



**INCORPORATED
VILLAGE of PORT JEFFERSON**

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

ZONING BOARD of APPEALS

Chair
Alison LaPointe

Members
Michael Verruto
Mark Brosnan
Jack Giannola
Tracy Stapleton

Secretary
Cindy Suarez

April 28, 2011
ZBA MINUTES

PRESENT:

Alison LaPointe, Chair
Tracy Stapleton
Michael Verruto

Mark Brosnan
Jack Giannola
Trustee Rosner

The Board convened at 7:00PM in the Village Hall conference room.

TRUSTEE REPORT:

- Jennifer Sigler has been appointed the Interim Director of Development in the building department.
- Layoffs of two part time employees in the building department.
- Tony Bertolotti, building inspector has added to his responsibilities.

GENERAL BUSINESS:

On a motion made by Ms. LaPointe, second by Mr. Brosnan, the minutes of 3/24/11 were approved, vote 5-0.

PUBLIC HEARINGS: (CERTIFIED TRANSCRIPT)

1. **Appeal No. 438-11MV**
Section 8, Block 3, Lot 5
Louis M. Della Rocca c/o John Andrews, Esq.
103 East Main Street
(Continued from 3/24/11)

Applicant requests a Certificate of Existing Use for a four unit apartment building located on the north side of the property.

Present: John Andrews, Esq.

4/12/11 Inspection memo from Tony Bertolotti, Building Inspector was read into the record.

No public comments.

Mr. Verruto made a motion to close the hearing, second by Mr. Brosnan, vote 5-0.



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**2. Appeal No. 442-11MB
Section 9, Block 6, Lot 32
Michael Watts c/o John Andrews, Esq.
410 Thompson St.**

Applicant requests an interpretation of Village Code Section 11(B) (3) for the definition of a music studio.

4/25/11 letter from the applicant's representative, John Andrews, Esq. was read requesting this matter be put over to the May meeting.

Mr. Brosnan made a motion to approve the applicant's request to hold the application over until the May meeting, second by Mr. Verruto, vote 5-0.

**3. Appeal No. 441-11JG
Section 16, Block 2, Lot 18
Michael Nelin c/o Nelin Real Estate Management Inc.
103 Myrtle Ave.
(Postponed from 3/23/11)**

Applicant requesting the following area variances for construction of a new building:

1. Requesting lot area of 15, 751 sq ft where 18, 500 sq ft is required.
2. Requesting lot depth of 101.30 ft where 125 ft is required.
3. Requesting lot width of 113.11 ft where 125 is required.
4. Requesting lot coverage of 40% where maximum permitted is 30%.
5. Requesting off street parking in the front yard.

Present: Linda Margolin, Attorney & Rick Nelin, Property Owner

Michael Williams c/o R&W Engineers, P.C. 4/28/11 report was read. Mr. Williams not present.

2004 & 2010 Google earth photos were submitted by Ms. Margolin.

Public Comments were heard:

- Edward Allen 105 Myrtle
- Nick Acampora 291 Myrtle
- Sandra Swenk 108 Prospect, letter submitted.

Mr. Giannola made a motion to close the hearing, second by Mr. Brosnan, vote 5-0.



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**4. Appeal No. 444-11TS
Section 23, Block 1, Lot 15
James Kennedy
21 Laurita Gate**

Applicant requests the following area variances from the provisions of Village Code Section 250 attachment 3:1 for an existing wood deck.

1. Requests minimum side yard setback of 6.4 ft where 18 ft is required.
2. Requests total side yard setback of 24.4 ft where 40 ft is required.

Present: Mary Dernbach, 115 Liberty Avenue, Agent for the owner.

Ms. Stapleton is a neighbor of the applicant. Ms. Dernbach is not opposed to Ms Stapleton hearing this application.

No public comments.

Mr. Verruto made a motion to close the hearing, second by Mr. Brosnan, vote 5-0.

DECISIONS:

Appeal No. 438-11MV:

Mr. Brosnan made a motion to grant the applicant's request for a CEU for 103 East Main Street, second by Ms. Stapleton, vote 5-0.

Appeal No. 441-11JG:

Mr. Giannola made a motion to grant the variances as submitted, second by Mr. Verruto:

1. Lot area of 15, 751 sq ft where 18, 500 sq ft is required.
2. Lot depth of 101.30 ft where 125 ft is required.
3. Lot width of 113.11 ft where 125 ft is required.
4. Lot coverage of 40% where maximum permitted is 30%.

Mr. Giannola made a motion to conditionally grant front yard parking for spaces denoted by (9) as per R&W Engineer's plan SP1.0 dated 2/10/11. Remainder of property's front yard space denoted by (1) and cross hatch denied "for parking spaces". Second by Ms. Stapleton, vote 5-0.



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Appeal No. 444-11TS:

Ms. Stapleton made a motion to grant the requests for area variances as presented, second by Mr. Verruto, vote 5-0.

The meeting ended at 9:30PM.

Respectively submitted,
Cindy Suarez, Secretary to the Zoning Board of Appeals