



**INCORPORATED
VILLAGE of PORT JEFFERSON**

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

ZONING BOARD of APPEALS

Chair
Mark Brosnan

Members
Jack Giannola
(Alternate)
Antonio Corcella
(Alternate)
Tracy Stapleton
Andrew Thomas
Lou Bekofsky
Dan Russo

Secretary
Cindy Suarez

**MARCH 25, 2021
ZBA MINUTES**

PRESENT:

Mark Brosnan, Chairman
Andrew Thomas
Dan Russo
Antonio Corcella, Alternate
Lisa Rickmers, Village Planner
Cindy Suarez, Secretary to the Zoning & Planning Boards

ABSENT:

Lou Befkosky
Tracy Stapleton
Kathianne Snaden, Trustee/Liaison
A. LaPointe, Spec. Village Atty.

The Zoning Board met virtual via ZOOM (www.portjeff.com/virtualmeetings)

6:00PM GENERAL BUSINESS: (due to technical difficulties the meeting went live 6:15PM)

- MB moved to adopt & approve the 2/25/21 draft minutes, AC second, vote 4-0 unan.
- Next meeting April 22, 2021
- The Chairman requested A. Corcella, to be brought in as a full participating Board member for tonight's public hearing.

6:30PM PUBLIC HEARINGS:

1213 Main St.

Appeal No. #562-21

SCTM: Sec. 17, Blk.5, Lot 7

Zoning: R-O Residential-Office

Property Owner: Barbara Grillo

Applicant: Andrew Malguarnera c/o Brookhaven Expeditors

Contact: Andrew Malguarnera c/o Brookhaven Expeditors

Description: Use variance request

Applicant requests a Use Variance to maintain an existing office use in the R-O zone where The Inc. Village of Port Jefferson Code section §250-16 allows for one family dwellings as a permitted use and as conditional uses Two Family Dwellings and Mixed Residential Office uses. All other uses are expressly prohibited.

(Public Hearing continued from 2/25/21)



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Via email the applicant has requested to adjourn the public hearing to the May 20, 2021 public hearing.

MB moved to approve the applicant's request, AT second, vote 4-0, unan.

101 Oakwood Rd.

Appeal No. #561-21

SCTM: Sec. 9, Blk.3, Lot 2

Zoning: R-B2 Single Family Residence

Property Owner: Theresa & Michael Viviano

Applicant: Andrew Malguarnera c/o Brookhaven Expeditors

Contact: Andrew Malguarnera c/o Brookhaven Expeditors

Description: Area variance request

Applicant requests permission to maintain an existing in ground swimming pool 15.3 feet from the eastern property line where Village Code section §250-11 (C) (3) (a) requires that all swimming pools be set back 20 feet from any property line.

Present: Andrew Malguarnera c/o Brookhaven Expeditors

Presentation was given by the applicant.

The March 22, 2021 staff report was reviewed with the applicant.

This property was previously granted 3 variances for the installation of an inground pool in the front yard and the installation of a 6' PVC fence in the front yard where only 3' open wood-picket style fences are permitted.

The property owner applied for a permit to install the pool and proceeded with the work.

Upon completion of the installation, the final survey indicated that the pool was installed 15.3' from the eastern side yard where 20 feet is required.

MB opened the public hearing for public comment. There were no public comments to be heard.

The Board members deliberated with the applicant's representative.

MB moved to close the public hearing, AC second, vote 4-0, unan.



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11 Jefferson Landing Circle

Appeal No. #563-21

SCTM: Sec. 14, Blk.5, Lot 52

Zoning: R-B1 Single Family Residence

Property Owner: Lynne Mancini

Applicant: Andrew Malguarnera c/o Brookhaven Expeditors

Contact: Andrew Malguarnera c/o Brookhaven Expeditors

Description: Two area variances requested

Applicant requests permission to install an inground swimming pool 10 feet from two side property lines where Village Code section §250-11 (C) (3) (a) requires that all swimming pools be set back a minimum of 20 feet from any property line.

Present: Andrew Malguarnera c/o Brookhaven Expeditors

The March 23, 2021 staff report was reviewed with the applicant.

The subject lot is irregularly shaped and there is not space on this property for a pool that complies with the setback requirements.

The plans as presented suggest a building envelope for a pool, but the applicant has yet to choose a specific pool, so the proposed dimensions of the pool are unknown, so it is not possible to determine if the variance request is the minimum necessary variance to achieve the benefit the applicant desires.

The public hearing was opened for public comments.

An email from T. and P. Heischmann, neighbors at 56 Jefferson landing Circle emailed a letter and spoke live with their concerns and comments.

The Board members deliberated with the applicant's representative.

MB moved to close the public hearing, AT second, vote 4-0, unan.

*7:09PM the public hearing portion of the meeting ended.
(Certified Transcript)*



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POST WORK SESSION

101 Oakwood Rd

In their deliberation the Board members considered the five criteria.

SEQRA

The application is a Type II Action under SEQR and not subject to review.

MB moved to approve the application, AT second, vote 4-0, unan.

11 Jefferson Landing Circle

In their deliberation the Board members considered the five criteria.

SEQRA

The application is a Type II Action under SEQR and not subject to review.

MB moved to deny the application, AT second, vote 4-0, unan.

Meeting ended 7:45PM.

Respectfully submitted, Cindy Suarez, Secretary