



**INCORPORATED
VILLAGE of PORT JEFFERSON**

121 West Broadway
Port Jefferson, NY 11777
Tel. (631) 473-4744 Fax (631) 473-2049
www.portjeff.com

ZONING BOARD of APPEALS

Chair
Lee Rosner

Members
Charles Kenny
Robert Strong
Michael Verruto
Secretary
Cindy Suarez

ZBA MINUTES

NOVEMBER 16, 2006

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:

Lee Rosner, Chairman
Charles Kenny
Michael Verruto
Jack Giannola
Valerie Kraus
Will Rau, Village Planner
Cindy Suarez, Secretary

Chairman, Lee Rosner called the meeting to order at 7:30 P.M. and called the following:

PUBLIC HEARINGS:

The secretary read the public hearing notice.

1. Appeal No. 355-06 Section 11, Block 4, Lot 1.8
(Held over) Michael Rubenstein c/o Richard & Jennifer Spitzenberger

Area variance to build a 6' x 29'10" front porch and a 4' x 9'9" side porch with a front yard setback of 35.5 ft where 40' is required and a side yard setback of 14.6 ft where 18' is required.

Present were Mr. Rubenstein and Mark Lyon, from Jefferson Consultants.

Exhibit A - Mr. Lyon presented the Board with photographs of the property.

Mr. Lyon explained that the benefit of this approval could not be achieved without this variance and that there would be no undesirable change to the character of the neighborhood.

Exhibit B – elevation drawing of design.

Mr. Lyon explained to the Board that the porch is needed to conform to the design of the house. It is an architectural feature. There are grade changes on the left side of the house and that causes an



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3. Appeal No. 358-06 Section 18, Block 3, Lot 8
 Victor Caroleo
 151 North Country Rd

Use variance for an accessory building located at 151 North Country Road in Port Jefferson's RB-2 zoning district. The applicant seeks to reinstate a commercial use.

Owner, Victor Caroleo was present, represented by Attorney, John J. LaValle.

Handed in for the record were:

- Exhibit A - Suffolk County tax map indicating zoning
- Exhibit B – “Before” pictures of the subject property
- Exhibit C – “After” pictures of the subject property

Mr. LaValle read code#250-39 for the definition of the discontinuance of a non-conforming use.

A brief description of the history of the property was discussed.

Mr. LaValle and the Board discussed the address listed as #149 & #151. The tax roll lists the property as #151.

Handed in for the record were:

- Exhibit D - 1989 Certificate of Occupancy
- Exhibit E – 2006 Certificate of Occupancy

The chairman opened the floor to the public audience.

- Carol Udovich of #8 Edgewood Avenue made a statement regarding the application. She handed in seven photographs showing before and after renovations as Exhibit F.
- John Udavich of #8 Edgewood Avenue made a statement regarding the application.
- John Barci of #4 Edgewood Avenue made a statement regarding the application.
- Anthony Santo of #9 Second Avenue made a statement regarding the application.

Mr. Lavalle will contact the attorney for the estate to obtain the history of occupancy to establish the last continuous occupancy as “office space” of the accessory building. He will also illustrate financial hardship.

Michael Verruto made a motion to continue the hearing to 12/21/06. Charlie Kenny seconded the motion. All in favor the vote was 5-0 aye.

4. Appeal No. 352-06 Section 15, Block 5, Lot 13, 17
 Cherry Tree Properties Inc.
 East side of Washington Ave, 219.5' south of Old Post Rd

(Valerie Krause asked to be recused from this application because of her proximity to the subject property.)

