

Village of The Branch – Special Planning Board Meeting
June 18th, 2019

The Special Planning Board meeting of the Village of The Branch was held in the Village Hall, 180 E Main St. Suite 103, Smithtown, NY 11787, at 7:34 p.m. on June 18, 2019.

The following persons were present:

Libby Smith- Chairman	Christine Cozine – Village Clerk
Marie Zere – Member Not Present	
Valerie Lindeman- Member Not Present	David Wetzel – Member
Glenn Haberfield – Member	Dan Falasco – Village Engineer

Chairman Libby Smith called the meeting to order at 7:34 pm.

David Wetzel made a **motion** to approve the May 2019 Planning Board minutes. Glenn Haberfield seconded the motion. All in favor and the motion was approved. (3 Ayes– Libby, Wetzel, Glenn)

At this time the public Hearing was opened:

Vincent Trimarco – Representing Frank Vero Sr. and Jr. Mr. Trimarco asked if it was a 5 member board and Chairman Smith answered yes and offered to table the meeting and Mr. Trimarco said no. Mr. Trimarco stated we have been working on this for over 2 years along with Carmine Cataldo (architect) and the Vero family. Asking for recommendation to change the zoning. It has been a long time and a lot of money spent and would really like the Board to make a decision. Mr. Trimarco showed us a proposed drawing where the red area was proposed for change of zone. The blue area was previously changed zoning for John Hurtado (now Steve Wilde’s property) in years past. It was changed from residence zoning to historic district zone back in 1980’s right along the same zoning line. He mentioned how Trustee Carro brought up at the BOT meeting that he was going to check with the residents who would have a view of the area and after checking in with a few neighbors and they appeared to have no issues with it.

Trustee Carro was concerned that the homes would be affected by the trees being removed. Carmine thinks its 130 feet above in height and it is 173 feet to the closest house from proposed. For the Village owned piece of parkland, the Vero’s would arrange on the site plan to allow VOB to petition the State of NY to build on that parkland. Mr. Trimarco mentioned the DOT suggested that the parcel be a right in and a right out.

Chairman Smith asked them what are they using the land for? Mr. Trimarco answered it would be used for parking. He stated they need a change of zone and a variance for the parking as well because a 50 ft setback is required. 17 ft is provided on North side and the west side has 15 ft. There has been concern about parking from day one. Proposed buildings are 7,000 sqft each. They would like 135 parking spots but can do it with 122 spots if need be. Chairman Smith asked Mr. Trimarco if there was any other reliefs they would need? He answered they would need TDR’s. The property doesn’t have enough. Not only approved by BOH, but need Town of Smithtown and Village BOT, so just waiting on our approval before they can move forward David Wetzel asked Trustee Carro his opinion regarding the view from the houses above. He only contacted 2 residents that he met. Homeowners didn’t really seem to care. Mr. Carro also noted that two 5,000 sft buildings were approved along time ago and Mr Vero noted that was by Dr. Mayer not them.

Chairman Smith mentioned that the 7,000 sqft buildings were denied awhile ago and then went to BOT to ask for a change of zone. Mr. Frank Vero Sr. mentioned that the dollars don't work for them in today's age. The 7,000 sqft is what is needed. Is it the intent on the Board to give us permission to go forward? The old house on the property because its too old and so they are losing 2000 sq ft of usable space.

Chairman Smith mentioned back in 1989 Mr. Fortuna tried to change zone and Dr. Mayer tried to as well and now you guys are trying. Mr. Vero responded to every request made by Village they have done so far.

Village Engineer Falsco said Dr. Mayer came into PB and made adjustments and got 2 5,000 sq ft

Chairman Smith closed the public hearing on 263 E Main Street.

The public hearing on Judges Lane was open by Chairman Smith.

They can access the Historic District when it comes time to seal the road. Mr Dicanio will be responsible for watering and maintaining for 3 years the landscaping. But that needs to be decided by BOT. The PB wants to make sure we have a copy of the home owners agreement? Mr Dicanio said it is recorded with the County. So far only 1 house has signed it as the other 2 need CO's first. All decide to use same snow plow contractor, but old houses will be billed separately.

Sprinkler heads need to be adjusted. The area where the landscaper put down weed killer needs to be fixed. The closing date is set for end of July.

The Board can approve the CO as long as the punch list is done.

Glenn Haberfield made a motion for lot #2 to issue a CO subject to completion of list by Village Engineer. Also subject to the approval of Engineer and Planning Board Chairman. David Wetzel seconded the motion. All are in favor.

Chairman Smith closed public meeting for Judges Lane.

Discussion ensued about 263 E Main Street.

Change of zone from residence to Historic and it needs a variance from 50 ft setback. It has been tried 3 times to get a change of zone and always denied. PB worked a long time to get a suitable plan and feel that the 2 5,000 sqft buildings are enough. Frank Vero rejected that proposal from PB. Chairman Smith doesn't want to change zone or give variance because that will set a precedent. Doesn't want a parking lot in the Historic district because it doesn't keep in line with purpose of historic district and goes against the village code for the Historic District.

Chairman Smith made a motion to recommend against change of zoning subject to findings being prepared to submit to the BOT and setbacks for 263 E Main Street. Glenn Haberfield seconded the motion. All are in favor.

Glenn Haberfield made a motion to close the meeting at 9:37 pm. David Wetzel seconded the motion. All are in favor.

Respectfully submitted by
Christine Cozine – Village Clerk

