



Incorporated Village of Port Jefferson
Planning Board

October 24, 2006

MINUTES

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

PRESENT:

Jennifer Sigler	James Burke, Chairman
Ray DiBiase	Mark Brosnan
Phil Schiavone	Will Rau, Village Planner

GENERAL BUSINESS:

On a motion made by Jennifer Sigler, seconded by Phil Schiavone, the Board approved the adopted minutes of 09/26/06

DEVELOPMENT ACTIONS:

1. LaGala (#093-06) Sec. 12.10 Blk. 2 Lot 9

Consider proposed conversion from retail (formerly Thomas Kinkade) to personal service for 202 Main Street. The location is in the Central Commercial C-1 District on the west side of Main Street. James LaGala, owner of Hairport was present. Mr. LaGala explained that there would not be any physical changes to the building or any parking requirements.

RESOLUTION:

GRANT CHANGE-OF-USE APPROVAL FOR THE APPLICANT **JAMES A. LAGALA**
(# 093-06)

Motion made by Jennifer Sigler 2nd by Phil Schiavone, all five (5) members voting in favor.

WHEREAS, on October 4th, 2006 the Planning Board received a Change-of-Use application (093-06) for James A. LaGala for the conversion of 202 Main Street unit # 9 from a retail use to a personal service use; and

WHEREAS, the subject property is located in the Village's Central Commercial C-1 District on the west side of Main Street approximately 200 south of the intersection of Main Street and West Broadway and identified as Suffolk County Tax Parcel number 206—012.010-02-009.000; and

WHEREAS, in accordance with § 250-18, the proposed use is a permitted use within the Central Commercial C-1 District and now, therefore be it

RESOLVED, that the Change-of-Use application (# 093-06) for James A. LaGala for the conversion of 202 Main Street unit # 9 from retail to personal service is hereby approved subject to the following conditions:

1. As per § 250-45 A. (1) the applicant shall apply and obtain a Certificate of Occupancy for the change of use.
2. Any proposed new signage will be referred to the Architectural Review Committee for comments before a permit will be issued by the Building Department.
3. Sign and return a copy of this decision form acknowledging your agreement with the above condition within 30-days to the Building Department.

Subdivisions:

2. Nenninger (# 092-06)

Sec. 11 Blk. 6 Lot: 17.6

Review for completeness and if complete initiate SEQR process for a proposed two (2) lot minor land division. Proposed lot # 1 would have an area of 20,037 sf and lot # 2 totals 20,080 sf. The property is located within the Village's Single-Family Residence R-B2 (15,000 sf min.) on the west side of Brook Road and south of Boulder Court.

Eileen Rowan consultant from Cramer Consulting was present.

The Article 78 filed in 2002 that was denied was discussed. Ms. Rowan stated she felt that the application was denied at that time because of the 18' road that they were requesting.

The Board reviewed the proposed site plan. The Board commented that the storm drainage is not shown on the plan. Other topics discussed were the septic concerns, grading & clearing, the EAS form, and the road improvement plan.

Ms. Rowan stated that a title search is being run to see if the applicant or the Village has ownership of Boulder Court, which is a paper street.

The Board deemed the application incomplete.

3. Lipowski/Pumo (# 097-06)

Sec. 9 Blk. 6 Lot 12.6

Consider proposed lot line modification. Proposal consists of a 600 sf land transfer between two parcels identified as lots #2 & #3 of the Map of Corcella located in the Single-Family Residence R-B2 District on the west side of James Way, approximately 115' north of Thompson Street.

Mr. Tom Pumo, property owner of #5 was present. He explained that due to the surveyor's mistake, the encroachment is not shown on the property survey.

This application is considered a minor subdivision and must go through the SEQRA process.

Jim Burke made a motion to set the public hearing for this application on November 28, 2006, Phil Schiavone seconded the motion, and all in favor the vote was 5-0.

RESOLUTION:

SCHEDULE PUBLIC HEARING FOR NOVEMBER 28TH, 2006 FOR PROPOSED LAND TRANSFER FOR THE APPLICANT **THOMAS & SUSANNA PUMO** (# 097-06).

WHEREAS, the Planning Board has received an application for a minor subdivision, consisting of the transfer of 600 square feet from lot 2 to lot 3 of the filed (# 9996) Map of Corcella; and

WHEREAS, the property is located in the Village's Single-Family Residence R-B2 District on the west side of James Way, approximately 115 feet north of Thompson Street; 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 600 square feet from lot 2 to lot 3 of the filed (# 9996) Map of Corcella; and BE IT FURTHER

RESOLVED, that the submission for the proposed minor subdivision is hereby deemed complete and a public hearing is scheduled for 7:30 p.m. at Port Jefferson Village Hall on November 28th, 2006.

Site Development Plans:

4. Sword (# 090-06)

Sec. 11 Blk. 6 Lot 3

Chairman, Jim Burke signed the approved erosion control plan for single-family residence. The parcel is .57 acres and within the R-B2 District on the north side of Owasco Drive.

5. Grillo (#084-06)

Sec. 17 Blk. 5 Lot. 7 & 8

Chairman, Jim Burke signed the approved site development plan for an 870 sq. ft. addition to an existing 1st floor office in the R-O District, east side of Main Street, approximately 206' north of Stony Hill Road.

6. Roots, Flower & Treasures (# 096-06)

Sec. 021 Blk. 3 Lots 29

Consider proposed change of use from existing commercial office in the C-2 district to commercial retail florist. The property is located at 17 North Country Rd. There will be no changes made to the site or structure.

Mark Lyon, from Jefferson Consultants along with Mr. Bob Morelli, were present for this application. Mr. Lyon stated that this property use has always been a retail use. He explained that the proposed use would be a flower shop with moderate use. The parking was discussed.

The Board stated that the building conforms to code but does not comply due to parking.

Jennifer Sigler made a motion to grant the change of use, Phil Schiavone seconded the motion, all in favor the vote was 5 -0.

RESOLUTION:

GRANT CHANGE-OF-USE APPROVAL FOR THE APPLICANT **ROBERT MARELLI** (# 096-06)

WHEREAS, on October 16th, 2006 the Planning Board received a Change-of-Use application (096-06) for Robert Marelli for the conversion of 17 North Country Road from a medical office use to a retail use; and

WHEREAS, the subject property is located in the Village's General Commercial C-2 District on the north side of North Country Road, approximately 200 east of Main Street and identified as Suffolk County Tax Parcel number 206-021-03-029.000; and

WHEREAS, in accordance with § 250-19, the proposed use is a permitted use within the General Commercial C-2 District and now, therefore be it

RESOLVED, that the Change-of-Use application (# 096-06) for Robert Marelli for the conversion of 17 North Country Road from medical office to retail is hereby approved subject to the following conditions:

4. As per § 250-45 A. (1) the applicant shall apply and obtain a Certificate of Occupancy for the change of use.
5. Any proposed new signage will be referred to the Architectural Review Committee for comments before a permit will be issued by the Building Department.
6. Sign and return a copy of this decision form acknowledging your agreement with the above condition within 30-days to the Building Department.

7. North Shore Pro, LLC (# 029-04) Sec. 17 Blk. 7 Lot 2
(F.K.A. P.J. Oakland Partners LLC) Sec. 21 Blk 6 Lots 14.1 & 14.2

Review amended approval resolution for the site development 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.

Enrico Scarda was present. The Board members discussed the land banking, the clean up process and the performance bond.

ZBA REFERRAL:

8. 616 Main Street (Appeal # 356-06) Sec. 16 Blk. 8 Lot 17

A proposed expansion of a pre-existing non-conforming use of a automobile/gas service station, which consists of the installation of an additional gas pump and an 18.5' x 4' addition, located in the Village's R-O Residential-Office district on the west side of Main Street (SR 25A).

John Andrews, Attorney and Mark Lyon, consultant were present for this application. The proposed site plan was reviewed and there was discussion about the canopy, the staircase on the side of the building, the upstairs being used for records and the proposed second gas pump.

The Board has drafted a letter to the Zoning Board addressing their concerns for the configuration of the island and bad queuing and also they are anticipated site improvements.

However, the members do not have a problem with the expansion of the non-conforming use.

CODE CHANGES:

9. Amendment to Professional Office P-O District

The Board members reviewed and made changes to the staff memo.

DISCUSSION:

10. Liberty Meadows LLC (# 027-04) Sec. 16 Blk. 8 Lot 8.1, 8.2 +

The Board members reviewed and discussed the court decision that allows the Board to continue to review the proposed 43-unit cluster subdivision located on 18.5 acres in the R-B2 and R-O District on the east side of Liberty Ave. (Public hearing scheduled for November 9th, 2006)

The meeting was closed at 10:00PM.

