



INCORPORATED VILLAGE OF PORT JEFFERSON

ZONING BOARD OF APPEALS
88 North Country Road, Port Jefferson, NY 11777
Telephone: (631) 473-4744 Fax: 473-2049

MINUTES

February 15, 2007

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:

Michael Verruto
Charles Kenny
Jack Giannola
Valerie Krause
Will Rau, Village Planner
Cindy Suarez, Secretary

ABSENT:

Lee Rosner, Chairman

GENERAL BUSINESS:

On a motion made by Charles Kenny, seconded by Valerie Krause, the Zoning Board minutes from 1/18/07 were adopted and approved as amended.

Charles Kenny sat in as Chairman. The hearing was called to order at 7:30 P.M. and following applications were called:

PUBLIC HEARINGS:

The secretary read the public hearing notice.

1. Appeal No. 363-07 Section 8, Block 4, lot 14
 (L.R.) Amy Lund
 109 High St.

Applicant seeks a Certificate of Existing Use under section 250-49(D) for an accessory structure situated on a .32 acre parcel in the Village's RB-3 district on the east side of High Street, approximately 120' north of Thompson.

The applicant, Amy Lund was sworn in. She made a statement that she would like to restore the original garage that was built in 1917. She stated that there are no plans to build any new structures on the property.

The following exhibits were put in to the record:

Affidavits from residents:

- Exhibit #1 Theodore Penske Jr
- Exhibit #2 Joseph C. Erland
- Exhibit #3 Michael Lee
- Exhibit #4 Karen Penske
- Exhibit #5 Ella J. Miller
- Exhibit #6 Sandra Swank

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- Exhibit #7 Title report
 - Exhibit #8 Deed
 - Exhibit #9 Survey
 - Exhibit #10 Staff memo

The chairman opened the floor up to the public.

Kathryn Grey of #207 Thompson Street made a statement.

Michael Verruto made a motion to close the hearing, Jack Giannola seconded the motion, and all in favor the vote was 4-0, aye.

2. Appeal No.360-06 Section 9, Block 1, Lot 10
(C.K.) Sergent May & Associates for Sarah & Peter Allen
 87 Soundview Dr.

An area variance for alterations to an existing deck and installation of above ground pool in the Village's RB-2 district. Requesting a front yard setback of 22'/29' where 40' is required.

Mr. Sergent May was absent. Present were Attorney, Mr. Plummer and the homeowner, Mr. Peter Allen.

Mr. Plummer made a statement about the unusual shape of the property. He explained the intention of reconstructing the existing deck because it is in dangerous condition. The proposed above the ground pool would be designed to flow with the design of the deck.

The following exhibits were put into the record:

- Exhibit #1 Survey
- Exhibit #2 CO for deck reconstruction
- Exhibit #3 Denied building permit application
- Exhibit #4 Denied building permit application
- Exhibit #5 Marked up plan showing underground electrical
- Exhibit #6 Certified mail receipts
- Exhibit #7 Staff memo dated 2/5/07

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The chairman opened the floor up to the public.
There were no comments from the public.

Michael Verruto made a motion to close the hearing, seconded by Valerie Krause, all in favor the vote was 4-0, aye.

3. Appeal No.334-05 Section 15, Block 4, Lot 1
 (M.K) Kevin Reilly as Agent for Jacqueline Major
 402 Owasco Dr.

An area variance application to consider relief from section 250-13(B)(1) and section 250-11 (B)(3)(e)&(g) for a professional office/studio in a residential RB-2 district.

Present for this application were Kevin Reilly, attorney and Jacqueline Major, property owner.

Ms. Major was sworn in for testimony. She described the nature of her home and business as a social worker.

Mr. Reilly described the benefits and hardships of the requested variance application.

Mr. Phillip Powell was sworn in. He gave his expert opinion on the proposed impact to the neighborhood as a licensed realtor.

Mr. Steven Kramer was sworn in. He gave his expert opinion as a licensed professional engineer and explained the proposed on-site parking and site plan.

The following exhibits were put in to the record:

- Exhibit #1 Property survey 1992
- Exhibit #2 Parking plan
- Exhibit #3 Affidavit Donna Gifford
- Exhibit #4 Affidavit Robert Krusemark
- Exhibit #5 Affidavit Larry Hohler
- Exhibit #6 Cynthia Goll-Masry
- Exhibit #7 Previous ZBA decisions “Moylan” & “Grillo”
- Exhibit #8 Tax map
- Exhibit #9 Photographs
- Exhibit #10 Ms. Major’s business license

The chairman opened the floor up to the public.

Kelly Guerin, client of Ms. Major’s, was sworn in and made a statement.

Will Rau, Village Planner was sworn in and read staff’s memo.

Lucy Smith, resident of Emerson Street was sworn in and made a statement.

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John Mohaesi resident of #103 Emerson Street, was sworn in and made a statement.

Barbara Spyrou, client of Ms. Major's was sworn in and made a statement.

Heather Sini, resident of #104 Emerson Street was sworn in and made a statement.

Theresa Gomes, client of Ms. Major's, was sworn in and made a statement.

Bruce Fuhrmann, resident of 213 Michigan Avenue, was sworn in and made a statement.

Norman Stafford, resident of 107 Hawthorne, was sworn in and made a statement.

Michael Verruto made a motion to close the hearing, seconded by Valerie Krause, all in favor; the vote was 4-0, aye.

The hearing was closed at 10:30PM.

Respectively submitted,

Cindy Suarez, Secretary

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Cindy Suarez
Secretary Zoning Board of Appeals