

**Village of The Branch – Zoning Board of Appeals  
July 26, 2016**

A regular meeting of the Village of The Branch Zoning Board of Appeals was held in the Village Hall, 40 Route 111, Smithtown, NY 11787, at seven thirty p.m. on July 26, 2016.

Members Present:	Chairperson	Joseph Magliato
	Member	Jean Esser
	Member	Dennis Bader
	Member	Richard Lockwood
	Member	Charles Robelen

Others Present: Christine Cozine, Village Clerk; Mr. Richard Bivone (representing the applicant); Mr. Christopher Robinson (Engineer); Mr. Mateet Singh( Go Health Urgent Care); Mr. Richard Finkel (representing Chris & Jen Kurtz)

The ZBA Meeting was called to order by Chairman Joseph Magliato at 7:34pm. The public notice for the meeting is was published as follows:

The Board of Zoning Appeals (BZA) of the Village of The Branch will meet at the Village Hall, 40 Route 111, Smithtown, NY, at 7:30 PM on Tuesday, July 26, 2016 to consider an application for a variance from Mr. Glen Weiss of RMB Development Consultants, representing Urgent Care Center at 1C Miller Place, Smithtown, NY to allow for interior alterations. Village Code 85-702 requires permitted uses “L”- any use of the same general character as any of the uses hereinbefore specifically permitted when authorized as a variance by the Board of Zoning Appeals. It was also noted that Suffolk County Board of Health approval was needed for waste water management.

It was determined that the applicants’ notifications to their neighbors are in order.

Mr. Richard Bivone, Mr. Robinson and Mr. Singh all presented for Go Health Urgent Care who partners 50/50 with Northwell health. They explained the total square footage is 4,800 and 2,500 will be usable space and the other will be for storage. They will be open M-F 8am-8pm and S-S 9am-5pm. The sanitary density will be the same. It is only an interior alteration. There will be Dr., Nurse Practitioner, and Physicians Assistants all accredited through Northwell Health rigorous standards. The focus is on the patient and they will do mobile xray and labs (flu rapid strep urine) and partner with Northwell core lab that will process other stuff. They will be open 365 days a year seeing about 3-5 patients per hour. They recently won award for their office design. Patients give automatic feedback via a survey after they leave and lowest score so far is 88 out of 100.

Chairman Magliato asked about security and they responded there is 24 hr surveillance, key fob entry time stamped exam rooms, cabinets are locked at all times and no narcotics are on site.

Mr. Lockwood asked about parking and they said about 10 parking spots will be needed. Mr. Bader was concerned about garbage waste disposal. They assured that a medical waste disposal service was contracted to do that. They are not left in the dumpster outside.

Member Bader made a **motion** to grant the variance as requested. Member Lockwood seconded the motion.

Roll vote: J. Magliato – Yes, R. Lockwood – Yes, J. Esser – Yes, D. Bader – Yes C. Robelen - Yes

Motion carried with unanimous approval.

The public notice for the meeting is was published as follows:

The Board of Zoning Appeals (BZA) of the Village of The Branch will meet at the Village Hall, 40 Route 111, Smithtown, NY, at 7:30 PM on Tuesday, July 26, 2016 to consider an application for a variance from, Mrs. Jennifer Kurtz at 17 Cambridge Drive, Smithtown, NY to allow for a side addition with kitchen extension and new interior alteration with a side yard setback changing from 25 feet to 15 feet. Village Code 85-408 requires a minimum side yard set-back of 25'-0". The proposed addition would have a set-back of 15'-0".

Mr. Richard Finkel represented Mr. & Mrs. Kurtz who were away in Lake George, therefore couldn't attend. They want to build an 11x17 pop out on the West side of the house. It will encroach into the side yard. Only have 15 ½ feet on West side and looking for 9 ½ feet variance. A number of houses on their block have this same type of bump out. In 2004 #19 Cambridge was granted a variance with almost identical renovation. The client is more than willing to increase buffer foliage on the side. The Kurtz's regret not being able to be at the meeting, as their vacation was planned well over a year ago.

Discussion ensued. Topics included clarification of rear and side yard setbacks.

Member Esser made a **motion** to grant the side yard variance as requested. Member Bader seconded the motion.

Roll vote: J. Magliato – Yes, R. Lockwood – Yes, J. Esser – Yes, D. Bader – Yes C. Robelen - Yes

Member Esser made a **motion** to accept the minutes from last BZA meeting. Member Magliato seconded the motion. Motion carried with unanimous approval.

Member Bader made a **motion** to adjourn. Member Esser seconded the motion which was approved unanimously.

Meeting adjourned at 8:30 pm.

Respectfully submitted,

Christine Cozine, Village Clerk  
Village Clerk

