



**INCORPORATED
VILLAGE OF PORT JEFFERSON**

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PLANNING BOARD

Chair
James Burke

Members
Phil Schiavone
Jennifer Sigler
Mark Brosnan
Ray DiBiase

Village Planner
Will Rau

Secretary
Cindy Suarez

MINUTES

March 9th, 2006

Present: Mark Brosnan
Phil Schiavone
Jennifer Sigler
Ray DiBiase
Will Rau, Village Planner
Barbara Ransome, Village Trustee

Absent: James Burke, Chair
Cindy Suarez, Planning Board Secretary

GENERAL BUSINESS:

1. The minutes of January 24th, 2006 and February 9th, 2006 were not adopted, however corrections were received.

PUBLIC HEARINGS:

2. **7:30 – 8:00** Old Homestead Road (# 035-04) Sec. 3 Blk. 2 Lots 2 & 3

Public hearing for a minor land division of two tax parcels totaling 1.0 acre in the Villages R-A District. The subject parcels are located on the north side of Old Homestead Road at the intersection of Old Homestead Road and Landing Lane.

Bill Jaeger for the applicant presented the application to the Board. Comments from the Board included utility pole relocation and required easements. There was concern from the public about the size of the proposed single-family dwelling and character of the surrounding neighborhood.

On motion by Mr. Schiavone and second by Mr. Brosnan the public hearing was closed.

3. **8:00 – 8:30** Good Shepard Hospice (# 048-05) Sec. 13 Blk. 1 Lot 11.2

Public hearing for an application to change the use from an educational facility to a hospice residence of 16 beds and support spaces. The structure is located within the St. Charles Hospital complex in the Village's Professional-Office P-O District.

Jamie Machado, architect, presented the application to the Board. Comments from the Board included assigned parking; if there was a loss of parking; has a referral been made to the ARC; placement of directional signs.

On a motion by Ms. Sigler and second by Mr. Brosnan the public hearing was closed.

Later that evening a motion was made to approve the proposed hospice application. The motion was made by Ms. Sigler and seconded by Mr. Schiavone with a vote of 4-0. Staff will prepare an approval resolution:

WHEREAS, a change of use application for **Good Shepherd Hospice** was submitted to the Planning Board to consider a change of use from an educational facility to a hospice residence of sixteen (16) beds and its support spaces; and

WHEREAS, the existing 18,856 square foot building to be converted is located on 25.8 acres in the Village's Professional Office P-O District on the corner of Belle Terre Road and Myrtle Avenue; and

WHEREAS, the Planning Board determined that the subject project is a Type II action pursuant to 6 NYCRR 617, *State Environmental Quality Review Act* (SEQRA); and

WHEREAS, as per § 250-17 A. (2) of the Code the proposed use is a permitted use within the District; and

WHEREAS, on the evening of March 9th, 2006 a public hearing was held and no public comments were received; and now therefore be it

RESOLVED, the Planning Board hereby approves of the change of use application for **Good Shepherd Hospice** to consider a change of use from an educational facility to a hospice residence of sixteen (16) beds and its support spaces in an existing 18,856 square foot building located on 25.8 acres in the Village's Professional Office P-O District on the corner of Belle Terre Road and Myrtle Avenue **SUBJECT TO THE FOLLOWING CONDITIONS:**

1. Place appropriate signage for reserve/dedicated parking for subject use.
2. Place on site directional signs so visitors can easily locate facility.
3. Pursuant to Section 250-52 (E and F) of the Port Jefferson Village Zoning Ordinances, unless construction is commenced and diligently pursued within nine (9) months of the date of the granting of this change of use, the approval shall become null and void. This approval will expire **December 9th, 2006**. You may apply for a one-time only extension of six months, which must be requested prior to the expiration of this approval.

DEVELOPMENT ACTIONS:

Land divisions:

Review revised layout and consider SEQR det'm for the 43-unit cluster subdivision located on 18.5 acres in the R-B2 District on the east side of Liberty Ave.

Jim Tsunis, applicant, Charlie Russo, attorney and Kathy Eiseman, environmental engineer of Nelson & Pope were present. Village Planner presented the revised plans. Notable changes to the application since it was last discussed include: An application was made to the Suffolk County Public Works for connection into the Port Jeff Sewer District; Proposed units 1-10 on the plan were shifted north thereby allowing a greater setback between the cemetery property and significant reduction in the number and height of retaining walls as well as in the amount of material that will have to be removed; the boulevard design of the road entering the site and an overall reduction in the height of the majority of the proposed retaining walls.

In addition the applicant's response to the CAC comments were discussed. The Village Planner at this time recommended that the Board consider making a determination of non-significance and a draft negative declaration form was presented.

On a motion by Mr. Schiavone and second by Ms. Sigler and by a vote of 4-0 the Board adopted the draft negative declaration form prepared and the following resolution:

WHEREAS, a preliminary subdivision application for a 43-unit cluster map entitled Village Vistas, situate on 18.5 acres in the Single-Family Residence R-B2 District located on the east side of Liberty Ave was received by the Planning Board; and

WHEREAS, the project meets the criteria for classification as a Type I Action, pursuant to Chapter 129 Environmental Quality Review of the Port Jefferson Village Code; and

WHEREAS, on September 27th, 2005 the Planning Board identified Suffolk County Department of Health Services, New York State Department of Transportation and New York State Department of Environmental Conservation as involved agencies and initiated SEQR coordination; and

WHEREAS, no response was received from any of the above mentioned agencies and on October 25th, 2005 the Planning Board assumed Lead Agency status; and

WHEREAS, the Planning Board has reviewed an Environmental Assessment Form Part 1, Part 2 and Part 3 as well as a Traffic Impact Study prepared by Schneider Engineering PLLC; and

WHEREAS, the Planning Board has reviewed the application 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 prepared for the review preliminary subdivision application for a 43-unit cluster map entitled Village Vistas, situate on 18.5 acres in the Single-Family Residence R-B2 District located on the east side of Liberty Ave.

Site plan and conditional use permits:

7. 9:20 – 9:50 Invesco Affiliates Ltd. (# 005-04) Sec. 12 Blk. 6 Lot 4.1 +

Consider conditional approval for a site plan application to construct 53 residential units and 4,200 sq. ft. of commercial/office space. The property is located in the Central Commercial C-1 District on the south side of West Broadway.

Francis Campani, Architect, Charlie Russo, attorney and Samir Nizam, owner were present to discuss the application with the Board. Ms. Campani presented the revisions to the site with the Board. Staff reminded the Board that this evening is the deadline for action and presented a draft approval resolution for their consideration.

After brief discussion involving some of the proposed conditions the draft resolution was amended. On a motion by Mr. Schiavone and second by Ms. Sigler the Planning Board with a vote of 4-0 adopted the following resolution:

WHEREAS, a site plan for Invesco Affiliates Ltd. was submitted to the Planning Board to consider a proposal to demolish the existing fifty-two (52) unit motel use and construct three (3) new structures with fifty-three (53) apartments (47,420 square feet) consisting of twenty-one (21) ground floor one-bedroom apartments, sixteen (16) one-bedroom duplexes and sixteen (16) two-bedroom duplex units and 3,300 square feet of commercial office space (non-medical) with associated site improvements; and

WHEREAS, the subject property is 3.0 acres located in the Central Commercial C-1 District, on the south side of West Broadway (SR 25A), approximately 65 feet west of Barnum Avenue; and

WHEREAS, on October 25th, 2005 the Board approved a conditional use permit for the residential use of the proposed project; and

WHEREAS, the project meets the criteria for classification as an Type I Action, and on November 10th, 2005 the Planning Board adopted a Negative Declaration, and; and NOW THEREFORE BE IT

RESOLVED, the Planning Board hereby approves of the of the site plan application for Invesco Affiliates Ltd. to construct fifty-three (53) apartments and 3,300 square feet of commercial office space (non-medical) on a 3.0 acre site located in the Village's Central Commercial C-1 District on the south side of West Broadway (SR 25A), approximately 65 feet west of Barnum Avenue as shown on plans prepared by Campani and Schwarting Architects dated December 6th, 2004

labeled SP-01 - SP-05 and last revised on March 6th, 2006 **SUBJECT TO THE FOLLOWING CONDITIONS:**

- 1 Fifty-three (53) apartments is the maximum allowed with no more than twenty-one (21) on grade.
- 2 All apartments shall be licensed annually after inspection of the Building Inspector and subject to an annual licensing fee.
- 3 Submission of a bond to cover all on-site and off-site improvements and amount of which shall be determined by the Village Engineer prior to issuance of a building permit.
- 4 Suffolk County Department of Health Service approval prior to filing for a Building permit.
- 5 Make revisions on SP-03 to reflect the modifications on SP-02 dated March 6th, 2006.
- 6 SP-04 shall include elevations depicting sides of proposed buildings with garages.
- 7 No medical use or retail use is permitted.
- 8 Provide a copy of the NYS DOT approval.
- 9 Notify and schedule an inspection with Building Department staff at least 48-hours prior to demolition to ensure that all barriers/devices of the erosion control plan have been installed.
- 10 Provide a note on plan and submit for Village Attorney's review a 12-foot wide public access easement along the south side of Mill Creek for future pedestrian walkway.
- 11 All proposed signs/awnings as well as final building elevations shall be reviewed by the Village ARC prior to issuance of a building permit and/or sign/awning permit.
- 12 Indicate on plan and provide appropriate traffic flow signage and pavement markings.
- 13 This approval is subject to response from Village Attorney regarding properties within the TCE plume that have been identified by the US EPA.
- 14 Copy these conditions on SP-02 with the property owners signature notarized and dated.
- 15 Submission of four (4) revised site plans for signature of the Chair of the Planning Board with the above conditions addressed with ninety-days (90-days) of this decision.
- 16 Pursuant to § 250-52 (E and F) of the Port Jefferson Village Zoning Ordinances, unless construction is commenced and diligently pursued within nine (9) months of the date of the granting of this site plan, this approval shall become null and void. This site plan approval will expire **December 9th, 2006**; at this time all conditions must be met. You may apply for a one-time only extension of six (6) months, which must be requested prior to the expiration of this approval.

BOARD of TRUSTEES

8. 9:50 - 10:00 Trustee report

