



**INCORPORATED  
VILLAGE of PORT JEFFERSON**

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

**ZONING BOARD of APPEALS**

Chair  
Mark Brosnan

Members  
Antonio Corcella  
Tracy Stapleton  
Andrew Thomas  
Dan Russo  
Alexia Poulos(alternate)

Secretary  
Cindy Suarez

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**JUNE 22, 2023  
ZBA MEETING MINUTES**

**PRESENT:**

Mark Brosnan, Chairman  
Antonio Corcella  
Andrew Thomas  
Dan Russo  
Rich Harris, Deputy Village Attorney, Director Bldg. & Planning  
Cindy Suarez, Secretary to the Planning & Zoning Boards

**ABSENT:**

Tracy Stapleton  
Alexis Poulos  
Joe Sanzano, Village Planner

*The Zoning Board meeting was held at Village Hall, 121 W. Broadway, Port Jefferson, NY 11777  
Work Session began at 6:00PM, Public Hearings began at 6:30PM.*

**6:00PM GENERAL BUSINESS:**

- Next ZBA meeting 7/27/23.
- AT moved to approve the 4/27/23 draft minutes, AC second, vote 4-0, unan.

**6:30PM PUBLIC HEARING:** (*Stenographer, Jennifer Campbell*)

The public hearing opened at 6:40PM.

**217 West Broadway**

**Appeal No.** #580-23

**SCTM:** 206-0011-006-0025.1

**Zoning:** C-1 Commercial District

**Property Owner:** Overbay LLC

**Applicant:** Demetrius A. Tsunis

**Contact:** Scott Zamek, Esq.

**Description:** The subject parcel is 1.5 acres on the southeast corner of West Broadway and Brook Road. The site is occupied by a multi-story 52 dwelling unit with below grade parking.

**Action:** Applicant seeks two area variances to erect a new externally illuminated freestanding ground sign.

Eric D. Cherches, P.C. (1031 Main St., Port Jefferson) presented the application.



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The applicant is seeking variances from the following sections of Village Code:

**§ 250-31 F (1) (b) [2]** No freestanding sign shall be permitted in the Village of Port Jefferson unless the entire building to which it relates is set back from its front property line a minimum distance of 25 feet.

The existing building is setback 21 feet.

**§ 250-31 F (1) (b) [4]** Such freestanding sign shall not be erected nearer than six feet to any building nor encroach on any required side yard and shall be set back not less than five feet from all property lines.

The proposed ground sign is setback 2 feet one half inches from the property line.

Public Comment was heard from Trustee Lauren Sheprow.

The public audience was invited to the table to review the proposed sign rendering.

The Board reviewed the five criteria of area variance with EC.

AT moved to close the hearing on this application, MB second, vote 4-0, unan.

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**114 Jones Avenue**

**Appeal No.** #582-23

**SCTM:** 206-0016-002-0012

**Zoning:** R-B2 Residential District

**Property Owner:** Michael & Michelle Presta

**Applicant:** Michael Presta

**Contact:** Amy DeVito c/o Woodhull Expediting

**Description:** Existing Pond in front yard through lot

**Action:** Applicant requests an area variance from the provisions of Village Code Section §250-28 (A) (1) for an existing pond located in the secondary front yard, where accessory structures are only permitted in required side or rear yards.

Amy DeVito, Expeditor presented the application.

Amy stated that the pond has existed since the 1990's and was enlarged in 2018.



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The pond is 24 ft x 15 ft and 25" deep.

The current property owner purchased the property less than a year ago.

The pond is filtered when there is water in it. There is no water as it stands right now.

Public comments were heard:

Barbara Caraftis, Tara Park & Eric Cherches

Exhibit A: Photos of the overgrown pond submitted by B. Caraftis

Mike Presta, the property owner spoke regarding his intentions to clean up the pond area.

The Board reviewed the five criteria of area variance with AD.

MB moved to close the hearing on this application, AC second, vote 4-0, unan.

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**102 Emerson Street**

**Appeal No.** #583-23

**SCTM:** 206-0015-003-001 & 0011

**Zoning:** R-B2 Residential District

**Property Owner:** Little Harbor Partners LLC c/o Donald Nenninger

**Applicant:** Little Harbor Partners LLC c/o Donald Nenninger

**Contact:** Amy DeVito c/o Woodhull Expediting

**Description:** Proposed minor sub-division

The applicant is currently under Site Plan review for a minor subdivision by the Village of Port Jefferson Planning Board. The project, as proposed, requires the following variances:

- Per Village Zoning Code **§250 Attachment 3 (Bulk and Parking Regulations for Residential Structures)** Properties in an R-B2 Zone are required to have a minimum lot size of **20,000 SF** in area. Applicant is proposing subdividing a single lot into two separate lots, one of which will consist of **16,335 SF (South Lot)**.
- Per Village Zoning Code **§250 Attachment 3 (Bulk and Parking Regulations for Residential Structures)** Properties in an R-B2 Zone are required to have a minimum lot size of **20,000 SF** in



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area. Applicant is proposing subdividing a single lot into two separate lots, one of which will consist of **11,979 SF (North Lot)**.

- Per Village Zoning Code **§250 attachment 3 (Bulk and Parking Regulations for Residential Structures)** Properties in an R-B2 Zone are required to have a minimum rear yard setback of **30'**. Applicant is proposing a rear yard setback on the existing lot of **29.6' (North Lot)**.
- Per Village Zoning Code **§250 attachment 3 (Bulk and Parking Regulations for Residential Structures)** Properties in a R-B2 Zone are required to have a maximum lot coverage of **20%**. Applicant is proposing a maximum lot coverage of **20.8% (North Lot)**

Amy DeVito, Expeditor presented the application.

AD explained that the subject property is on the dividing line of the Town of Brookhaven in a community "Suassa Park".

The subject lots were deeded into two separate identities where two separate deeds exist.

AT stated that the undeveloped lot needs to stay within the clear limits of Village Code Section 241 Tree Clearing & Grading.

Public comments were heard:

Tara Port, Melissa Drewisis, Joe Jebran, Paul Ryan, April Quiggle, Peter True, Norman Stafford, Ms. Shatan & Rebecca.

Exhibit A: SCHD

Exhibit B: Neighbor petition

Exhibit C: Jebran letter

Exhibit D: Quiggle letter

The Board members reviewed the five criteria of area variance with AD.

AD gave her closing statement:

- The property owner will live in the proposed new dwelling.
- There is currently a rental permit for the existing dwelling.
- Drainage will meet code regulations.
- Vegetation clearing and replating will meet code regulations.



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- The lot is not a community lot to be used for community purposes.

AD requested to leave the public hearing open for the purpose pf gathering more documentation.

AC asked if there would be a common driveway between the existing dwelling and the proposed dwelling.

The Board members asked for a tax roll and surveys of all the neighboring properties to be submitted.

MB moved to hold the public hearing open and to be continued at the next ZBA public hearing to be held on 7/27/23, AT second, vote 4-0, unan.

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**POST HEARING WORKSESSION MEETING**

**217 West Broadway**

SEQRA:

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

**DECISION:**

1. Grant a setback variance from Port Jefferson Village Code § 250-31 F (1) (b) [2] No freestanding sign shall be permitted in the Village of Port Jefferson unless the entire building to which it relates is set back from its front property line a minimum distance of 25 feet. The existing building is setback 21 feet.

MB moved to approve the variance as read and submitted, AT second, vote 4-0, unan.

2. Grant a setback variance from Port Jefferson Village Code § 250-31 F (1) (b) [4] Such freestanding sign shall not be erected nearer than six feet to any building nor encroach on any required side yard and shall be set back not less than five feet from all property lines. The proposed ground sign is setback 2 feet one half inches from the property line.

MB moved to approve the variance as read and submitted, AT second, vote 4-0, unan.



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**114 Jones Avenue**

**SEQRA:**

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

**DECISION:**

Grant area variance from the provisions of Village Code Section §250-28 (A) (1) for an existing pond located in the secondary front yard, where accessory structures are only permitted in required side or rear yards.

MB moved to approve the variance as read and submitted, AT second, vote 4-0, unan.

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*The meeting ended at 9:00PM.*

*Respectfully submitted, Cindy Suarez, Secretary to the Planning & Zoning Board*