



**INCORPORATED VILLAGE OF PORT JEFFERSON**  
**Building & Planning Department**  
**88 North Country Rd., Port Jefferson, NY 11777**  
**Ph.: (631) 473-4744 Fax: (631)473-2049**  
[www.portjeff.com](http://www.portjeff.com)

**MAY 19, 2022**  
**PLANNING BOARD**  
**VIRTUAL MEETING MINUTES**

**PRESENT:**

R. DiBiase, Chairman (RD)  
G. Anderson (GA)  
L. Zimmerman (LZ)  
B. Sabatino (BS)  
R. Harris, Deputy Village Attorney (RH)  
J. Sigler, Site Plan Reviewer (JS)  
L. Rickmers, Planner (LR)  
C. Suarez, Secretary CS)  
R. Kassay, Trustee/ Liaison (RK)

**ABSENT:**

*The Planning Board met VIRTUAL VIA ZOOM at 6:00PM.*  
[www.portjeff.com/virtualmeetings](http://www.portjeff.com/virtualmeetings)

**GENERAL BUSINESS:**

- The next Planning Board meeting is 6/9/22 virtual or location to be determined.
- LZ moved to approve the 3/10/22 draft minutes as amended, BS second, vote 4-0, unan.
- BS moved to approve the 4/7/22 draft minutes as amended, LZ second, vote 4-0, unan.

**TRUSTEE REPORT:**

- The BOT adopted the plan as presented by the six-acre park Committee. The plan will be posted on the Village website. It may be possible to increase Quail on the site to minimize tics. Foxes tend to get them.
- The CAC requests that the Planning Board forward applications to them so that they may be included in the process of Planning decisions. LR suggested possibly having CAC handle future tree clearing applications.
- The CAC and the ARC are co-meeting to update the existing ARC Guidelines.



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### **APPLICATIONS**

**Jim Tsunis**

**16 Bayliss Ave.**

**Presubmission Application**

**Location:** 16 Bayliss Avenue

**SCTM:** District 220 Sec.137, Blk.01, Lot 002.001

**Applicant:** AJJ Industrial c/o Jim Tsunis

**Description:** Proposed change of zone from Industrial to Multi-Family

**Action:** Review revised proposal and provide comments.

Present: Jim Tsunis (JT)

JT presented the application to obtain Planning Board comments for the Town of Brookhaven.

He explained that the prior application was for a storage center. Since then, a re-zone application for proposed 56 apartments has been submitted which will eliminate Industrial Use. RD stated that the change of use to apartments may significantly reduce traffic to the site.

RD stated that the MTA/LIRR will provide comments on the railroad crossing.

JS stated that the addition of a sidewalk along Sheep Pasture Road to Main Street from Bayliss Avenue should be recommended.

JT noted that the project has conceptual approval to connect to S.C.S.D. #1 (Port Jefferson). Question was asked how long is approval good for?

GA stated that the sewer is available if the project keeps moving forward, The Fire department needs access, GA recommended getting the Port Jefferson and Terryville fire departments comments.

Note: There is a two (2) year time limit on conceptual approvals and the applicant will have to get extensions from the Suffolk County Sewer Agency beyond this. If there is no progress shown the approval could be removed.

LZ asked if the triangular piece of land on the survey will be donated to the Village. JT stated that he will donate it.

Comments from the Planning Board will be sent to JT.

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**213 Michigan Ave  
Two-Lot Minor Subdivision**

**Application:** # 0625-22

**Location:** 213 Michigan Avenue

**SCTM:** Sec.15, Blk.1, Lot 25

**Zoning:** R-B2 Single Family Residence

**Applicant:** Andrew Malguarnera, Brookhaven Expeditors

**Property Owner:** Michael Cseri

**Contact:** Andrew Malguarnera, Brookhaven Expeditors

**Description:** Proposed two-lot minor subdivision

**Action:** Introduce Sketch Plan

Present: Andrew Malguarnera, Brookhaven Expeditors (AM)

AM presented the application. He explained that the property owner seeks to divide two merged lots.

JS discussed and reviewed the 5/19/22 Staff Report. She explained that the R-B2 lot requirements are not met therefore variances will need to be sought from the ZBA.

The existing clearing is not known on lot #25.

The Planning Board will need to classify the action pursuant to SEQRA. It is an unlisted action. The application may be a coordinated review with the ZBA. The Planning Board will be Lead Agency. Staff will consult with the DEC regarding the coordinated review.

LZ commented that the aerial views of an adjacent corner lot does not look like this action would be out of character.

AM stated that the real issue is that the lots were merged by name under common ownership and that the lots did conform previously. AM requests a referral from the Planning Board to the ZBA.

JS stated that revisions to the SEAF and a tree clearing & grading plan are required before a referral to the ZBA may be issued.

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**1601-1607 Main St. & 2 Perry St.  
Site Development Plan**

**Application:** # 0624-22

**Location:** 1601-1607 Main St & 2 Perry St.

**SCTM#s:** 206 Sec.21, Blk.6, Lots 1, 2, 3 and 4

**Zoning:** C-2 Commercial District

**Applicant:** Port Jefferson Commons, LLC (Member: Conifer Realty, LLC)

**Property Owner:** 1605 Main Street LLC c/o Adams & Company Real Estate LLC

**Contact:** David Buttacavoli, Sr. Project Manager c/o VHB Engineering

**Description:** Demolition of two existing buildings and proposed construction of a three story multi use building with underground parking.

**Action:** Introduce application

Present: Kathleen Deegan Dickson, Esq. c/o Farrell Fritz (KD), Christiana Kastalek, Environmental Planner c/o VHB Engineering (CK), David Buttacavoli, Senior Project Manager c/o VHB Engineering (DB), Roger Pine, VP Development of Conifer Real Estate LLC (RP) and Sal Cocco, Architect (SC).

KD presented the application for Phase II of the project. The proposed mixed-use building will be located on the S/E corner of Main St & Perry St. The existing buildings are to be demolished and a mixed-use three-story building with twenty-five one bedroom and twenty-six two-bedroom apartments and sixty parking spaces below grade is proposed. The applicant has amended the original proposal to reduce the height and the density of the building and add communal area to the first floor. The residential entrance has been moved to Perry Street and the ground floor restrooms have been increased. The project will be 100 % affordable housing and satisfies the Village's Comprehensive Plan with transportation and a gateway to the Village.

KD stated that this is a 3-story building with underground parking but the Planning Department says it is four stories in the rear where the grade changes on Perry Street so the applicant will go to the ZBA for relief of the code.

There is an error on the FAR on the site plan stating that 2.59 will bring building into compliance. PILOP would bring parking into compliance.

RD asked if there will be entrances onto Main Street. SC does not know, will depend on who leases the retail space.

SC stated that there is a proposed elevator to serve both the existing adjacent building and the proposed building. The Village Code is vague regarding the ceiling of the structure.



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DB stated that all roof drainage will be contained on site.

JS reviewed her 5/19/22 Staff report as follows:

### Density

- Exceeds adjoining project density and the two developments in the uptown area.
- No outdoor space provided for residents, no balconies or roof space.
- No inner courtyards or balconies.
- Ground floor great room not large or lighted.
- Loading space not code compliant.
- Occupies 4% of the C-2 District and provides 20% of the maximum number of residential units in the Village's Comprehensive Plan
- KD stated that the Village code does not have a density limit and there are parks nearby.

### Drainage

- Roof leaders to go into chambers beneath pavement in rear of building due to limited space.
- JS questioned what happens if there is a significant rain event. DC comments that release would have to happen. Ponding condition and over three-inch rainfall would overflow out to Perry St. Another option is to put a pump truck, but maintenance would be difficult inside.
- GA stated that the proposal is realistic, but they should provide for overflow.
- Lots #3 & #4 are outside of the sewer district, Perry Street going onto Oakland Ave. DB stated that the one lot out of the district will have out of district hook up that will be determined by how many units are built.
- GA stated that a request can be made for a waiver of the connection fee for the parcel. Any waiver of connection fee needs approval of the Suffolk County Sewer Agency & Suffolk County Legislative. Reference was made to the Town of Babylon's Wyandanch rising progress. It is a combination of agencies that would be involved.



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### General

- Plans show 18 ft parking stalls where 19 ft are required.
  - RP explained that the project is affordable housing with a mixed income based on area median income. Different AMI levels weighted up to 60- %. No one may be targeted because of fair housing it is a lottery application.
  - RD noted that under the Village's Comp Plan, Perry Street becomes one (1) way westbound. He suggested the Developer consider contributing towards implementation of that plan and traffic signal.
  - GA noted that the applicant should look to other projects within the Village for ideas on balconies and design amenities that would make up for lack of outdoor space. Also look at New Orleans for ideas on internal courtyards.
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### **1303 Main St.**

#### **Site Plan Amendment**

**Application:** # 0619-22

**Location:** 1303 Main St

**SCTM:** Sec.17, Blk.6, Lot 1

**Zoning:** R-O Residence Office

**Applicant:** 1303 Main LLC

**Property Owner:** 1303 Main LLC

**Contact:** Woodhull Expediting, Inc. c/o Amy Devito

**Description:** Parking lot renovation

**Action:** Review revised plans

**Present:** Amy DeVito c/o Woodhull Expediting, Inc. (AD)

AD presented the application. She stated that the applicant is legalizing a parking lot renovation that followed a sewer repair. The parking is lot paved and striped, and the retaining walls have been repaired.

LR 5/19/22 staff report was discussed.

### Staff Comments

- This is a nonconforming building in the R-O district.
- The interior changes have reduced the degree of nonconformity by removing a medical use and uniting multiple offices into one.
- The applicant proposes to refurbish the pre-existing lot, with minimal changes.



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- The initial site work was completed without Planning Board Approval. The Planning Board should consider whether the submitted plan addresses drainage and planning concerns at the site.

### Site Plan Details Missing

- Dimensions of the parking spaces and drive aisles.
- Dimensions for all parking spots and aisle widths.
- “Tesla” spots on site with no indication of the charging equipment on the site plan.

The site plan still notes “Replace existing asphalt with new,” which should be changed to “Patch existing asphalt as needed”

### Signage Information

The existing sign does not meet current sign code requirements and is obstructive to the view of drivers as they turn onto Route 25A Main Street from Stony Hill Road. The sign must be removed, and a code compliant sign should be applied for at the Building and Planning Department.

AD does not agree with the sign removal necessity.

### Retaining Wall

Detailed design information for the new retaining walls must be included with the submission.

### Bond

The site work must be bonded and while detailed list of the drywell construction work was provided, no cost estimates were provided for this work. To approve the bond amounts, the Planning Board will require a detailed accounting of all proposed site work.

GA stated that the drainage on the plan is insufficient. The lot is more than half an acre, Northwest of the building drainage goes there and needs additional leaching. The plan needs to show and explain the drainage plan.

The plan lacks the grades elevations of the site and does not meet what is existing. The square footage of the roof drainage needs to be considered.





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LZ stated she would like to see a landscape plan with lower hedging and a rain garden.

Applicant to submit revised plans and a bond estimate before a Resolution may be drafted.

**Mather Hospital (JS)**  
**75 North Co. Rd.**  
**Site Plan Amendment**

**Application:** # 0614-21

**Location:** 75 North Co. Rd.

**SCTM:** Sec.17, Blk.3, Lot 3.2 & 3.3

**Zoning:** P-O Professional Office

**Applicant:** Mather-Northwell Hospital

**Property Owner:** Mather-Northwell Hospital

**Contact:** Anthony Guardino as Counsel c/o Farrell Fritz, P.C.

**Description:** Emergency Department & Surgical Services Expansion Master Plan

**Action:** Bond estimate & SEQRA

Present:

Rob O'Donohue c/o Hunter Roberts Construction Group (RO)

Gail Pesner, Sr. Project Manager c/o VHB Engineering (GP)

Wayne Shattes VP Mather Hospital (WS)

Andrew Kelly, Landscape Architect c/o VHB (AK)

**Bond Estimate Review**

RD asked:

Does the sidewalk under "Sitework" includes North Country Road (line 27)

Does the traffic signal provide GPS at North Columbia (line 64-65)

AK to let JS know the answers to RD questions and to include the retaining wall so that the Bond estimate may be finalized for a vote at the next meeting.

**SEQRA**

JS asked if the Northeast 1.7 acres are part of the site clearing, and parking has been reduced so that part II of the EAF may be completed.





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AK stated that it will not.

Drainage

GA stated that VHB will be providing soil borings in the recharge basin area to see if existing soils provide sufficient percolation on the site.

LZ asked who will be maintaining the drainage area.

JS stated that all agreements and mitigation plans need to be in place and agreed to before Phase II.

WS stated that he will speak with Anthony Guardino, Esq. regarding the 62-day waiver for a decision on project conditional approval by the Planning Board.

AK stated that all JS comments will be addressed by next week.

JS stated that at the 5/12/22 Planning Board meeting the Board voted yes to the requirement that the fill removal from the prior work done on this site is to be removed. The requirements are forthcoming from Steve Gallagher, DPW Superintendent of VOPJ Highway.

JS stated that the applicant needs to improve on the site. The clearing mitigation is outside of the purview of the Planning Board and in response to the outcry of public comments a letter to the personnel at Mather Hospital or the BOT needs to be pursued.

BS moved to adjourn the meeting at 8:53PM, GA second, vote 4-0, unan.

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The meeting ended at 8:53PM.

Respectfully Submitted,

Cindy Suarez, Secretary to the Planning & Zoning Boards