

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
William Rau

Secretary
Cindy Suarez

MINUTES

May 11, 2006 at 7:00 p.m.

The Planning Board meeting was held on the 2nd floor of Village Hall in the courtroom, 121 West Broadway, Port Jefferson, NY 11777.

PRESENT: James Burke
Phil Schiavone
Jennifer Sigler
Mark Brosnan
Will Rau
Ray DiBiase
Barbara Ransome, Trustee

GENERAL BUSINESS:

1. On a motion made by Jennifer Sigler, seconded by Mark Brosnan, the Board adopted the minutes of March 28th, 2006 as amended. Vote 5-0.

DEVELOPMENT ACTIONS:

2. Garant (# 068-06) Sec. 16 Blk. 6 Lot: 7.1 & 7.2

Consider SEQR, completeness and schedule public hearing for a lot line modification application for the transfer of approximately 1,200 sq. ft. from tax lot 7.002 to 7.001 situate in the Village's Single Family Residence R-B2 District, on the west side of Liberty Avenue.

Margot Garant, attorney represented applicants Terry Burke and Audrey Prochillo.

Mr. Terry Burke explained that there is a possible sale pending and there is a major encroachment easement issue. The lot line modification will alter the parcels such that the driveway of one property will not encroach on the adjacent lot. The applicant has also proposed to designate the existing, vegetated burm "forever green" in an effort to preserve the landscape buffer. The original subdivision was granted in 1986 and the certificate of occupancy was issued in 1987.

Phil Schiavone requested an updated map with drain locations. Both lots should meet the minimum requirement for the zone.

On a motion made by Phil Schiavone, seconded by Mark Brosnan, there will be a public hearing held on 6-15-06 for the proposed covenant. All in favor 5-0.

RESOLUTION:

WHEREAS, the Planning Board has received an application for a minor subdivision, consisting of the transfer of 1,200 square feet from lot 2 to lot 1 of the filed (# 8144) Map of Prochilo; and

WHEREAS, the property is located in the Village's Single-Family Residence R-B2 District on the west side of Liberty Avenue, approximately 500 feet south of Old Post Road, and

WHEREAS, the subject action conforms with the regulations of said district; and

WHEREAS, pursuant to 6 NYCRR Part 617 State Environmental Quality Review the proposal is classified as an **Unlisted Action**; and

WHEREAS, optional SEQR coordination was not conducted and no Lead Agency was designated; and

WHEREAS, the Village Planning Board has conducted a review of the information recorded in the Short Environmental Assessment Form; and

WHEREAS, the magnitude and importance of each impact has been considered and the Planning Board finds that the project will not result in any large and important impact(s) and, therefore, will not have a significant impact on the environment; and NOW THEREFORE BE IT

RESOLVED, the Planning Board hereby adopts the NEGATIVE DECLARATION prepared for the for a minor subdivision, consisting of the transfer of 1,200 square feet from lot 2 to lot 1 of the filed (# 8144) Map of Prochilo; and BE IT FURTHER

RESOLVED, that a public hearing is scheduled for 7:30 p.m. at Port Jefferson Village Hall on June 15, 2006 subject to the submission of current survey prior to the hearing date.

3. 616 Main St. Sec. 16 Blk. 8 Lot: 17

Meet with applicant to discuss proposal to add additional pump and site modifications

John Andrews, attorney represented the applicant. The property is zoned R-O. Mr. Andrews explained that the applicant would like to expand the existing island and add one more gas pump. There is only one pump existing at the present time. They would also like to add unheated storage and a canopy to the top of the building.

This is an expansion of a non-conforming use. They are not expanding the tank sizes; they just want to facilitate the sale of gasoline. There are already double wall fiberglass fuel tanks to code.

Ray DiBiase commented that a permit will be needed from NYSDOT because the curb cuts to Route 25A will be modified.

The Board referred the applicant to the Zoning Board of Appeals.

4. Spanos (#053-05) Sec. 22 Blk. 2 Lot 22

Chairman to sign approved map for a minor subdivision application for two existing lots that have merged, the property is located in the R-B2 District on the north side of Jamaica Avenue, approximately 200' east of Columbia Street.

John Andrews, attorney represented the applicant. All requirements have been met. The approved map doesn't show health department approval but the approval is available on file in the building department.

Mark Brosnan stood in as Chairman and signed the paper and Mylar maps, along with secretary, Cindy Suarez.

5. LIL Associates (#069-06) Sec: 12 Blk. 7 Lot: 44

Consider proposed changes to exterior façade (Staff referred elevation to ARC on 5/5/06). Building is located at 120 Main Street.

Richard Searles, architect, represented the applicant. He explained to the Board that this application is also scheduled to go in front of the Zoning Board of appeals for interpretation of code section 250-182B describing automobile sales & service.

The applicant would like to redo the exterior of the building. The intent of the building was discussed. The intention is to display motorcycle apparel, equipment & accessories, and to write up sales orders. There will be no fuel storage, starting the motors of any motorcycles or test drives.

The owner of the building Mr. Rampone has intentions of staying in the building during business hours.

The Board has referred the applicant to the ARC. They have also requested color samples. And updated drawings. A "Hardie" plank with wood trim has been requested in lieu of vinyl siding.

6. P.I. Oakland Partners (# 029-04) Sec. 17 Blk. 7 Lot: 2, Sec. 21
Blk 6 Lot: 14.1 & 14.2

Consider completeness of site plan application for the conversion of a former nursing home to medical-office, construct an additional 61,380 square feet of medical office space and 3,500 square foot bank with drive thru located on three tax parcels totaling 9.67 acres in the P-O District on the east side of Oakland Avenue and south of North Country Road.

Architect, Eric Nicosia was present. Also present was Nelson & Pope, Engineers. The revised plans were presented, which included the alignment plan, roadway improvements, and engineering drawings.

Will Rau, Village Planner, stated that they now have a completed application and can start the referral process.

Phil Schiavone made a motion to deem the application complete, seconded by Jennifer Sigler; all in favor the vote was 5-0.

RESOLUTION:

WHEREAS, a site development plan application for P.J. Oakland Partners L.L.C. entitled Oakland Medical Arts Center was submitted to the Planning Board to consider a proposal to convert the vacant three-story, 36,000 square foot nursing home to medical-office space, construct an additional 61,380 square feet of medical office space and a 3,500 square foot bank with drive thru; and

WHEREAS, the subject site is located on three separate tax parcels totaling 9.67 acres in the Village's P-O District on the east side of Oakland Avenue and south of North Country Road; and

WHEREAS, the applicant has submitted all necessary materials to fulfill the application submission requirements of § 250-52 of the Port Jefferson Village Code; and NOW THEREFORE BE IT

RESOLVED, that the site development plan application for P.J. Oakland Partners L.L.C. entitled Oakland Medical Arts Center is hereby deemed complete as of May 11th, 2006.

7. Liberty Meadows LLC (# 027-04) Sec. 16 Blk. 8 Lot: 7.0, 8.1, 8.2, 9, 10, 13.1, 18, 23, 24, 25 & p/o Willoghby St.

Discuss petition and review final submission for completeness for the proposed 43-unit cluster subdivision located on 18.5 acres in the R-B2 District on the east side of Liberty Ave.

The Board reviewed the soil boring subsurface investigation map, the vegetation diagram and the alignment plan.

Fred Johs, Village Attorney was present. He discussed the notice of Article 78 Notice of Petition that was served to the Planning Board. He explained that this petition was not signed by a judge and is not a temporary restraining order. It does not prevent the Board from moving forward. In reference to the plume of subsurface toxins identified by the EPA, he stated that the Village is not responsible for their potential hazard and that any building concerns are the purview of the buyer, & seller.

The Board agreed that once the final submission is completed, to schedule the continuation of the final public hearing for June 7, 2006.

RESOLUTION:

WHEREAS, on May 10th, 2006 the Planning Board received the official plat submission from the applicant Liberty Meadows, LLC for the final review of the proposed Village Vistas site development; and

WHEREAS, the application consists of a clustered attached multi-family housing community consisting of twenty-one (21) 2-unit buildings and one (1) single-unit building, for a total yield of forty-three (43) units, the construction of a new roads, Theresa Lane and Kewpie Circle, a separate recreation building and a pool; and

WHEREAS, the property totals 18.45 acres and is currently improved with a single family home, a guesthouse, several barns, horse paddocks, located in the Village's Single Family Residence R-B2 District (15,000 sq. ft. min.) and Residence Office R-O District on the east side of Liberty Avenue; and

WHEREAS, the subject property has been identified in the Village of Port Jefferson's Open Space Plan for clustering of residential development on the most suitable land; and

WHEREAS, on October 14th, 2004 the Planning Board requested authorization from the Village Board of Trustees to consider a cluster housing development on subject site and on October 25th, 2004, the Board of Trustees by resolution gave authorization to the Planning Board to consider a cluster housing development pursuant to § 7-738 of Village Law; and

WHEREAS, On October 25th, 2005 the Planning Board assumed lead agency status for the preparation of an Environmental Assessment Form (EAF), Part 2 and Part 3 and on March 9th, 2006 made a finding of "non-significance" and issued a negative declaration pursuant to SEQRA; and

WHEREAS, the submission of May 10th, 2006 contains sufficient information for the Planning Board to consider the proposal and the application complies with the submission requirements of the Subdivision Regulations; and NOW THEREFORE BE IT

RESOLVED, that the Planning Board deems the plat submission for the final review of the proposed Village Vistas site development as complete as of May 11th, 2006; and BE IT FURTHER

RESOLVED, the adjourned final public hearing from April 25th, 2006 is hereby rescheduled for the evening of June 7th, 2006 to be held at the gym of the Edna Louise Spear Elementary School at 7:30 p.m.

8. Invesco Affiliates Ltd. (# 005-04) Sec. 12 Blk. 6 Lots: 3.0, 4.1
6.2 & 10.0

Consider resolution to suspend site plan approval for proposal to construct 53 residential units and 3,300 sq. ft. of commercial/office space located in the Central Commercial C-1 District on the south side of West Broadway.

On a motion made by Mark Brosnan, seconded by Jennifer Sigler, the Board accepted the resolution as written. All in favor 5 -0.

RESOLUTION:

WHEREAS, on March 9th, 2006 the Planning Board granted conditional site plan approval for the 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, the location of the proposal has been identified by the United States Environmental Protection Agency with possibly subsurface contamination with volatile organic compounds (VOCs) resulting from the operation of the Lawrence Aviation Industries Superfund site; and

WHEREAS, the Planning Board finds that the development of this property may adversely impact the health, safety and welfare of the would be residents and the general public; and NOW THEREFORE BE IT

RESOLVED, that the site plan approval dated March 9th, 2006 as described above and 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 is hereby suspended thus tolling the statutory completion requirements of the Port Jefferson Village Code until such time as the Village of Port Jefferson's environmental consultant approves an acceptable proposal which mitigates any environmental issues caused by the Lawrence Aviation plume.

9. Trustee Report:

Barbara Ransome reported:

- A Fire Marshal from Brookhaven will be sharing his services with the Village after 5/18/06
- A 72% tax increase went into effect by default because the Village failed to agree upon a tax increase by the deadline.
- Two hour parking on East Main Street has been approved.
- There will be a merchant's concerns meeting held at the Village Center.
- Sandra Swenk's husband passed away.
- There is a new treasurer, Donald Pierce.
- Solar operated parking meters are being priced out for managed parking.
- LIPA has agreed to replace damaged poles at no charge to the Village

The meeting was closed at 10:00PM.