

**June 28, 2007**

**PLANNING BOARD MINUTES**

The Planning Board meeting is held on the 2<sup>nd</sup> floor of Village Hall in the courtroom, 121 West Broadway, and Port Jefferson, NY 11777. Applications are scheduled to begin at 7:30 p.m., or shortly thereafter.

**PRESENT:**

Jim Burke, Chairman  
Phil Schiavone  
Ray DiBiase  
Jennifer Sigler  
Mark Brosnan  
Will Rau, Village Planner  
Cindy Suarez, Secretary

**GENERAL BUSINESS:**

Jennifer Sigler made a motion to adopt the minutes from May 24,2007, seconded by Phil Schiavone, all in favor the vote was 5-0.

**PUBLIC HEARING:**

1. **Gourmet Burger Bistro Sec.** (114-07) 12 Blk. 7 Lot 45

Jim Burke, chairman read the public notice.

Public hearing for a conditional use permit for a proposed new retail food establishment located in the Central Commercial C-1 District on the south side of Mill Creek Road, approximately 100 feet west of Main Street.

The applicant, Mike Napoli was sworn in. The proposed plan was reviewed. Mr. Napoli handed in a menu for the record. He explained that this would be a new business with no other locations. There will not be any outdoor dining. The service will be inside sit down and take out.

There were no comments from the audience.

Phil Schiavone made a motion to close the hearing. Jennifer Sigler seconded the motion. All in favor 5-0.

Mark Brosnan made a motion to accept the draft resolution prepared by Will Rau and approve conditional use permit application as presented.

**RESOLUTION:**

WHEREAS, a conditional use permit application for the applicant Campani & Schwarting Architects was submitted to the Planning Board on May 21st, 2007 for the conversion of an 800 square foot commercial unit from retail to a retail food use; and

WHEREAS, the premises is located on 5,945 square foot parcel in the Central Commercial C-1 District, west of Main Street (SR 25A) and on the south side of Mill Creek Road; and

WHEREAS, the 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 the filing of an environmental assessment form is not required; and

WHEREAS, pursuant to § 250-18 B (9) of the Village Code, the proposed use is a conditionally permitted use within the district; and

WHEREAS, on June 28, 2007 a public hearing was held on the conditional use permit application that was closed the same evening; all public comments have been duly considered by the Planning Board; and

NOW, THEREFORE on a motion of Mark Brosnan and seconded by Jennifer Sigler and with all five (5) members a voting in favor, it is hereby

RESOLVED, that the conditional use permit application for Campani & Schwarting Architects for the conversion of an 800 square foot commercial unit from retail to a retail food use as shown on plans for the Gourmet Burger Bistro last revised on May 21st, 2007 is APPROVED WITH THE FOLLOWING CONDITIONS AND MODIFICATIONS

1. Applicant must receive a building permit within 9-months.
2. The Village Fire Marshal will determine number of permitted seats.
3. ARC to review proposed sign/awnings prior to a permit.
4. No business will be conducted outside the premises and no outdoor seating will be provided.
5. No selling of alcoholic beverages.

**WORKSESSION/APPOINTMENTS:**

2. **North Shore Professional Realty, LLC (# 029-04)**

Sec. 17 Blk. 7 Lot 2  
Sec. 21 Blk. 6 Lot 14.1  
Sec. 21 Blk. 6 Lot 14.2

Discuss the approved site plan to convert former nursing home to medical-offices and bank, on 9.67 acres in the P-O District on the east side of Oakland Avenue and south of North Country Road.

Frank Toner, project manager for the applicant was present. The Board members and Mr. Toner reviewed the progress prints. Mr. Toner explained that he submitted architectural engineer drawings to Kevin Koubek, Village Engineer.

The site plan was reviewed. The changes made were increased aprons and curb cut ins added for easier passenger drop offs. A curb and sidewalk were added on the west side of the bank building.

Mr. Toner requested the Board members to consider allowing the applicant to land bank those parking spaces included in the proposed parking deck. A retaining wall and a slope to the lower parking level would be constructed. Nelson & Pope Architects will prepare a proposal.

**DEVELOPMENT ACTIONS:**

3. **Gerard Constanzo** (#110-07) Sec. 12 Blk. 7 Lot 2

Discuss two residential apartments on the 2nd story of an existing building located in the Central Commercial C-1 District on the east side of Barnum Avenue, approximately 200 feet south of West Broadway.

The public hearing was held 5/24/07.

The plans submitted were not stamped or signed by an architect.

The Board discussed the application and would like to send it to the Architectural Review Committee for comments before issuing a permit.

**BOARD OF TRUSTEES REFFERAL:**

4. **Pace's Steak House** (#113-07) Sec. 12 Blk. 7 Lot 36.3

Property is located in the Central Commercial C-1 District, north of Wynne Lane approx 100 feet west of Main St.

The Board reviewed the referral for a seasonal outdoor dining permit for the second time.

The code allows one table for four per 70 square feet. The proposed drawing is not specific to which tables are busing stations and which are for customer seating or the size of the tables and the space for the circulation around the tables.

The Board would like to specifically state that there not be any outdoor music.

The Board is also requesting comments from the Fire Marshal.

The meeting ended at 8:30Pm

Respectively submitted,

Cindy Suarez, Secretary





Incorporated Village of Port Jefferson  
Planning Board