



**INCORPORATED
VILLAGE OF PORT JEFFERSON**

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PLANNING BOARD

Chair
James Burke

Members
Phil Schiavone
Jennifer Sigler
Ray DiBiase
Mark Brosnan

Secretary
Cindy Suarez

MINUTES OF SEPTEMBER 27, 2005

September 27th at 7:00 p.m. - Village Hall - 121 West Broadway

PRESENT

James Burke
Phil Schiavone
Mark Brosnan
Ray DiBiase

ABSENT

Jennifer Sigler

GENERAL BUSINESS:

1. Adopt Minutes from September 13th, 2005
2. Trustee Report

Barabara Ransome: There is a new ZBA member his name is Bob Strong. There were three people shown that were never interviewed, Doug Norton and Ed Miller.

There is a new village attorney his name is Fred Jobs

The Community Center now has working phones. The framing for the glass came in. There was a walk thru on 10/11/05 for the CO.

Tom Isles from Suffolk County Planning passed a resolution for free analysis of Marina Waterfront

Cinderella applications are being taken for the little gray house. The lines were shot today for the little gray house. It should go quickly now.

The sign for bike route on Route 25a and 25 is a DOT issue.

We are setting up a public hearing for code changes on eating and drinking, neon signs and lighting.

Phil Schiavone: There was no SEQRA review for the land clearing by Danfords Inn.

Barbara Ransome: Kevin requested Will, Lee and myself to go to the NYPF conference

Will Rau: I need to know how the board feels about Pay for Parking?

Barbara Ransome: It never seemed logical

Phil Schiavone: If you have a building deficient in parking, we shouldn't change the use, unless the building produces parking.

Barbara Ransome: This is talking about a moratorium. We have to go on a hearing to eliminate. It gets very tangled.

Phil Schiavone: You are going to need a hearing for this.

Barbara Ransome: Daytime 9AM - 5Pm, nighttime business is closed. This is a dual use. C-1 the relaxation of parking within 200 feet. Stenographer for public hearings, what do you think?

Mark Brosnan: The applicant should be responsible for fee if it is over \$250

Phil Schiavone: It should be a \$250 fee based on the average.

James Burke: The \$250 should be paid up front

Lighting and Signs:

Mark Brosnan: What about lights right on the building?

Barbara Ransome: We want a dark skies program

Phil Schiavone: We want to see how bright it is and the layout of the neon sign

Barbara Ransome: We are past the five-year grandfathering. It was supposed to be eliminated. Neon is not the worst thing. Some should be allowed. Prohibit neon tubing. There is an artistic way to use neon. Having the word "open" is important to a lot of businesses. We need to allow a certain level.

Phil Schiavone: The painting of buildings to act as a sign, murals for approval.

Barbara Ransome: We have gotten complaints over the years. Interior neon lights are not going to be policed.

PUBLIC HEARINGS:

3. **PJ OAKLAND PARTNERS LLC** (# 029-04) Conditional use hearing for site plan/change-of-use/conditional use permit to convert former nursing home to medical-office use. Property is 2.0 acres and located in the Village's Professional-Office P-O District on the east side of Oakland Avenue. (SCTM # 206-021-06-014.002) **POSTPONED BY REQUEST OF APPLICANT.**

APPOINTMENTS:

4. **ST. CHARLES HOSPITAL** - (# 048-05) discuss proposal to change the use of the existing 18,000 square foot building formerly used by BOCES. The applicant would like to renovate for inpatient hospice care (SCTM # 206-013-01-011.002). **POSTPONED BY REQUEST OF APPLICANT**
5. **BILLIE PHILLIPS** - (# 036-05) - discuss proposal to demolish of existing building and reconstruction with an eating and drinking establishment and three (3) retail

uses plus a 2nd and 3rd floor consisting of 16 residential apartments. The subject property is approximately .18 acres and is located in the Village's C-1 District on the east side of Main Street. (SCTM # 206-012-02-006.000 & 007.000)

Will Rau: Shows the latest site plan from 1999. 6,637 square feet of retail. In addition to the restaurant is a bar. There are 25 parking spaces. Staff thinks the credit applied is for what's there now and the bar.

Phil Schiavone: The big quest is the site approval drawing for the second floor. That is the biggest obstacle. Increase restaurant, where does the second floor come from? The as built shows storage, but no parking calculations.

Will Rau: The agreement in 1999 was to build out. He abandoned the right-of-way. The site plan is still incomplete. It needs ZBA approval. Maximum floor area times 2. The number of site plans, storm drainage detail, high water table and lighting. Parking is a big issue.

Kevin Reilly: Sub parking given to village.

Phil Schiavone: We are not denying the second floor is there. We need evidence of the parking ratio for the second floor.

Kevin Reilly: The oversight should be corrected.

Will Rau: There is no use indicated for upstairs.

James Burke: The upstairs has how many?

Phil Schiavone: 52 retail, 20 for the second floor. We have no approved village document

Kevin Reilly: Did they permit it to be built?

Phil Schiavone: I think there was a denied proposal to use attic space. We have to go by the latest approved drawings. There is also a height variance.

Michael Schwarting: Seven percent over 1000. Okay on the height.

James Burke: Donation of a parking lot

Billie Phillips: There is a CO in 1987 for the building. Three retail stores and a restaurant. It says nothing about the size or square footage. The second floor never went away, it was always there.

Phil Schiavone: There was no use shown.

Billie Phillips: What use would it have?

Phil Schiavone: There was a plan for the attic space.

Will Rau: We cannot tell you to go to the Zoning Board

Phil Schiavone: My personal opinion is to go by the latest site plan.

Kevin Reilly: The building department didn't take a check for the building permit.

Mark Brosnan: The last two discussions were held up on parking issues.

Will Rau: We haven't accepted this as a complete application.

Mark Brosnan: Premature to get into the nuts and bolts of the building.

Will Rau: The site plan has no uses.

Kevin Reilly: What do you need to accept this application?

Will Rau: Follow the checklist on the application.

James Burke: We need interpretation of second floor grandfather use.

Kevin Reilly: I have to look at the code, but we made need the board to ask questions. Prior approval to the site plan doesn't address parking. Then the board doesn't approve?

Phil Schiavone: It would be stronger with clarification. If it is not addressed, then you didn't get permission to use it.

6. **GREATER PORT JEFFERSON HISTORICAL SOCIETY** - (# 046-05) - Discuss proposal to construct a 300 square foot accessory building to store archival material on a 1.75 acre parcel situate in the One and Two-Family Residence R-B3 District on the north side of Prospect Street, approximately 130' west of High Street (SCTM # 206-012-04-031).

Fran Campani: This is a pre submission request for a safe place to store precious old photos. The cellar is damp. We just want to build a simple structure behind the Craft house.

Nick (President of the Historical society) The primary issue is an old photo. Some of them have already been damaged. Other museums have separate buildings. It needs to be fire resistant, climate control, one way in. We will need a small desk for research. This will be long-term storage.

Fran Campani: Off-season use for unique irreplaceable paintings. The building will hardly be visible from Prospect Street.

Nick: It will be a low building, heavily wooded.

Fancis campani: There will be no level change. It will be a dry building. This is all preliminary.

Mark Brosnan: Don't set it into a burm

Nick: We will be respectful of the neighbors. It will be low profile approx 15' x 20', one story.

Mark Brosnan: One door may be a fire marshal issue.

Nick; It is not designed yet.

Will Rau: RB# is conditional use. Does the board feel they need this?

James Burke: Next meeting you should have more information

Phil Schiavone: I don't think there is any problem with this board.

Will Rau: Gil Anderson did the last site plan. Add this to it.

Nick: It is similar to the clock building, fire proof.

Fran Campani: There will be no basement.

James Burke: Let's have a public hearing on October 25, 2005

On a motion made by Phil Schiavone and seconded by Mark Brosnan the hearing was closed. The show of hands vote was 4 - 0.

***RESOLVED**, that pursuant to § 250-51 of the Code of the Village of Port Jefferson a conditional use hearing is hereby scheduled for 7:30 p.m. at Port Jefferson Village Hall, on **October 25th, 2005** for the proposal to construct a 300 square foot accessory building to store archival material on a 1.75 acre parcel located in the One and Two-Family Residence R-B3 District on the north side of Prospect Street, approximately 130 feet west of High Street.*

7. **KHOSROW REZVANI AND JEONG-SIK REZVANI** - (# 047-05) - Discuss applicant's request for relaxation of parking requirements (SCTM # 206-021-002-006) **POSTPONED BY REQUEST OF APPLICANT'S ATTORNEY**
8. **DANFORDS ON THE SOUND** - (# 049-05) - Discuss proposed plans to renovate the kitchen delivery entrance at Danfords Inn situate in the Marine Waterfront M-W district on the north side of East Broadway (SCTM # 206-008-01-013.005)

Ray DiBiase: Where are the architectural drawings and pictures and the drainage calculations?

Phil Schiavone: I'd like to see the trench drain, this is incomplete.

The board agreed to have the building department send a letter to the applicant stating that this application is incomplete. They would like to see plans, drawings, pictures, and drainage details.

ACTION TO BE TAKEN:

9. **SPRINT SPECTRUM L.P.** (# 045-05) discuss conditional use application and schedule conditional use hearing for a proposal to affix public utility wireless communications antennas to existing smoke stacks on 72.57 acres in the Water Front - Public Utility W-P District (SCTM # 206-007-01-001).

Will Rau: This is a conditional use and requires a hearing. I recommend the declaration be adapted.

Ryan Dassau: We are dealing with 180 feet of space. The applications will be flush mounted to the stacks and painted to the color of the back round. They will cover a half-mile radius.

Phil Schiavone: Schedule a conditional hearing. The public hearing to be October 25, 2005.

On a motion by Phil Schiavone, seconded by James Burke, the hearing was closed. The show of hands vote was 4 - 0

RESOLVED

WHEREAS, *a conditional use application for Sprint Spectrum L.P. to install public utility wireless telecommunications antennas on existing smoke stacks was received by the Planning Board August 17th, 2005; and*

WHEREAS, *the subject property is 72.57 acres situate in the Waterfront-Public Utility W-P District located on the west side of Port Jefferson Harbor; and*

WHEREAS, *the project meets the criteria for classification as a Unlisted Action, pursuant to Article 8 (State Environmental Quality Review Act, SEQRA) of the New York State Environmental Conservation Law and pursuant to Chapter 129 (Environmental Quality Review) of the Port Jefferson Village Code; 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 Environmental Assessment Form Part I and in the Environmental Assessment Form Part II; 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; NOW THEREFORE BE IT*

RESOLVED, *that the Planning Board hereby adopts the NEGATIVE DECLARATION prepared for the conditional use application for Sprint Spectrum L.P.; and BE IT FURTHER*

RESOLVED, *that pursuant to § 250-51 of the Code of the Village of Port Jefferson a conditional use hearing is hereby scheduled for 7:30 p.m. at Port Jefferson Village Hall, on **October 25th, 2005***

10. **LIBERTY MEADOWS LLC** - (#027-04) discuss preliminary application for a 43-unit cluster subdivision, schedule hearing and initiate SEQR coordination. The proposal is on 18.5 acres in the Single-Family Residence R-B2 District located on the east side of Liberty Ave. (SCTM # 206-016-08 008.001, 008.002, 009.000 018.000 024.000).

Will Rau: This is a Planning Board preliminary application for forty-three units on 18 ½ acres. The road design is not up to village expectations.

Jimmy Tsunis: Road profiles are part of the package. Cuts will exceed fill.

Phil Schiavone: Public Hearing needs more information.

Michael Schwarting: Explains the model. There is a four-foot contour interval.

Phil Schiavone: You should add visitor parking so groups have a place for parking. Supply two-car garage and a longer driveway.

Michael Schwarting: There will be a sidewalk on the two way that wraps around.

Phil Schiavone: Can the village put sidewalks on the other side?

Jimmy Tsunis: We are willing to put sidewalks in if that is part of the condition.

Mark Brosnan: You need to improve Liberty and Old Post road. High school is in session and there is a lot of traffic. Right now there is a blinking light.

James Burke: Old Post Rd and Route 112, is there talk of a light?

Mark Brosnan: The DOT said it is not warranted there. This may change things.

Will Rau: I will draft a resolution for SEQRA coordination.

On a motion made by Mark Brosnan , seconded by Phil Schiavone, the hearing was close. The show of hands vote was 4 - 0

11. **INVESCO AFFILIATES, LTD** (#005-04) Discuss site plan/conditional use permit application for the proposal to construct 53 residential units and 4,200 sq. ft. of commercial/office space. The property is located in the Central Commercial C-1 District on the south side of West Broadway. (SCTM # 206-012-06-004.001)

Will Rau: Passed out memo from Mike Verruto stating that there is not a need for a variance. There is a referral from the SCPC. The Planning board has assumed lead agency. The board is not prepared to make environmental decisions.

Phil Schiavone: At what point do we decide on conditional use?

Will Rau: The timeline can commence as of tonight. The deadline for tonight is SEQRA. Twenty days from now we need an extension. Review EAF that was submitted. We have to decide negative or positive declaration.

James Burke: Vote on conditional use only.

Will Rau: We received letters form the DEC and the State Dept of transportation. This hearing is postponed until October 25, 2005 based on amended note from the ZBA. The application can now be moved forward.

RESOLVED, that the Planning Board hereby postpones making a determination of significance for the site plan/conditional use application

for Invesco Affiliates Ltd. to construct 53 residential units and 4,200 sq. ft. of office space located in the Central Commercial C-1 District on the south side of West Broadway until October 25th, 2005 with the consent of the applicant.

12. **100 OAKLAND AVENUE REALTY** - (#025-04) consider proposed modifications to approved site plan for a medical office and business office in an existing 4,400 sq. ft. building in the General Commercial C-2 District, west side of Oakland Avenue. (SCTM # 206-021-05-027.000)

Will Rau: I think that instead of cutting trees, we should leave an existing vegetative buffer They came back for the vinyl fence

James Burke: No

Will Rau: They should move the dumpsters. The Juniper is not attractive

Phil Schiavone: I think we should approve the amended site plan.

On a motion by Phil Schiavone, seconded by Mark Brosnan, the show of hands vote was 4 - 0.

The meeting was adjourned at 10:00 PM.