



Incorporated Village of Port Jefferson
Planning Board

November 28, 2006

MINUTES

Official Transcript from a stenographer will be forthcoming

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

PRESENT:

James Burke, Chairman
Phil Schiavone
Mark Brosnan
Ray DiBiase
Jennifer Sigler

Brian Harty, Trustee
Will Rau, Village Planner
Cindy Suarez, Secretary

GENERAL BUSINESS:

On a motion made by Mark Brosnan, seconded by Phil Schiavone, the Board adopted the minutes from 10/24/06 & 11/9/06.

Trustee Report:

Brian Harty gave the following report:

- Dickens Festival this coming weekend 12/1-12/3.
- The ice rink has officially opened.
- Walter Munch has resigned from the CACC.
- The Trustees are requesting a golf course architect.
- The bids are in for the barn renovation at the golf course.
- The Trustees voted on modification to contract the cell tower.
- The Trustees accepted a bid to approve the Meadow Parking lot configuration.
- Parking Meters are approved for Spring 2007 installation.
- The pipe hunter machine and the super sucker have been approved for purchase/ lease to map & maintain storm drain system in the Village.
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PUBLIC HEARINGS:

Official Transcript from a stenographer will be forthcoming

1. Lipowski/Pumo (# 097-06)

Sec. 9 Blk. 6 Lot 12.6

Public hearing for 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.

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Phil Schiavone read the public notice into the record.

Tom & Suzanna Pumo were present.

Mr. Pumo explained that the encroachment was not shown on the original survey. The red line on the survey shows the existing lot line. The applicant is looking to move the lot line. The title company will be compensating the loss.

Phil Schiavone opened the floor up to the public.

Bonnie Smart, neighbor not opposed.

Mark Brosnan made a motion to close the hearing, Phil Schiavone seconded the motion, and the vote was 4-0. James Burke was absent for this hearing.

RESOLUTION:

GRANT CONDITIONAL APPROVAL FOR THE PROPOSED LAND TRANSFER FOR THE APPLICANT THOMAS & SUSANNA PUMO

WHEREAS, the Planning Board received an application for a minor subdivision, consisting of the transfer of 601 square feet from lot 2 to lot 3 of the filed (# 9996) Map of Corcella; and

WHEREAS, the properties are located in the Village's Single-Family Residence R-B2 District on the west side of James Way, approximately 116 feet north of Thompson Street; and

WHEREAS, the subject action conforms with the regulations of said district; and

WHEREAS, the project meets the criteria for classification as an **Unlisted Action**, pursuant to 6 NYCRR Part 617 State Environmental Quality Review; and

WHEREAS, the Planning Board found that there would not be any large adverse impacts as result of this application and made a determination of non-significance and adopted a negative declaration form on October 24, 2006; and

WHEREAS, on November 28, 2006 a public hearing was held on the application and all public comments have been duly considered by the Planning Board.

NOW, THEREFORE on a motion of Mr. Brosnan and seconded by Mr. Schiavone and all five (5) members voting in favor, it is hereby

RESOLVED, that the Planning Board approves of the minor subdivision application for **THOMAS & SUSANNA PUMO** entitled Boundary Line Amendment Between Lots 2 & 3 for a land transfer of 601 square feet from Lot 2 to Lot 3 as indicated on the map prepared by Hawkins, Webb, Jaeger PLLC on September 2006 subject to the following modifications and conditions:

1. The following note shall be placed on plat:

“Approved by Resolution of the Planning Board of the Village of Port Jefferson, New York; on the 28th day of November, 2007, subject to all requirements and conditions of said resolution. Any change, erasure, modification or revision of this Plat, as approved, shall void this approval signed this ____ day of _____, 2006,

by _____
Chairman

Secretary”

2. Submission of four (4) Mylar prints and two (2) paper prints for chair’s signature prior to filing with the County Clerks Office.
3. File plat with the Suffolk County Clerk’s Office.

PRESUBMISSION CONFERENCES:

2. Skrabitz (# 099-06) Sec. 9 Blk. 6 Lot 32

Review a proposed two-lot subdivision of 1.72 acres located within the Single-Family Residence R-B2 District on the south side of Thompson Street, approximately 300’ east of Scraggy Hill Road.

Bill Jaeger, P.E. represented the applicant.

The proposed site plan was reviewed and discussed. The applicant would like to sub -divide the property into two lots with a flag access to the rear.

The wooded area in the back of the property was discussed.

The Board would like the property file reviewed for outstanding violations.

Will Rau read a statement from the file stating that the applicant had been cited for multi-family use in a single family RB-2 district on 11/15/05.

Phil Schiavone requested a full topographic plan of the property. The Planning Board advised the applicant’s representative that ‘flag lot’ subdivisions are discouraged by the Planning Board and in this instance, the existence of a residence designed to accommodate multiple tenants would in all likelihood further preclude the applicant from a subdivision approval.

Ray DiBiase will recuse himself from this application because he lives close to the property.

DEVELOPMENT ACTIONS:

Change-of-Use:

3. Nunez (#098-06) Sec. 21 Blk. 5 Lot 3

Consider proposed conversion from dry cleaners to personal service (barber shop) for 1509 Main Street. The location is in the General Commercial C-2 District on the east side of Main Street.

RESOLUTION:

GRANT CONDITIONAL APPROVAL FOR THE PROPOSED CHANGE-OF-USE FOR THE APPLICANT LEONARDO NUNEZ

WHEREAS, a change-of-use application was submitted to the Planning Board for consideration of a change from a dry cleaner to personal service (barber shop) use with accessory retail on October 30th, 2006 for 1509 Main Street; and

WHEREAS, subject premises is a one story masonry structure with two-commercial units and a Certificate of Existing Use (CEU) was issued on March 2nd, 1979 indicating approval for two units, one being a pub and the other for a dry cleaner; and

WHEREAS, the building is located in the Village's General Commercial C-2 District, on the east side of Main Street (S.R. 25A), approximately 70 feet south of North Country Road; and

WHEREAS, the building is a pre-existing noncomplying structure with regard to the necessary off-street parking requirement; and

WHEREAS, the Planning Board finds that the off-street parking requirement for personal service is the same as the requirement for a dry cleaner and that the proposed action would not increase the degree of noncompliance; and

WHEREAS, the application meets the criteria for classification as a Type II Action, pursuant to Article 8 (State Environmental Quality Review Act, SEQRA) of the New York State Environmental Conservation Law and no further environmental review is required; and

WHEREAS, a personal service use (barber shop) is a permitted use within the district; and

NOW, THEREFORE on a motion of Ms. Sigler and seconded by Mr. Burke and a vote of 4-1, it is hereby

RESOLVED, that the Planning Board grants conditional approval for the change-of-use application made by Leonardo Nunez for a personal service use (barber shop) at 1509 Main Street subject to the following conditions:

1. A building permit application shall be submitted to the Building Inspector within nine months of the date of this approval or the approval shall be deemed null and void.
2. Submission of a detailed floor plan (drawn to scale) indicating all interior improvements/modifications prior to submitting a building permit application for planning staff review.
3. Any proposed new signage or awnings should be reviewed by the Architectural Review Committee for comments before a permit will be issued by the Building Department.
4. Return this resolution signed and notarized within 30-days to the Secretary of the Planning Board.

Signature of owner

Sworn before me this

-----day of ----- 2006

Notary Public

Pursuant to Section 250-52 (E and F) of the Port Jefferson Village Zoning Ordinances, unless construction is commenced and diligently pursued within nine (9) months of the date of the granting of this change of use, the approval shall become null and void. This approval will expire **August 28th, 2007**. You may apply for a one-time only extension of six months, which must be requested prior to the expiration of this approval.

Subdivisions:

4. Jefferson Hollow (# 005-03) Sec. 017 Blk. 2 Lots 13.1 & 14.1

Review staff memo for the official plat submission for six (6) lots on 3.05 acres in the R-B2 District located on the east side of High Street approximately 130' n/o the intersection of Maiden Lane and High Street.

The applicant was not present.

The Board will not issue any approvals until missing information is submitted.

Site Development Plans:

5. 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

Set performance bond and review plans submitted for chair's signature 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.

Keith Archer, Attorney for the applicant was present to speak for the applicant.

The revised proposed site plan stamped received 11/28/06 was reviewed.

The checklist dated 11/15/06 was reviewed.

The performance bond was discussed. The applicant would like to phase the posting of the bonds which each phase of the project. The Board is relying on Kevin Koubek's recommendation.

Final building elevation and site details need to go to the ARC.

Jim Burke can go to the Building department at any time to sign the plans.

The applicant would like to go into the middle building to clean up graffiti and debris from vandalisms. The applicant was doing "improvements" e.g. new ceiling tiles, etc... but was given a Stop Work Order. This must be worked out with the Village Engineer.

The meeting ended at 10:00PM.