



INCORPORATED VILLAGE OF PORT JEFFERSON

ZONING BOARD OF APPEALS
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ZONING BOARD OF APPEALS MINUTES

August 21, 2008

The Zoning Board of Appeals meeting was held in the Village Court Room, 121 West Broadway, Port Jefferson, NY 11777 at 7:30 PM

PRESENT:

Michael Verruto
Charles Kenny
Jack Giannola
Robert Gitto
Will Rau, Senior Planner
Cindy Suarez, Secretary

ABSENT:

Lee Rosner, Chairman

GENERAL BUSINESS:

On a motion made by Rob Gitto, seconded by Michael Verruto, the minutes of 7/17/08 were approved as amended.

Mr. Kenny will be sitting in for Chairman, Mr. Rosner who is absent this evening.

PUBLIC HEARING:

- 1. Appeal No. 396-08RG Section 16, Block 2, Lot 22
Jefferson Consultants Inc. agent for Richard Howard
104 Avenue A**

Applicant seeks a Certificate of Existing Use in accordance with section 250-49(D) for a two story single-family residence with staircase to loft, covered front porch and framed detached garage. The property is located in the Village's RB-2 residential district on the east side of Avenue A approximately 66 feet north of Myrtle Avenue.

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Mr. Kenny stated that approximately thirty years ago he represented the applicant, Mr. Howard in a legal matter. He questioned whether or not the applicant would like him to recuse himself from this application.

Mr. Mark Lyon, of Jefferson Consultants was sworn in to represent the applicant. He stated that Mr. Kenny does not have to recuse himself.

Mr. Lyon handed in Exhibit A, the Brookhaven tax search and the chain of title from the 1900's, and Exhibit B, the affidavit from William Glass, Jr. including a survey dated 8/18/08.

The original application includes a 1977 survey. The 8/18/08 survey matches the 1977 survey. No changes have been made to the property.

Mr. Kenny opened the floor up to the public for comments. There were no comments.

Mr. Verruto made a motion to close the hearing, seconded by Mr. Gitto, all in favor the vote was 4-0.

2. Appeal No. 393-08MV Section 17, Block 5, Lot 12
(Continuance) Richard Kick for The First National Bank of L.I.
1227 Main Street

Applicant seeks an interpretation of the Zoning Board of Appeals to determine if a bank is an appropriate use for a property which a certificate of occupancy was issued for a "non-medical professional office. The property is located on the northeast corner of Main Street (S.R. 25A) and Stony Hill Road in the Village's R-O residential/office district.

Mr. Kenny announced that the applicant has requested a postponement from this evening's agenda. Public notice will be made as to when the application will be rescheduled.

3. Appeal No. 385-07LR Section 16, Block 8, Lot 16
Hawkins, Webb, Jaeger, PLLC for Derek Wonderland
606 Main Street

Applicant seeks area variances for a proposed mixed use building with an office on the first floor and a residence on the second floor. The variances requested are: a lot width of 70.43' where 100 ft is required, front yard setback of 10 ft. where 40 ft. is required and 11 ft minimum side yard setback where 18 ft. is required. The property is located on the west side of Main Street (SR 25A), approximately 60 feet south of Liberty Avenue in the Village's Residence-Office R-O District.

Mr. Chris Labate, of Hawkins, Webb, Jaeger, PLLC was sworn in to represent the applicant. He went through the five criteria of a use variance.

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Mr. Giannola questioned the parking issues and to whether or not the applicant would be expanding or extending the parking.

Mr. Labate stated that he is not sure if the current configuration conforms to 5 spaces.

Mr. Kenny asked where the fence would be located.

Mr. Labate stated the fence would be north easterly 8 feet off the property line.

Mr. Verruto questioned as to why the applicant was applying for a use variance and an area variance.

Mr. Verruto made a motion to amend the application to remove the request for a use variance. Mr. Gitto seconded the motion, all in favor the vote was 4-0.

Mr. Giannola made a motion to close the hearing, seconded by Mr. Gitto, all in favor the vote was 4-0.

4. Appeal No. 397-08JG Section 12, Block 2, Lot 16
Friends of the Port Jefferson Library
150 East Main St.

Applicant seeks an area variance from the provisions of section 250-31B (3) for an overhanging sign measuring 24" x 30" above the front door. The property is located on the west side of East Main Street in the Village's commercial C-1 district approximately 92' north of Arden Place.

Sandra Swenk resident of 108 Prospect Street was sworn in to represent The Good Times Book Store. She stated that the requested proposed sign would be the same historical style as the previous sign that was there. The location of the proposed sign would not be out on the public sidewalk and would be visible to the north and south view.

Mr. Giannola questioned if the original hardware would be used.

Ms. Swenk answered "no".

Mr. Gitto questioned the size of the proposed sign.

Ms. Swenk stated that the proposed sign will be within the 24" x 30" limitation.

Mr. Kenny opened the floor up for public comments.

Linda Gavin, President of the Friends of the Library, was sworn in. She stated that having the sign would add to the charming atmosphere that exists in the store.

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Tara D'Amato, Director of the Port Jefferson library, was sworn in. She stated that the "Friends of the Library" have worked hard on this project.

Mr. Gitto made a motion to close the hearing, seconded by Mr. Verruto, all in favor the vote was 4-0.

The hearing ended at 8:30PM.

Cindy Suarez, Secretary, Zoning Board of Appeals

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The meeting was closed at PM.

Respectively Submitted, Cindy Suarez Secretary