

August 13, 2009

PLANNING BOARD MINUTES

PRESENT:

Gladys Gentile, Chairman (GG)  
Phil Schiavone (PS)  
Mark Brosnan (MB)  
Ray DiBiase (RD)

ABSENT:

Jennifer Sigler (JS)  
Mayor Margot Garant, Liaison  
Cindy Suarez, Secretary (CS)

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*The Planning Board meeting is held on the 2nd floor of Village Hall in the courtroom, 121 West Broadway, Port Jefferson, NY 11777.*

GENERAL BUSINESS:

GG: The Village still has no Planner. Would like to begin each meeting in the conference room with work sessions for about the first hour, then proceed with any scheduled hearings in the upstairs courtroom. Following the hearings, the Planning Board would move back to the conference room to work on decisions and/or findings, and in Executive Session when appropriate. The Trustee Report and approval of minutes can be flexible.

Retaining the 7:00 pm start time was agreeable to all.

PS: In years past, each incoming application would be assigned to a Board member, so that at least one member would be familiar with it when it was discussed.

GG: Good procedure, going forward.

MB: Did a report on the Drees application following Will Rau's format.

GG: Need to follow SEQRA for tree clearing permits. Rotating members to review applications is good, provided a recommendation be made. Kevin Koubek is pre-reviewing applications for zoning compliance. Six or seven applications have been sent to consultants. After receiving a quotation, Kevin Koubek recommends a consultant. Should public comments be solicited at work sessions?

PS: Depends on the number of people present for an application, could get out of hand. Applications can be rotated, provided that where a specialty review is needed, it is assigned to the appropriate member.

GG: Consensus on the procedural plan for meetings? Agreed by those present.

WORKSESSION:

**Application #168-08PS (continued from 6/25/09 and 7/23/09)**  
**Section 9, Block 7, Lot 5**  
**North Shore Tree Co, for Alex Drees**  
**324 Thompson St.**  
**RB-2 Residential**

**Tree Clearing and Grading application: proposed removal of trees and clearing approximately 65% of natural vegetation.**

Present:

MB: Reviewed in field on August 12 and 13 and prepared a report. To summarize, a 1:3 or greater slope in the rear of the house exists for more than 15% of the property area. The first floor elevation is about 20' lower than that at the rear of the property. There is minimal ground cover and minimal tree root structure. Several trees are dead. There is a 4' high railroad tie retaining wall at the base of the slope. The concern with the tree clearing is that the slope may fail as a result. Recommendations are not to leave stumps, and to require a slope stabilization plan (e.g. a tiered wall with drainage and/or a landscaping plan, and phasing of the work to prevent erosion). A permit should be denied unless the stabilization plan is submitted.

GG: Make motion to hold application in abeyance, inform the applicant of the recommendations, and await a response. RD seconded, passed 4-0. MB will draft a letter to the applicant.

**Application: 160-08RD**  
**Section 16, Block 8, Lot 16**  
**Derek Wonderland c/o Hawkins, Webb, Jaeger (HWJ) PLLC**  
**606 Main Street**  
**RO Residential Office**  
**Present: Bill Jaeger, Architect**

**Proposed change of use from two residences to a proposed mixed use of building with an office on the first floor and a residence on the second floor.**

A response from Kevin Koubek on the existence of an overhang over the porch is that a building permit will be required. Approval of the drainage calculations and DOT's approval of the applicant's response to its comment letter are still outstanding. MB will call Bill Jaeger to advise him of the issues, and also that a public hearing is required for the conditional office use in the R-O district, as per Village Code Section 250-16-B-2. Regarding review pursuant to SEQRA, PS will check Type II listed actions, if updated, prior to the public hearing.

**Application #136-08**  
**Section 21 Blk. 4 Lot 13**  
**Khosrow Resvani**  
**1500 Main Street**

**Proposed change of use from an existing first floor retail, second floor office to first floor retail, second floor office and residential. The structure is located in the village's C-2 zoning district on the southwest corner of Main Street at the Sheep Pasture Road intersection.**

Present:

PS will review the file and draft proposed findings for denial. Problems include non compliance with parking requirements. Variance probably required. Will forward letter requesting variance application or withdraw application.

**Application # 120-07**  
**Sec. 21 Blk. 3 Lot 15.2**  
**Tsunis and Gasparis**  
**Southwest side of Overton Road approximately 350' north of Sheep Pasture Road**

**Request for the minor subdivision of a .61-acre parcel into two lots. The property is within the R-B2 District.**

Present:

GG read a letter from the Zoning Board of Appeals asking the Planning Board to assume Lead Agency status. Board agreed to do so. Environment review referred to village's consultant.

MB: CS should request that Kevin Koubek contact the Highway Department to check on a drainage inlet in the road which has been paved over.

**Application # 144-08**

**Sec. 12 Blk. 7 Lot 44**

**JP Morgan Chase**

**West side of Main Street (SR 25A), approximately 50 feet south of Mill Creek Road.**

**Site development application for the removal of the rear portion of an existing building (auto body), façade renovations, site work and the installation of a remote drive-thru service on a .5 acre parcel on the Central Commercial C-1 District.**

No one was present for the application.

GG: Demolition of the existing garage is an environmental concern, and the applicant has been told that the project has been sent to a consultant for review. The consensus of the Planning Board is that access should not be permitted from Main Street/Route 25A.

**Application #131-08**

**Section 17 Blk. 2 Lot 13 & 14**

**Richard Nelin c/o Jefferson Hollow Inc.**

**647 and 649 High Street**

**Discuss conditional approval for a proposed six-lot major clustered subdivision of a 3.05 acre parcel in the Single-Family residence R-B2 district located on the east side of High Street approximately 130 ft north of the intersection of Maiden Lane and High Street.**

No one was present for the application.

GG: I met with the applicants and their attorney. It appears that, based on the Village Code, the Planning Board may waive the maximum roadway grade requirement, but needs to state the reason for the waiver. Kevin Koubek is amenable. The Highway Department and Village Engineer may comment on the “on site” drainage and both will be afforded opportunity to review the need for additional drainage on High Street.

PS: It should be noted that the proposed roadway will be privately maintained.

**MINUTES**

The June 25 minutes were adopted; following some proposed revisions by RD, the July 23 minutes were adopted.

**MISCELLANEOUS**

PS will attend an upcoming Zoning Board of Appeals compliance meeting regarding an application in Upper Port.

Respectively Submitted,

Ray DiBiase