



**INCORPORATED
VILLAGE OF PORT JEFFERSON**

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PLANNING BOARD

Chair
James Burke

Members
Phil Schiavone
Jennifer Sigler
Ray DiBiase
Mark Brosnan

Village Planner
William Rau

Secretary
Cindy Suarez

MINUTES

December 13th, 2005 at 7:00 p.m. - Village Hall - 121 West Broadway

PRESENT:

Jim Burke, Chairman
Ray DiBiase
Jennifer Sigler
Mark Brosnan
Will Rau, Village Planner
Barbara Ransome, Trustee

ABSENT:

Phil Schiavone

GENERAL BUSINESS:

Trustee Report:

Trustee, Barbara Ransome gave a brief report:

- The little gray house was successfully moved today.
- The village has hired a husband/wife contractor team for the little gray house
- The zambonie machine is on the premises of the Village Center
- The ice rink is now open

The board members discussed the 2006 Meeting Calendar. The members agreed to two meetings per month, the second Thursday and the fourth Tuesday.

APPOINTMENTS & WORKSESSIONS:

1. LIBERTY MEADOWS LLC - (# 027-04) Discuss yield plan, environmental issues and revised plans for the 43-unit cluster subdivision located on 18.5 acres in the R-B2 District on the east side of Liberty Ave (SCTM No. 206-016-08 008.001, 008.002, 009.000 018.000 024.000).

Will Rau explained the CAC concerns from the last Planning Board meeting. Chic Voorhis prepared part III for consideration.

Will explained that the yield plan looks okay, except that it is missing the drainage. The drainage could be put in the street.

Ten percent of the site is less than two acres so it doesn't warrant a park. All the lots have frontage and meet all requirements.

Will says that he thinks his staff can handle this plan. He'll send another referral to the CAC.

The board members discussed the traffic issues. Chic told the members that if the DOT wants a traffic signal at the intersection of Liberty and main, the applicant will offer to pay for half of it.

The yield map date 12-9-05 was approved as submitted by the applicant.

Mark Brosnan made a motion to approve the yield map, seconded by Jennifer Sigler. All in favor 4 - 0.

RESOLUTION:

RESOLVED, that the Planning Board hereby approves of the Yield Map for Village Vistas prepared by Nelson & Pope, dated December 9th, 2005, for a 43-lot major subdivision situated on 18.45 acres in the single Family Residence R-B2 District east side of Liberty Avenue.

DISCUSSION & ACTIONS:

Subdivisions & Land Transfers:

2. SPANOS - JAMAICA AVE. LOTS - (# 053-05) Discuss and schedule for public hearing minor subdivision application for two existing lots which have merged but remain two separate tax parcels. The property is located in the R-B2 District on the north side of Jamaica Avenue, approximately 200' east of Columbia Street (SCTM No. 206-022-02-22).

The members discussed the application. There will be a public hearing on 1-24-05 at Village Hall.

Jim Burke made a motion to adapt a negative declaration, seconded by Jennifer Sigler. All in favor 4-0.

RESOLUTION:

WHEREAS, on November 17th, 2005 the Planning Board received an application for a minor subdivision of two tax lots identified as 206-22-02-22 & 23, which have merged as a result of being in same ownership; and

WHEREAS, the subject parcels are located on the north side of Jamaica Avenue approximately 112' east of the corner of Columbia Street and Jamaica Avenue situate in the Single-Family Residence R-B2 District; and

WHEREAS, the Village Zoning Board of Appeals (Appeal # 338-05) granted the applicant the necessary area variances to consider this land division and each lot will have an area of 9,000 square feet; and

WHEREAS, the action 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 Planning Board has conducted a review of the information recorded in the Environmental Assessment Form Part 1 and in the Environmental Assessment Form Part 2; 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 application of Maureen and Dean Spanos; **and BE IT FURTHER**

RESOLVED, that pursuant to § 220-8 C of the Code of the Village of Port Jefferson a public hearing is hereby scheduled for 7:30 p.m. at Port Jefferson Village Hall, on **January 24th**, 2006 for the minor subdivision of two tax lots identified as 206-22-02-22 & 23 each with an area of 9,000 square feet.

3. SCHEPERS - (#035-04) Consider proposed minor land division of two tax parcels (206-003-02-002.000 & 003.000) totaling 1.0 acres in the Villages R-A District, located on the north side of Old Homestead Road at the intersection of Old Homestead Road and Landing Lane.

Will Rau received a map and showed it to the board. The Zoning Board approved the variances with the condition of an easement for the golf balls. They are looking for a SEQRA determination to get Health Department approval. The application is still incomplete. Matthew Crane from Hawkins, Webb, Jaeger spoke about his concerns to get this application process completed.

4. CASTELLI - (# 055-05) - Consider merging two parcels each exactly 40' x 100' in the R-B2 District on the east side of Washington Avenue, west side of Lincoln Avenue, approximately 220' south of Old Post Road (SCTM No. 206-015-05-013 & 017)

Matthew Crane of Hawkins, Webb, Jaeger spoke to the board members about the application. He explained that it is a 40 x 200 vacant parcel. It is not single and separate. The two lots together are single and separate. It is not legally merged. They are trying to create one tax lot. It falls under small lot ordinance. It is undersized and non-conforming to the area, but there is no official action to take.

There was a resident present that spoke. He didn't state his name, but mentioned that he is a judge. His neighbors and himself are completely against this application and would like the opportunity to speak. The members explained that they are not sure why the application is in front of them and that they could not discuss this with him at this time. Jim Burke will speak with Kevin Koubek and Fred Johs the Village attorney.

Site Plan and Conditional Use Permits:

5. DERMAN (009-03) - Applicant requests an extension of the conditional use permit for professional office in her residence, which expires 02/24/06. Property is located in the R-B2 District on the east side of Landing Lane, 105 feet north of Cove Lane (SCTM No. 206-005-02-009.000).

Will Rau explained to the members that the applicant is a social worker who would like to continue working from her home. There were no objections from any of the members.

Jim Burke made a motion to approve, seconded by Jennifer Sigler. All in favor 4-0.

RESOLUTION:

RESOLVED, that the conditional use permit issued to Ms. Derman for a professional office in the single-family residence located at 33 Landing Lane, situate in the Village's Single-Family Residence R-B2 District on the east side of Landing Lane, 105 feet north of Cove Lane is hereby extended SUBJECT TO THE FOLLOWING CONDITIONS:

1. No more than two (2) non-resident assistants.
 2. No treating of patients or service to clients between the hours of 9:00 p.m. and 9:00 a.m.
 3. No display of advertising and no signs shall be permitted except the name of the professional person and letters or abbreviations indicating the nature of his or her profession.
 4. Said permit is valid for two (2) years. Use will expire **February 24th, 2008**, or upon transfer of title. An application for renewal shall be submitted at least forty-five (45) days prior to the expiration of permit.
 5. Said property shall have only one (1) professional office/studio use.
6. PJ OAKLAND PARTNERS LLC (# 029-04) Discuss environmental and site issues for the site plan/change-of-use/conditional use permit application to convert former nursing home to medical-office, construct an additional 66,000 square feet of medical office space and 3,600 square foot bank with drive thru located on three separate tax parcels totaling 9.67 acres in the Village's P-O District on the east side of Oakland Avenue and south of North Country Road (SCTM # 206-017-07-002.000 & 021-06-014.001 & 14.002).

Will Rau explained to the board members that they have assumed lead agency. He reviewed his concerns with the members. Will needs to draft a memo to the Zoning Board of Appeals, but he asked the Planning board members for their input.

Eric Nicosia, architect, spoke about the map. He would like a negative declaration on SEQRA so that he can go ahead with the plan. If he can secure a SEQRA declaration, then the Zoning Board can perform it's responsibility and then go back to the Planning board. And finalize the site plan.

Jim Burke stated that the Zoning Board is looking for recommendation from the planning board.

Will explained that the buildings do not comply with the code averaging 270 square feet per spot.

Eric Nicosia explained the map and said that he is looking for a decision. There is a trade off, the applicant has expanded but changes were made. The buffer was increased. He explained that without the Zoning Board approval there is no project. Lead agency should be taking action on SEQRA before the Zoning Board makes a decision.

The Planning Board agreed that they need to draft a memo to the zoning board stating their concerns.

The projected increase in traffic is a major issue for the SEQRA determination. Jim Burke stated that he is comfortable with moving forward. The use is compatible with the hospital across the street.

Eric Nicosia said that he is willing to provide the land-banking concept.

Jennifer does not want to relax the parking space requirement to more than one per one hundred fifty square feet. She said that the plan needs perking up.

Eric Nicosia explained the bank building. He explained that there wouldn't be a drive up window. He stated that there will be less street traffic because the people using these buildings will go to this bank instead of driving to another location for a bank.

Jim Burke made a motion to adopt a negative declaration based on the findings submitted on the site conditions on the EAF parts I & II.

Mark Brosnan seconded the motion. All in favor, 4 - 0.

RESOLUTION:

WHEREAS, a site plan/conditional use permit/area variance application for **P.J. Oakland Partners L.L.C.** was submitted to the Planning Board and Zoning Board of Appeals to consider a proposal to convert the vacant three-story, 36,000 square foot nursing home to medical-office space, construct an additional 66,000 square feet of medical office space and a 3,600 square foot bank with drive thru; and

WHEREAS, the subject site is located on three separate tax parcels totaling 9.67 acres in the Village's P-O District on the east side of Oakland Avenue and south of North Country Road; and

WHEREAS, the application meets the criteria for classification as an Type I Action, pursuant to 6 NYCRR Part 617 State Environmental Quality Review, SEQR of the New York State Environmental Conservation Law and pursuant to Chapter 129 (Environmental Quality Review) of the Village Code; and

WHEREAS, SEQR was coordinated with all the involved agencies and on June 28th, 2005 the Village Planning Board assumed lead agency status; and

WHEREAS, the applicant has submitted Part 1 of an Environmental Assessment Form, and planning staff has prepared Part 2 and Part 3 of an Environmental Assessment Form; and

WHEREAS, the Planning Board reviewed the application and the Environmental Assessment Forms and compared the impacts with the criteria for determining significance as outlined in § 617.7 (c) of SEQR and considered the magnitude and importance of each impact; and NOW THEREFORE BE IT

RESOLVED, that due to the nature of the proposed project and the existing site conditions, the proposed action will not result in any large and important impact(s), therefore, will not have a significant impact on the environment; and BE IT FURTHER

RESOLVED that the Planning Board hereby adopts the **Negative Declaration** square foot bank with drive thru.

7. MATHER HOSPITAL (#056-05) Consider proposal to construct recreational area and 2nd floor egress over adult psychiatric center.

Will Rau showed the members the picture of the proposed site.

George Restivo who works for the architect explained the plan. He went over the construction of the new roof. The roof will be surrounded by a fifteen foot turned in fence and have three drains. The new area will have a greenhouse, a sitting area, a basketball area, a handicapped lift, two means of egress, a rubber based floor, and full time supervision.

Jennifer Sigler made a motion to approve the plan; Jim Burke seconded the motion, all in favor 4 - 0.

RESOLUTION:

RESOLVED, that the Planning Board hereby approves of the proposed improvements to Mather Hospital, located in the Professional-Office P-O District on the corner of North Country Road and Belle Terre Avenue as shown on the plans entitled "Recreational Roof 2nd Floor E-Gress" prepared by Cannon Design, dated January 11th, 2005, last revised April 5th, 2005 and stamped received by the Planning Board on December 12th, 2005 **subject to the following condition:**

- File for a Village Building permit within nine months of this approval or said approval shall be deemed null and void.

Tree Clearing & Grading:

8. ZANGRILLO - (# 054-05) Consider grading plan for a driveway on a 6,600 square foot parcel in the Village's R-B2 District on the west side of Bayview Terrace, approximately 150 feet south of Shelldrake Avenue (SCTM No. 206-011-02-012).

Will Rau explained the application. The clearing for the driveway will not include any tree removal. He showed the map of the land. The board approved the plan as presented

RESOLVED, that the grading application for the property at 217 Bayview Terrace consisting of the removal 28 cubic yards of soil and the installation 3.2 foot modular block wall for a driveway expansion as shown on the plans prepared by

Hawkins Webb Jaeger PLLC, dated April 2005 and last revised on December 7th, 2005 is hereby approved as shown.

9. INVESCO AFFILIATES, LTD (005-04) Discuss plan 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 No. 206-012-06-004.001).

The members discussed the new map. The soil borings were done. Next month is the deadline to approve and do the resolution for January. Chic Voorhis prepared the erosion plan.

The meeting closed at 10:00 PM.