

UNOFFICIAL MINUTES OF August 15, 2005

The Zoning Board of Appeals met in the Conference room for Discussion only at Village Hall, 121 West Broadway The meeting was called to order at 7:20 PM.

1. **Appeal No. 332-05 Section 12, Block 5, Lot 24**

**Joseph Sawyers
Corner of South Street and Hunt Street**

Area variance to build a single-family residence with setback deficiencies.

MV: Read a personal letter from Mr. Sawyers regarding financial reasons to build. The letter will not be used in deciding the case. It was put in the file. Proceeded to read a letter from Jaeger. It was considered an enhanced copy of the grading plan.

CK: Have they established single ownership? Did the Village ever accept it? It has been abandon definitely and is shown as a pass way. It is not dedicated Up to 1962 or later they didn't use language such as "Boiler Plate", etc...

MV: Deny, we need the entire list, not one thing. They applied for a building permit and were told it was a single lot. Give him use as a garage at least. He testifies he'd like to do that.

CK: The building Department does this all the time, gives out the wrong information.

MV: We received a memo from the Town Of Brookhaven that Hunt Street and South Street has never been town maintained.

GA: The town at one point created a road network.

MV: Historical records show pass way, never a street.

GA: 15.8 & 11.7 slope (The board discussed the slopes) Follow the contour.

MV: Says he can do it in 4 foot walls, not showing top and bottom walls.

CK: What was Barry Warren's opinion?

MV: Title insurance company wouldn't insure it.

CK: Should we get a title company?

MV: We asked and they wouldn't commit to either block.

LR: Do they want to treat it as an easement?

CK: Yes, single and separate.

GA: Based on what the surveyor tells them.

LR: 6½-foot setback is extreme for front yard.

GA: Existing dwellings, this is a new house

CK: They can come in and show other properties within common size. The size of the footprint has nothing comparable.

LR: get copy of EAF

MV: Let's work in garage set backs

CK: That is not appropriate, they didn't apply for that.

GA: Submit plan and building application.

The discussion is being held over. Charlie will start decision.

**2. Appeal No. 331-05 Section 3, Block 2, Lots 2 & 3
Oliver Schepers
17 Old Homestead**

Area variance to build a single-family residence on a proposed subdivision of land of two parcels totaling one (1) acre.

CK: The vegetation on the golf course side should not be disturbed.

MV: Bill Jaeger said that the footprint was large. Get us an Arial to determine massing on the other lots. Waiting for Arial and redraw with footprint. Resolve easement. Health department issue.

CK: Requested a copy of deed to see where boundary is.

Mr. Schepers: We will position the house more westerly.

LR: There are fewer hits to the west.

Discussion was held over waiting for Bill Jaeger.

3. Appeal No. 329-05 Section 21, Block 6, Lot 14.2

Site and building improvements to existing three (3) stories, 36,000 sq ft building for proposed medical office use.

MV: The applicant considers first floor medical and second & third floor apartments. One per 130 square feet parking spaces. 12,000 square foot, 150 into 12000 = 80

Buffers with islands were discussed. Ken Gould is under contract for other Sunrest. 35,000 sq feet on 3 ½ - 4 acres. Proposing residential. Residential not permitted on PO parcel

Come to a determination. Partial area, nice to see all three parcels come together.

CK: No way convert existing Sunrest to residential. Knock it down or go with medical only. Grant cross easements.

MV: Everything we do affects the back.

LR: We did an analysis on the parking. I'm satisfied. One car per 150 square feet is ample One per 100 is overkill. It is not over burdening the village to give that yield to a developer. You can create buffer they are looking for.

MV: We are dealing with pre existing buildings. Two major buildings. The legislative board should be dealing with this.

LR: One per 200 for general office and one per 150 for medical. Present this to the trustees. Tighten up the general and loosen up on the medical. Send the trustees Will's analysis.

GA: It is a thirty-year-old building. Take the building down and do something else.

LR: Deny the whole thing.

CK: It is a complex area. Try not to participate in conversation. The easiest way is to just deny it. But we all feel comfortable with 10.

LR: Can you write a use variance with a clear conscience?

MV: Will says let them go thru the board of trustees and change the use.

LR: Do not have enough property for this big building.

GA: Resubmit application. We're a semi judicial body.

LR: Deny the application and let them resubmit.

CK: He could modify.

MV: Residential is not permitted.

GA: Give them general guidelines. Let them come back to us.

LR: Deny it. The island thing is a band-aid. Not the right way to go about it. It's a semi buffer.

MV: We will base the decision on waiting for these things: SEQRA: A) 130 acceptable spaces B) 1 per 150 sq ft for medical use
We may amend application to include a use variance.