



**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

**MAY 20, 2021
ZBA MINUTES**

PRESENT:

Mark Brosnan, Chairman
Tracy Stapleton
Andrew Thomas
Lou Bekofsky
Dan Russo
Antonio Corcella, Alternate
Kathianne Snaden, Trustee/Liaison
A. LaPointe, Spec. Village Atty.
Lisa Rickmers, Village Planner
Cindy Suarez, Secretary to the Zoning & Planning Boards

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

6:00PM GENERAL BUSINESS:

- MB moved to adopt & approve the 3/25/21 draft minutes, AT second, vote 3-0 unan. (LB & TC no vote,
- Next meeting June 17, 2021
- Trustee report

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



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as conditional uses Two Family Dwellings and Mixed Residential Office uses. All other uses are expressly prohibited.

(continued from 2/25/21 & 3/25/21)

The applicant's legal counsel, John M. Wagner c/o Certilman, Balin, Adler & Hyman LLP submitted a written letter request on May 19, 2021 requesting an adjournment to the 7/22/21 meeting.

MB moved to adjourn the public hearing for this application to 7/22/21 at the applicant's request, TS second, vote unan. 5-0.

419 East Broadway

Appeal No. #565-21

SCTM: Sec. 9, Blk.1, Lot 45.1

Zoning: RB-2 Residential

Property Owner: Ronald Alonzo & Rosalie Martinez

Applicant: Andrew Malguarnera c/o Brookhaven Expeditors

Contact: Andrew Malguarnera c/o Brookhaven Expeditors

Description: Area variance(s) request

Applicant requests permission to install 18 ft. x 36 ft. in ground swimming pool 18 ft. from the rear property line and 14 feet from the side property line where Village Code Section §250-11 C (3) (a) prohibits pools to be located within 20 feet of any property line.

Present: Andrew Malguarnera c/o Brookhaven Expeditors

A.M. presented the application.

The 5/18/21 staff report was discussed.

Exhibit A: photos of the subject property.

The Board members deliberated with the representative and discussed the five criteria.

Public comments:

Ron Alonzo & Rosalie Martinez, property owners spoke.

TS moved to close the public hearing, AT second, vote 5-0, **unan.**

Commented [CS1]:



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(6:57PM Antonio Corcella, alternate Board member joined the meeting)

29 Laurel Dr

Appeal No. #564-21

SCTM: Sec. 10, Blk.3, Lot 23

Zoning: RB-2 Residential

Property Owner: Joseph & Patricia O'Neil & Giorgio Regini

Applicant: Andrew Malguarnera c/o Brookhaven Expeditors

Contact: Andrew Malguarnera c/o Brookhaven Expeditors

Description: Area variance(s) request

1. Applicant requests permission to maintain an existing 24' x 12' oval above ground swimming pool, 5.5' feet from the western property line and in the front yard of the property along Old Post Road. Village of Port Jefferson Code section 250-11C(3)(a) requires that all pools must be set back 20 feet from any property line.
2. Village of Port Jefferson Code Section 250-11C(3)(a) prohibits any portion of a swimming pool to be located within the front yard.
3. Applicant requests permission to maintain an existing accessory wood deck located .4 feet from the western property line where section 250-28A(1)(b) of the Code of the Village of Port Jefferson requires all accessory structures to maintain a 5-foot setback from any property line.
4. Applicant requests permission to maintain said existing wood deck forward of the line of the principal building where section 250-28 A (2) states that no accessory structure shall project nearer to the street on which the principal building fronts than such principal building.
5. Applicant requests permission to maintain a 6' tall chain link and PVC fence on top of a retaining wall in the front yard of the subject property along Old Post Road. Village of Port Jefferson Code Section 250-28C(4)(a) limits the height of a fence in the front yard to 3' in height.
6. Village of Port Jefferson Code Section 250-28C(4)(a) requires that any fence enclosing a front yard of any lot must be of open wood type construction.

Present: Andrew Malguarnera c/o Brookhaven Expeditors

AM presented the application.

The 5/18/21 staff report was discussed.

Exhibit A: photos of the subject property.



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The Board members deliberated with the representative and discussed the five criteria.

Public comments:

Patricia O'Neil, property owner spoke.

TS moved to close the public hearing, LB second, vote 5-0, unan.

The public hearing portion of the meeting ended at 7:24PM.
(Certified Transcript)

Commented [CS2]:

POST WORK SESSION

419 East Broadway

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 as presented, LB second, vote 4-1.

(8:00PM MB left the meeting).

29 Laurel Dr

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.

LB moved to grant the application as presented, TS second, vote 3-1.

The meeting ended 8:15PM.
Respectfully submitted, Cindy Suarez, Secretary