.

Dassaro (# 132-08)

Sec. 21 Blk. 4 Lot 8.2

Consider Suffolk County Planning Commission comments for a proposed 1,999 square foot one-story addition to an existing auto body repair facility on a .32 acre parcel in the General Commercial C-2 District, west side of Texaco Avenue, approximately 205 feet south of Sheep Pasture Road.

Architect, Jim Delucca was present. He submitted to the Board a letter received by the adjoining neighbor allowing parking on their property. He stated that cars will remain off the street for visual access. The Board discussed the ARCø comments regarding the existing signs to be replaced if they are removed. The board also requests that there be no selling of retail cars on or off the site.

Mr. Brosnan made a motion to approve the application based on the conditions stated. Mr. Burke seconded the motion, all in favor the vote was 5-0.

RESOLUTION:

WHEREAS, a site plan application for Charles Dassaro was received by the Planning Board on January 10, 2008; and

WHEREAS, the application is for a proposed 1,999 square foot one-story addition to an existing auto body repair facility on a .317 acre parcel in the General Commercial C-2 District, west side of Texaco Avenue, approximately 205 feet south of Sheep Pasture Road; and

WHEREAS, the use is a permitted use within the District and the expansion does not create any noncompliance with regard to the regulations of said District, and

WHEREAS, said application meets the criteria for classification as a Type II Action pursuant to Article 8 (State Environmental Quality Review Act, SEQRA) of the New York State Environmental Conservation Law; and

WHEREAS, said application was referred to the Village Architectural Review Committee, who recommended approval provided the addition materials are finished to match the existing building; and

WHEREAS, the Architectural Review Committee also indicated that the existing signage is not consistent with § 250-31 B (8) of the Zoning Ordinance; and

WHEREAS, the Building Inspector approved a sign permit for the existing sign on September 15, 2006 (Application No. 1373-06); and now therefore be it

RESOLVED, that the Planning Board hereby approves the application for Charles Dassaro for the proposed 1,999 square foot one-story addition to an existing auto body repair facility as shown on the site

plan prepared by James V. DeLucca, dated September 14th, 2004 and last revised on March 24, 2008 and stamped received by the Planning Board on March 25, 2008 subject to the following conditions:

1. Provide note to indicate that the parcel across Texaco Avenue is being used as storage/parking as per letter dated March 17, 2008 which signed by both Charles Dassaro for C & C Collision and Marinos Papadopoulos of Port Jeff Land LLC.
2. Parking on this lot is to be setback a minimum of 12ø from Texaco Avenue or Linden Place.
3. There shall be no selling of automobiles from this location.
4. Comply with ARC comments (attached for your reference)
5. Site plan must include storm water drainage calculation for a 3ö rainfall/hour event for the addition. All storm water must be contained on site.
6. Submit four (4) copies of a revised site plan with these conditions copied onto the site plan and signed by the owner of said property and notarized for approval and signature of the Chair.

GENERAL BUSINESS:

The Board members discussed the proposed Marina-Waterfront M-W District recommendations so that staff can draft a memorandum to the Board of Trustees.

TRUSTEE REPORT:

Virginia Capon, Trustee gave the report. Items of discussion were:

- The BOT is putting together a budget to run managed parking.
- Gross revenue for managed parking will be about \$300,000.
- The Zoning Board of Appeals gave Luluø Village Pub their interpretation that the use(bar) is a conforming use and to proceed with the Certificate of Compliance being active.

The meeting ended at 11:30PM.

Respectively submitted,
Cindy Suarez, Secretary