



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

Secretary
Cindy Suarez

**JULY 27, 2023
ZBA MEETING MINUTES**

PRESENT:

Mark Brosnan, Chairman
Antonio Corcella
Andrew Thomas
Dan Russo
Richard 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, the Public Hearing began at 6:30PM.*

6:00PM GENERAL BUSINESS:

- Next ZBA meeting 9/21/23.
- MB moved to approve the 6/27/23 draft minutes, AC second, vote 4-0, unan.

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

102 Emerson Street

Appeal No. #583-23S

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

Action: Public Hearing opened on 6/22/23 & adjourned to 7/27/23

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:



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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 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)

Public hearing continued from June 22, 2023.

Present:

Amy DeVito c/o Woodhull Expediting

Donald Nenninger c/o Little Harbor Partners LLC

Larry Davis, Attorney

DN gave a presentation to support the application and to address the concerns of the surrounding property owners.

AD made presentation and distributed the following exhibits:



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Exhibit A: Conformity Report.
Exhibit B: Town of Brookhaven Radius Map.
Exhibit C: Rental Permit Registration.
Exhibit D: 1968 Certificate of Occupancy
Exhibit E: Wastewater Treatment Report
Exhibit F: Single and separate search report

LD reviewed the five criteria of an area variance as related to the application.

The Board Members discussed with the applicant's representatives.

Public comments were heard.

The following exhibits were submitted by the public:

Exhibit G: Melissa Drewisis submitted a letter dated 7/27/23.
Exhibit H: Norman & Janet Stafford submitted a letter dated 7/27/23.
Exhibit I: Ana Hozyainova submitted a document which she described as a Town of Brookhaven list of vacant parcels owned by the Village of Port Jefferson.

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

Post Hearing Work Session

SEQRA:

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



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DECISION:

Variance#1

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).

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

Variance#2

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 11,979 SF (North Lot).

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

Variance #3

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).

MB moved to grant contingent on the Planning Board approving the subdivision, AT second, vote 3-0, (AC abstained).



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Variance #4

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)

MB moved to grant contingent on the Planning Board approving the subdivision, AT second, vote 3-0, (AC abstained).

The meeting ended at 8:30PM.

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