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VILLAGE OF GREENPORT

COUNTY OF SUFFOLK : STATE OF NEW YORK

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PLANNING BOARD

WORK SESSION AND REGULAR MEETING

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April 27, 2023

4:00 p.m. - Station One Firehouse

236 3rd Street

Greenport, New York 11944

Before:

PATRICIA HAMMES - Chairwoman

DANIEL CREEDON - Member

SHAWN BUCHANAN - Member

ELIZABETH TALERMAN - Member

FRANCIS WALTON - Member

ROBERT CONNELLY - Planning Board Attorney

MICHAEL NOONE - Clerk of the Board

1 (The meeting is called to order at 4:01 p.m.)

2 CHAIRWOMAN HAMMES: Good afternoon. Welcome  
3 to the scheduled worksession and regular meeting of  
4 the Village of Greenport Planning Board for  
5 Thursday, April 27th, 2023.

6 This meeting is a public meeting and will  
7 consist of several public hearings as well as  
8 pre-submission hearing.

9 The Planning Board may add or remove  
10 applications from its agenda at its discretion  
11 without further notice.

12 In addition, applications listed on the  
13 agenda may be heard in an order other than the order  
14 in which they appear on the agenda.

15 As a reminder to the public, if you are  
16 speaking today, please start by slowly and clearly  
17 stating your full name and address for the record.

18 In addition, please remember that all  
19 comments should be addressed solely to the Planning  
20 Board and not to any applicant or other person in  
21 the audience. Thank you.

22 Before starting, I would like to welcome, I  
23 would like to take the opportunity to welcome two  
24 new members the Planning Board: Elizabeth Talerman  
25 and Francis Walton. We greatly appreciate their

1 agreement to volunteer their time and energy with  
2 the Village on the Planning Board, and we look  
3 forward to your involvement.

4 So the first order of business today relates  
5 to the approval of the Minutes from the March 30th  
6 meeting of the Planning Board.

7 Does anyone on the Board have any comments on  
8 the Minutes?

9 (No response).

10 CHAIRWOMAN HAMMES: I move to accept and  
11 approve the Minutes of the March 20th, 2023,  
12 Planning Board worksession and regular session.

13 Do I have a second?

14 MEMBER CREEDON: Second.

15 CHAIRWOMAN HAMMES: All those in favor?

16 (ALL AYES).

17 CHAIRWOMAN HAMMES: Any opposed?

18 (No response).

19 Motion carries.

20 The next order of business today is a public  
21 hearing in respect to the conditional use  
22 application from Anthony "Buddy" DeMarco, to open a  
23 clothing store to be called Saltwater Long Island in  
24 the space vacated by the former clothing store  
25 Creations By Lisa, at 123 Main Street, which is

1 located in the W-C Waterfront Commercial District  
2 and is located in the Historic District, and it's at  
3 SCTM No. 100-15-4-33.1.

4 I would note that this application is exempt  
5 from the moratorium enacted under Village Code  
6 150-51 pursuant to Section 150-51(D)(1)(j).

7 At this time I would like to ask the  
8 applicant to come forward and give a brief  
9 description on the proposed use of the relevant  
10 property.

11 MR. DEMARCO: Joseph DeMarco. Congratulations,  
12 by the way, guys.

13 We are opening a clothing store in a  
14 pre-existing clothing store. We have a store in  
15 Westhampton, in Huntington and this looks like the  
16 proper third location for us.

17 So that's basically it.

18 CHAIRWOMAN HAMMES: We received certified mail  
19 receipts back from Perserbias LLC (sic), Capo  
20 Enterprise LLC (sic), Angelo Carlos, Yellowfin  
21 Galleria LLC, Crazy 6 LLC, 119 Main Street LLC, 132  
22 Main Street LLC, Park LLC, and John Kramer.

23 I assume that is all that was required.

24 All right, I guess the next, since this is a  
25 public hearing, I would next ask if anybody from the

1 public has any comments they want to make with  
2 respect to the application.

3 (No response).

4 Okay, does anyone from the Board have any  
5 questions or concerns they would like addressed?

6 (No response).

7 Okay, I would like to make a motion to close  
8 the public hearing. Do I have a second?

9 MEMBER BUCHANAN: Second.

10 CHAIRWOMAN HAMMES: All those in favor?

11 (ALL AYES).

12 Any opposed?

13 (No response).

14 None opposed. Motion carries.

15 We will now have a discussion -- you can sit  
16 down -- about a possible motion to approve the  
17 application of Anthony "Buddy" DeMarco in respect of  
18 the opening and operation of a proposed clothing  
19 store at 123 Main Street, located in the W-C  
20 Waterfront Commercial District and Historic District  
21 at SCTM No. 1001-5-4-33.1.

22 I would note that this application is Type II  
23 for purposes of SEQRA.

24 Does anyone on the Board have any comments or  
25 concerns they would like to discuss in respect to

1 the application at this time?

2 (Negative response).

3 I assume not, since there were not any  
4 questions before.

5 MEMBER CREEDON: I have a short question.  
6 There are no changes to the building, right?

7 CHAIRWOMAN HAMMES: I believe that there was a  
8 wall that was already put up before that separates  
9 it from the back to where it used to be, but that  
10 was done by the building owner.

11 There is no building permit by this  
12 applicant, right?

13 MR. NOONE: Nope.

14 MEMBER CREEDON: Thank you.

15 CHAIRWOMAN HAMMES: All right, so I make a  
16 motion to approve the application of Mr. DeMarco in  
17 respect to the application for a conditional use  
18 approval for a clothing store to be operated at 123  
19 Main Street.

20 Do I have a second?

21 MEMBER WALTON: Second.

22 CHAIRWOMAN HAMMES: All those in favor?

23 (ALL AYES).

24 Any opposed?

25 (No response).

1 Motion carries. Congratulations.

2 CHAIRWOMAN HAMMES: The next order of  
3 business is a pre-submission conference regarding  
4 the conditional-use application of Michael Verni in  
5 respect to the property located at 29 Front Street.

6 Applicant proposes to open a store, Silver By  
7 The Sea, selling primarily silver jewelry with a  
8 limited amount of original and print pieces of art  
9 in the space formerly occupied by Common Ground Fine  
10 Jewelry & Studio.

11 No structural changes or building permits are  
12 required. This property is located in the W-C  
13 Waterfront Commercial District and is not in the  
14 Historic District.

15 The property is at SCTM No. 1001-5-4-26. And  
16 I would note that this application is exempt from  
17 the moratorium enacted under Village Code 150-51  
18 pursuant to section 150-51(D)(1)(j).

19 At this time I would like the applicant to  
20 come forward and give a brief description on the  
21 proposed use of the property.

22 MR. VERNI: Hi. My name is Michael Verni and  
23 I live at 2125 North Sea Drive, Southold 11971.

24 I'm a silversmith by trade. I had a very  
25 successful store for the better part of 33 years, on

1 the Nautical Mile in Freeport, Long Island.

2 Hurricane Irene and Superstorm Sandy were not  
3 kind to us. We had nine feet of saltwater from  
4 Superstorm Sandy in our store.

5 The whole area has not snapped back to this  
6 day ten years later.

7 So I am joining my extended family, who all  
8 lives from Manorville out, Mattituck, New Suffolk,  
9 Greenport. I was a city boy, born and raised, but  
10 now I'm finally out here and have been out here for  
11 five years, and I always wanted to open in  
12 Greenport, and I found the opportunity. Mr.  
13 Angelson had a place for rent, and I know how to run  
14 a seasonal business. I been doing it for a very  
15 long time.

16 I was heavily involved in the Village of  
17 Greenport, activities, especially for the kids,  
18 festivals. I do my best, I'm a little bit older  
19 now, so I'm still going to try to do my best.

20 I think I would be an asset to the Village.  
21 I sell and make silver jewelry. I sell a lot of  
22 native American pieces, a lot of Tibetan and  
23 Nepalese pieces, spiritual pieces. And that's what  
24 I do.

25 And my father, who is a recognized artist,



1 his brother bought a house out here after World War  
2 II, and he did original oil paintings and sketches  
3 of Greenport, that I have from the 50s, 60s and 70s  
4 into the early 80s. And it looks nothing like it  
5 used to.

6 But that's what I planned on selling, on  
7 putting up on the walls, a couple of pieces here and  
8 there.

9 CHAIRWOMAN HAMMES: Good, that's helpful.  
10 Does anybody from the Board have any questions or  
11 concerns they want to raise at this time?

12 MEMBER WALTON: I have a question. Not  
13 necessarily a concern. But I believe I noticed on  
14 the plan that you have work benches?

15 MR. VERNI: Yes.

16 MEMBER WALTON: So are you planning to  
17 demonstrate your metal work?

18 MEMBER VERNI: That's what I do. If anybody  
19 needs sizings or repairs, I also repair silver sets,  
20 tea sets, you know, whatever I could still do. I'm  
21 older now so I don't do as much as I used to. But I  
22 do a lot of sizings and alteration, hopefully on  
23 site, because you know, a lot of tourists who can't  
24 stay and come back and pick it up in two days or  
25 whatever. And that's, um, yes.

1           I work out of an 1887 watchmaker's bench.  
2           I'm going to put it in the window, too, so people  
3           can see me.

4           MEMBER WALTON: Great, thank you.

5           MEMBER TALERMAN: You mentioned that you are  
6           used to running a seasonal business.

7           MR. VERNI: Yes.

8           MEMBER TALERMAN: Is it your intention to  
9           operate seasonally?

10          MR. VERNI: I operate year-round. But it  
11          just slows down, the hours get shorter. I'm open for  
12          Christmas, I'm open 'til after New Year's, and then  
13          I'm open weekends Thursdays through Sundays. I have  
14          to see. Every town is different. But that's what,  
15          you know, I know how to operate a seasonal business.  
16          I work 12 to 14 hours a day, seven days a week,  
17          Memorial Day to Labor Day. I got to cut it back in  
18          the wintertime.

19          MEMBER TALERMAN: Thank you.

20          MR. VERNI: I'm not as young as I used to be.

21          MEMBER WALTON: Just to clarify, cut it back,  
22          but not close.

23          MR. VERNI: No. I don't leave money on the  
24          hoof. I stay open. I have to. I have to keep busy.  
25          Not to mention I'm 67 and I have a six-year old

1 child at home. There's a tee-ball game I have to  
2 make right now.

3 MEMBER BUCHANAN: Elizabeth asked my question.

4 CHAIRWOMAN HAMMES: Then I guess I would like  
5 to make a motion to schedule a public hearing for  
6 the applicant's application at the next Planning  
7 Board public meeting for which the notice  
8 requirements can be satisfied, which I believe will  
9 be May 25th. Yes.

10 So we'll schedule this for our May 25th  
11 public hearing and hopefully it will go smoothly.

12 Do I have a second?

13 MEMBER BUCHANAN: Second.

14 CHAIRWOMAN HAMMES: All those in favor?

15 (ALL AYES).

16 Any opposed?

17 (No response).

18 Motion carries. So we'll see you at the end  
19 of May.

20 MR. VERNI: Thank you, very much.

21 CHAIRWOMAN HAMMES: You're welcome. The next  
22 order of business today is the continuation of a  
23 public hearing in respect to the site plan  
24 application of Sofia and Michael Antoniadis on  
25 behalf of On Front Street LLC, in respect to 308

1 Front Street.

2 The applicant proposes to alter the interior  
3 of the property to create a yoga and Pilates studio,  
4 which will include group classrooms, studios,  
5 private treatment rooms, bathrooms and office  
6 spaces, and possible storage areas in both the  
7 basement and attic.

8 The property is located in the C-R Retail  
9 Commercial District and is not located within the  
10 Historic District.

11 The property is located at SCTM No.  
12 1001-4-8-34.2.

13 The proposed use is a permitted use in the  
14 C-R Retail Commercial District. I would note that  
15 this application is exempt from the moratorium  
16 enacted under Village Code 150-51 pursuant to the  
17 determination of economic hardship by the Village  
18 Board of Trustees in accordance with Section  
19 150-51(E) of the Village Code.

20 I would also note at this time that each of  
21 the Board members has had an opportunity to visit  
22 the property and review the proposed site plan.

23 At this time I ask the applicant to come to  
24 the podium, and can you just state your name and  
25 address for the record.

1 MS. ANTONIADIS: Sofia Antoniadis, 12500 Main  
2 Road, East Marion, New York.

3 CHAIRWOMAN HAMMES: Okay, at this time can you  
4 confirm that you've reviewed and are familiar with  
5 Section 150-30(D) of the Village Code in respect to  
6 the requirements for site plan applications and that  
7 you have, to the best of your knowledge, submitted  
8 all the materials required pursuant to that section  
9 of the code?

10 MS. ANTONIADIS: Yes, I have reviewed that  
11 Chapter 150 and I have line by line gone through the  
12 entire section and checked off and submitted  
13 everything that was applicable and where it wasn't,  
14 not applicable, ignored it.

15 CHAIRWOMAN HAMMES: Do you have anything  
16 further you want to address to the Board at this  
17 time?

18 MS. ANTONIADIS: If you don't mind, I would  
19 like to also thank the Board for their time and a  
20 special welcome to the two new Board members. And I  
21 -- please approve On Front Street's application for  
22 the Pilates and yoga studio.

23 My journey with the Planning Board started  
24 way back in November, but due to the moratorium had  
25 been delayed and thankfully back on track through

1 the granted hardship exemption by the Village Board  
2 of Trustees. I'm excited and eager to begin the  
3 restoration/renovation of the interior of the  
4 building for our new Pilates and yoga studio at 308  
5 Front Street.

6 As we have all learned, this building, along  
7 with 310 Front Street, was once one parcel with two  
8 distinct buildings that were legally subdivided and  
9 approved by the Village of Greenport Planning Board  
10 in 1994. And I recently learned a bit of history  
11 for this very building, 308, that in 1995, it was a  
12 a gym called Greenport Physique, and a bit later a  
13 yoga studio followed by a para-psychology library in  
14 2005, which recently closed.

15 So the use of a personal service store at  
16 this location is not quite a new use, but a return  
17 to a prior use that would improve the quality of  
18 life and focus on an individual's mind, body and  
19 wellness. A return to love for self care.

20 I have received many letters (see attached)  
21 of support for the Pilates and yoga studio from the  
22 Village residents, and I trust you have received  
23 them as well.

24 I have also a transcript of the meeting held  
25 on March 30th, where my neighbor Kathy LoFrese

1 stated: Let me start by making it perfectly clear,  
2 I'm not opposed to a yoga and Pilates studio.

3 So everyone is on board with me opening up  
4 this Pilates and yoga studio.

5 And the new Pilates and yoga studio is  
6 welcome by our neighbors and it would improve the  
7 quality of life, and the newer use is an approved  
8 use and also consistent with the 2014 LWRP as a  
9 newer use, will be a year-around use and is workable  
10 by all ages and especially good for young people.

11 With great respect and deep humility, I  
12 appeal to you for a favorable decision. Thank you.

13 CHAIRWOMAN HAMMES: Thank you. We appreciate  
14 all the work that you have done to make sure we have  
15 a full site plan application to review. You can sit  
16 down for now.

17 At this time, I would first note that we  
18 received letters from the following persons in  
19 respect to this application: Steven Clark of  
20 Greenport Yacht and Ship Building Company (see  
21 attached), Rita Rooney (see attached), Ruth Schenck  
22 (see attached), Walter Foote (see attached), Joseph  
23 Pagano (see attached), Stacy Krugenacher (see  
24 attached), Laura O'Brien of Fez & Ivy (see  
25 attached), Jill Dunbar (see attached), Andrew

1 McGowan (see attached), Kathy LoFrese (see attached)  
2 and Michael Solomon as legal counsel to Kathy  
3 LoFrese (see attached).

4 Of the foregoing letters, all letters were  
5 supportive of the applicant other than those of Mr.  
6 McGowan, who is a tenant of the next door building,  
7 310 Front Street; Ms. LoFrese, and the letter from  
8 Ms. LoFrese who owns 310 Front Street; and Ms.  
9 LoFrese's lawyer.

10 Could I ask each of the Board members to  
11 confirm that they have received and reviewed these  
12 letters?

13 (Board members respond in the affirmative).

14 CHAIRWOMAN HAMMES: I would also ask that the  
15 Village copies of these letters are attached to the  
16 Minutes of this meeting and included as part of the  
17 record. I am not going to take everybody's time up  
18 to read them all at this point, but as the Board  
19 members have all read them, I would just like to  
20 have them included in the record.

21 So I will now open this meeting up to anyone  
22 from the public that wishes to address the Board.  
23 Please keep your comments directly to this Board and  
24 be respectful. And keep in mind, we are not  
25 adjudicating disputes with neighbors.



1 MS. MOORE: Thank you. Also, congratulations  
2 to the new Board members.

3 Hello, again. I just want to, just to begin  
4 with, because I know this has been very upsetting to  
5 my client, which is the 310 Front Street, LoFrese.  
6 Mr. and Mrs. LoFrese are both here.

7 This has been a very difficult process, and  
8 I'm sure it is not pleasant for the Antoniadis',  
9 Sofia and her husband either.

10 The situation got a little -- a comment was  
11 made at some point, we don't know if behind the  
12 scenes or on the record, that why can't my client  
13 just get along with her neighbor.

14 That is not the issue here. The issue is  
15 that she was getting along fine with the prior  
16 owner. Everyone was living and respecting each  
17 other's rights with respect to their properties.

18 What occurred here is that there was  
19 construction that was started, and my client's  
20 rights to maintain the utilities that are in the  
21 basement of 308 were threatened. Some utilities  
22 were shut off, were cut. Others were advised to  
23 relocate. All these things that were contrary to  
24 the legal rights that were on record on my client's  
25 property.

1           Nobody wants to hire lawyers. Clearly. I  
2 know that. My client has been in a sense forced to  
3 hire two lawyers. I'm a zoning lawyer, but I don't  
4 do the litigation. Mr. Solomon's office does do the  
5 litigation. What we found, because of the  
6 circumstances, the site plan that has been  
7 submitted, and I know you asked the applicant if all  
8 of the information she provided was true and  
9 accurate, and met all the site plan standards.

10           I would respectfully disagree, that that is  
11 not the case. The site plan review process, the  
12 list of items that is in your code with respect to  
13 what is required, many of the things are legal  
14 issues and they are disclosing the existence of deed  
15 restrictions, of any covenants, of lot lines,  
16 locations of uses of adjacent properties.

17           You know your code better than I do. But the  
18 bottom line is that the site plan when it was  
19 submitted to you was not accurate, and remains  
20 inaccurate.

21           My client has been forced to bring a  
22 proceeding. I was, there is a pending action  
23 presently between NoFo Adventures LLC, my client,  
24 and as plaintiff, and On Front Street LLC, the  
25 owners of 308.

1           The reason for that litigation is because  
2           certain easements that this site plan is relying on  
3           do not exist.

4           It appears from a review of the record of the  
5           deeds, and very basic, because it's not, but this is  
6           Legal 101. If you and I own a property, and I put  
7           on my deed, I say I'm giving myself an easement over  
8           your property, and if you don't sign and agree to  
9           that easement, that easement is not effective. It's  
10          null and void.

11          That's what occurred back in the 90's. So  
12          what this property, the applicant is relying on for  
13          access and for emergency access for doors, for  
14          stoops, for windows, for essentially using my  
15          client's private property as a means for the  
16          development of their property. That can not follow  
17          the site plan that has been submitted to you.

18          There may be a way to do it, but I think they  
19          have to return to the drawing board and draw it up  
20          in such a way. It would be no different than if  
21          they were asking to get access and emergency access  
22          and stoops and windows and doors, on Mr. Robert's  
23          property.

24          You and I both know there is no right to use  
25          somebody else's property for your access.

1           Nobody -- my client had no issue with the use  
2 of the yoga studio. That is not the problem. It's  
3 the protection of her investment and her property  
4 rights. Had everybody, had the applicant come in  
5 and not threatened her investment, I don't think we  
6 would be here.

7           So when she was asked or somebody made a  
8 comment why can't she just get along; that is not  
9 the situation. She wants to get along. This is  
10 very difficult.

11           So the bottom line is that there has been a  
12 proceeding that has been filed, it challenges the  
13 easements that are being relied on today.

14           So I would respectfully request that this  
15 matter be indefinitely postponed until the legal  
16 issue is resolved or the parties can come to an  
17 agreement and you are informed of that.

18           I don't believe you want to get in the middle  
19 of litigation, and certainly the next step would be  
20 having to bring an Article 78.

21           There is a pending application for an  
22 injunction that is in the process, but the first  
23 step is the summons and complaint, which is what was  
24 filed in the timeframe that we had.

25           So that is where we are. I will -- you will

1 confer with your legal counsel, of course, on this,  
2 but again, we respectfully request that this matter,  
3 for as much as I know you would like to approve it  
4 and move the process along, and I know the  
5 applicants would like that. Legally it's just not  
6 ready to do so. So, thank you.

7 MR. CONNELLY: Pat, can I ask you a question?

8 MS. MOORE: Sure.

9 MR. CONNELLY: So this is a private action  
10 between NoFo Adventures and On Front Street. The  
11 Planning Board is not named in the lawsuit. The  
12 Village is not named in the lawsuit.

13 MS. MOORE: Right.

14 MR. CONNELLY: If the Board was inclined, I'm  
15 not saying they are, because I have no idea. If  
16 they were inclined to approve the application, why  
17 wouldn't we build it conditioned upon any  
18 adjudication from Supreme Court to show the  
19 easements?

20 MS. MOORE: Well, I think ultimately your site  
21 plan may change drastically depending on the  
22 circumstances of the easement.

23 The site plan, had the site plan been  
24 submitted where the only access was the front door  
25 of the On Front Street, and there was no reliance on

1 310 for purposes of meeting state code, for  
2 purposes -- they've got to meet state code when they  
3 do the renovations. But it was beyond that. There  
4 were, during the hearing, there were discussions  
5 about, let me go back to my notes on the hearing.  
6 There was a discussion that the applicant had  
7 thought that there would be 30 clients per class,  
8 approximately nine classes a day. That equals 270  
9 clients every day. Over 56 weeks a year, you are  
10 about 15,120 people that would potentially be using  
11 the yoga studio.

12 I know there was a discussion of people, but  
13 the numbers never got, it was like, oh, you know, we  
14 are only going to have 30 people. But, that is a  
15 guess, and a very successful yoga studio, spa,  
16 whatever it is that they are doing, you could end up  
17 with 30 people every class, or even half that,  
18 one-third of that. Bottom line is that you are  
19 designing the entire site plan based on access and  
20 ingress/egress to the back through 310.

21 So that's my concern, is that you advised  
22 them, and the Board has to make that decision, I  
23 think that leaves us in a position that we have to  
24 bring an Article 78 because you would be approving a  
25 site plan that is based on the design of this

1 property, with no access other than the front door.

2 So I think it's leaving you with an  
3 uncertainty that maybe it gets worked out quickly,  
4 maybe it doesn't. But I don't want all of us to, I  
5 don't want the Board to rush to judgment on a  
6 decision on a site plan that is not, that has errors  
7 in it, when you have been told at this point that  
8 there is litigation regarding access.

9 And really that has been the main problem  
10 throughout. There's already been excavation in the  
11 garage building, which means that a new foundation  
12 is going under that building. It is below the  
13 existing grade, which means that ultimately they  
14 have to be able to get in and out using that  
15 doorway. That means that there's got to be a door  
16 that opens out to my client's property. There is  
17 some kind of a step, a threshold, that has to go out  
18 onto a private property.

19 So looking at the design of this site plan,  
20 it has relied on a situation that is legally  
21 defective.

22 So. That's, again, all I could do is make  
23 the point. The Board does what the Board does.

24 If we were not ready to bring an injunction  
25 against the Planning Board, because you didn't act,

1 it would be acting, so.

2 MR. CONNELLY: I guess Mr. Solomon could have,  
3 not handling the litigation aspect, but Mr. Solomon  
4 could have run an order to show cause to stop the  
5 proceedings from going forward.

6 MS. MOORE: I think in all the hearings, the  
7 Board took the position we don't review easements,  
8 we don't make judgments on easements. It's a  
9 private matter. So that is why I advised the  
10 client, I said, they are absolutely right. This is  
11 a situation where access is in question. So that is  
12 why the action was brought.

13 But if the site plan did not involve 310, I  
14 would agree with you. There would be no issue. We  
15 would be arguing over easements, and our access, my  
16 client's access to her utilities of 310 in the  
17 basement of 308. That was a problem and that's  
18 included in this litigation. But it's beyond that.  
19 It's relying on the development of this property  
20 using someone else's property.

21 Again, they could come in with a design that  
22 focuses all of the development and in and out, out  
23 Front Street. We don't have issues. That is not --  
24 our issues are solely regarding easements. So.

25 Did I answer your question?



1 MR. CONNELLY: Yes, I think you did.

2 MS. MOORE: Okay. Thank you.

3 CHAIRWOMAN HAMMES: Is there anybody else from  
4 the public who cares to speak at this time?

5 MS. ANTONIADIS: For the record --

6 CHAIRWOMAN HAMMES: You have to restate your  
7 name.

8 MS. ANTONIADIS: Sofia Antoniadis, 12500 Main  
9 Road, East Marion.

10 I was, I received this from Pat Moore. It's  
11 a conflict of interest for Pat Moore to have a case  
12 against me because I've worked with Pat Moore in the  
13 past and my family has used her for zoning and  
14 purchases.

15 I have a survey prepared by Nathan Corwin,  
16 dated 2004, for the prior owner Andrew Schneller,  
17 and it's certified to Northfork bank. This is for  
18 310 Front Street. It does have all the easements  
19 implied on this survey.

20 So this is nothing new. And if the deeds  
21 are, the deeds are what they are. But this licensed  
22 surveyor, in 2004, has indicated that there are  
23 easements in favor of our property, dating back  
24 before Ms. LoFrese purchased her property a year  
25 ago.

1           Secondly, although I'm not an attorney, and  
2           by far, with due respect, I definitely would have  
3           hired you, Pat, because you are wonderful and very  
4           good. But you probably failed to read this.

5           There are implied easements from pre-existing  
6           use, and there are several court cases that  
7           established that the implied easement, by necessity,  
8           which it was, for the garage and the accesses, the  
9           exits.

10           So if it does go to court, and it looks like  
11           it is, I'm sure my new attorney will be able to  
12           verify that my easement stands. And I think the most  
13           important thing is that Ms. LoFrese does not, is not  
14           in objection to the Pilates and yoga studio. And  
15           that's what we are here for. And any exits or  
16           anything else, the Building Department, I believe,  
17           is the one that is going to make the call, or the  
18           fire marshal, for the occupants.

19           And with God's blessing, I should have 1,500  
20           people coming in and out of there every day or every  
21           month or whatever. I don't foresee that. This is a  
22           labor of love for us. But we have not objections  
23           for a Pilates and yoga studio. At least I don't see  
24           that. And all of this paper does not indicate that.  
25           I -- please, please approve this. Thank you.

1 CHAIRWOMAN HAMMES: Is there anybody else from  
2 the public that would like to speak at this time?

3 (No response).

4 I have a question about this. So if we move  
5 to close the public hearing, and we discuss this, I  
6 guess, my guess, although obviously we have to have  
7 a discussion with all the Board members. If we did  
8 approve anything today, it would be subject to  
9 certain conditions.

10 So I guess the question I would have in my  
11 mind is before I close the public hearing, although  
12 I'm not sure there is any reason to keep it open at  
13 this point, should I ask the applicant if they want  
14 us to go ahead and close the public hearing or leave  
15 it pending open?

16 MR. CONNELLY: Well, I don't know how much  
17 more testimony the Board can receive about the  
18 actual use of the yoga/Pilates studio. So I don't  
19 know if there is really anything further for the  
20 Board to consider.

21 CHAIRWOMAN HAMMES: Okay, then I would like to  
22 make a motion to close the public hearing. Do I  
23 have a second?

24 MEMBER BUCHANAN: Second.

25 CHAIRWOMAN HAMMES: All those in favor?

1 (ALL AYES).

2 Motion carries.

3 So now we'll have a discussion about a  
4 possible motion to approve the site plan application  
5 of Sofia and Michael Antoniadis on behalf of On  
6 Front Street LLC in respect to 308 Front Street.

7 The property is located in the C-R Retail  
8 Commercial District and is not located within the  
9 Historic District.

10 The property is locate at SCTM No.  
11 1001-4-8-34.2.

12 I would note for the record, obviously as has  
13 been discussed, that the Board is aware that there  
14 are ongoing disputes between this applicant and the  
15 owner of the property, the adjacent property, with  
16 respect to building lines and easements.

17 I don't believe, though, that it's the  
18 jurisdiction of this Board to adjudicate or make a  
19 determination in respect to those disputes.

20 As such, I believe the Board should consider  
21 this application on a standalone basis, assuming  
22 that the materials set forth therein are true and  
23 correct, and that due to existing, with respect to  
24 the existing disputes, I would propose adding the  
25 following conditions to any approval for this

1 application, if we were to vote to approve it.

2 In particular, I would say that the approval  
3 would be subject in all respects to any rights or  
4 remedies that the property owner of the adjacent  
5 property located at 310 Front Street might have,  
6 irrespective of any easements or other property  
7 rights that run in favor of that property, whether  
8 by contract, deed, law or in equity, and in no  
9 circumstances is any approval by this Board to be  
10 deemed to effect such rights or remedies.

11 The site plan of the applicant would be  
12 subject in all respects to such rights and remedies  
13 that the property owner at 310 Front Street might  
14 have.

15 I would also say that to the extent that  
16 there are required to be any material changes to the  
17 approved site plan for 308 Front Street, including  
18 with respect to access, as a result of any rights or  
19 remedies of the property owner of the adjacent  
20 property located at 310 Front Street might have,  
21 with respect to easements and other property rights  
22 that run in favor of that property, whether by  
23 contract, deed, law or an equity or otherwise, that  
24 the applicant would agree that such changes would be  
25 required to be submitted for site plan approval by

1 this Board, and that the site plan approval is  
2 subject in all respects to that re-approval.

3 I would also further provide that the site  
4 plan approval would be deemed automatically null and  
5 void in the event of a final certificate of  
6 occupancy for 308 Front Street, irrespective of the  
7 proposed site plan is not issued by 12 months from  
8 the date of this approval, unless such period is  
9 otherwise extended by the Planning Board.

10 So those would be the things that I would  
11 like this Board to consider, assuming there was a  
12 desire on the part of this Board to move forward.

13 Rob, I would appreciate some input from you  
14 as to whether you think that those would be  
15 appropriate and kind of adequately address the  
16 situation in which is Board finds itself.

17 MR. CONNELLY: The Defendant was right,  
18 granted that they are logically connected to the  
19 site plan application.

20 CHAIRWOMAN HAMMES: Thoughts? Maybe we'll just  
21 go down. Shawn, do you want to --

22 MEMBER BUCHANAN: From my perspective, I would  
23 like to move forward with this application.

24 CHAIRWOMAN HAMMES: Any thoughts on the  
25 conditions? Are you in agreement with those

1 conditions?

2 MEMBER BUCHANAN: I am. I think that, you  
3 know, we keep having the same conversations, and  
4 it's really not anything that we can hammer out  
5 here, so.

6 CHAIRWOMAN HAMMES: Francis?

7 MEMBER WALTON: Well, first of all, I'm not  
8 unsympathetic to the concerns of each neighbor. I  
9 am new to this Board, but it is my understanding  
10 that any adjudication of those issues is outside of  
11 the purview of this Board.

12 Um, I would not want to move forward without  
13 the specifications or requirements that the Chair  
14 has outlined because I think it would inappropriate  
15 to do so. But with those comments and requirements  
16 and conditions, I think given the scope of this  
17 Board, it would be appropriate to move forward with  
18 the approval. Again, conditioned on all of those  
19 requirements.

20 Oh, and I did just want to say, I can attest  
21 to the fact that it was once a yoga studio because I  
22 practiced there many years ago. So it is a use of  
23 that space that has existed in the history of  
24 Greenport.

25 MEMBER TALERMAN: I, too, I think given the

1 jurisdiction of the Planning Board, that we should  
2 move forward with an approval of the space  
3 predicated on the conditions that these things get  
4 adjudicated by the proper groups, and then we can  
5 revisit anything.

6 CHAIRWOMAN HAMMES: So do you want to make the  
7 site plan subject to the full adjudication or do you  
8 just want to just make it subject to the fact that  
9 they have to come back with the alternate site plan?

10 MEMBER TALERMAN: Subject to the adjudication.

11 CHAIRWOMAN HAMMES: So basically they would  
12 have to probably come back to us then for a site  
13 plan after the Court case. Because my conditions I  
14 propose do not require to be adjudicated. It would  
15 just require them to come back if as a result of any  
16 legal determination it affected the site plan we  
17 approved.

18 MEMBER TALERMAN: Thank you, for clarifying  
19 that. And that is what I'm trying to agree with.

20 CHAIRWOMAN HAMMES: Okay. Dan?

21 MEMBER CREEDON: I also feel the same way. In  
22 my mind we are simply being asked whether or not the  
23 Pilates and yoga studio is appropriate for that  
24 location. And then all of the other issues need to  
25 to be resolved by the appropriate --



1           CHAIRWOMAN HAMMES: Well, I think we are  
2           approving a little bit more than that. Because it's  
3           not a use application that is before us. It's  
4           actually a site plan application that is before us.  
5           So we would not be approving the site plan as drawn,  
6           as it's been submitted to us but it would be subject  
7           in all respects to the other estates, rights and  
8           remedies that they might have with respect to  
9           easements and vice versa.

10           And as a result of any adjudication of those,  
11           we would acknowledge the fact that there are  
12           disputes existing if that required any changes to  
13           those plans that we have, including with respect to  
14           the back access, that would have to come back to  
15           this Board at that time.

16           MEMBER CREEDON: So I don't disagree with  
17           that. That's what I was boiling it down to.

18           CHAIRWOMAN HAMMES: Okay, then I guess at this  
19           time, unless anybody has anything further, I would  
20           make a motion to approve the site plan application  
21           of Sofia and Michael Antoniadis on behalf of On  
22           Front Street LLC in respect to the property located  
23           at 308 Front Street, subject to the incorporation of  
24           the foregoing described conditions to the resolution  
25           approving such site plan application.

1 Do I have a second?

2 MEMBER BUCHANAN: Second.

3 CHAIRWOMAN HAMMES: All those in favor?

4 (ALL AYES) .

5 CHAIRWOMAN HAMMES: Any opposed?

6 (No response) .

7 Motion carries.

8 All right, the next order of business today  
9 is a Public Hearing in respect of an Application by  
10 Michael Osinski, for the approval of a subdivision  
11 of one lot into three lots.

12 The lot in question is located on the  
13 southeast corner of Flint Street and Fourth Street,  
14 and is located in the R-2 one and two-family  
15 Residential District, and is not located in the  
16 Historic District. It is located at SCTM No.  
17 1001-6-8-1.2, 1.3 and 1.4.

18 I note that the application is not subject to  
19 the moratorium enacted by the Village as it relates  
20 to property located in the R-2 district.

21 I would also note that the reason for the  
22 three tax lot numbers is, as I understand, is  
23 Suffolk County assigned those three numbers  
24 previously. And the Village has confirmed to me in  
25 writing, its agreement that the materials submitted

1 by the applicant satisfy the requirements of Section  
2 118-3 and 118-5 in respect to the proposed  
3 subdivision and the proposed lot divisions meet the  
4 minimum lot area within depth required under Section  
5 150-12 of the Code.

6 I further note that in the interest of time,  
7 this Board has agreed to combine the consideration  
8 of the proposed subdivision application for purposes  
9 of the sketch plan and preliminary plat provisions  
10 of Chapter 118 of the Village Code into one meeting  
11 and hearing, which is this public hearing.

12 Finally, I note that to the extent that the  
13 applicant receives approval in respect of the  
14 current application before this Board, that the  
15 applicant will still need to comply with all the  
16 applicable requirements of Section 118-9 and 1118 in  
17 respect to the final plat.

18 At this time I ask the applicant if he would  
19 mind coming to the podium. Can you just state your  
20 name and address for the record.

21 MR. OSINSKI: I'm Michael Osinski, 307 Flint  
22 Street, Village of Greenport.

23 CHAIRWOMAN HAMMES: First off, I would like if  
24 you can confirm that the materials you submitted  
25 include all existing restrictions on use of land

1 including any easements or covenants that may apply  
2 to the property, or any proposed easements or  
3 covenants that would apply to the lots after giving  
4 effect to the subdivision.

5 MR. OSINSKI: Well, there are no easements as  
6 far as I'm concerned. If that answers the question.

7 CHAIRWOMAN HAMMES: That's kind of the  
8 question.

9 MR. OSINSKI: That's the question. Okay.

10 CHAIRWOMAN HAMMES: And there is no intention  
11 to put any easements in place in connection with the  
12 subdivision.

13 MR. OSKINSKI: There are no easements there.  
14 I would also like to correct the Chairperson,  
15 respectfully, as it says here on the agenda, and in  
16 the public notice, it was not to approve the  
17 subdivision, but to ratify the subdivision.

18 CHAIRWOMAN HAMMES: The only thing this Board  
19 has the ability to do is to approve a subdivision in  
20 a statutory manner.

21 MR. OSINSKI: I'm sorry, but that was the  
22 public notice. It said the word "ratify."

23 CHAIRWOMAN HAMMES: If you want we can pull  
24 the public notice and re-public notice it.

25 This Board is a statutory Board. The Board

1 can only act in accordance with the statute.

2 MR. OSINSKI: At the last meeting, we had a  
3 discussion about the wording of the public notice,  
4 and you didn't voice any opinion, and you've had a  
5 public notice, and in the agenda that I'm reading  
6 now, you changed the wording. Why is that?

7 CHAIRWOMAN HAMMES: I am going in accordance  
8 with the statute, which requires subdivision  
9 approval. You don't have an existing subdivision.  
10 You have tax lot ID numbers. That's all.

11 MR. OSINSKI: Okay, I'm not a lawyer. I came  
12 here with the advice of not bringing a lawyer. And  
13 here you've changed the wording on the public  
14 notice, which I don't I think you are allowed to do,  
15 ma'am.

16 CHAIRWOMAN HAMMES: I haven't changed the  
17 notice. The public notice is a public notice.

18 MR. OSINSKI: Yes, you have. You said -- you  
19 said --

20 CHAIRWOMAN HAMMES: If you want to use the  
21 word "ratification," you can. But the standards  
22 will still be the same.

23 MR. OSINSKI: That's not what the public  
24 notice says. I'm just telling you what the public  
25 notice says.

1 CHAIRWOMAN HAMMES: That's fine.

2 MR. OSINSKI: And that's important. I've had  
3 to go to multiple Board hearings in this Village  
4 because of a one-word change in the public notice.

5 CHAIRWOMAN HAMMES: I'm not changing the  
6 public notice.

7 MR. OSINSKI: Okay, so what the public notice  
8 says and what the agenda says is not what you are  
9 saying. You agree with that.

10 CHAIRWOMAN HAMMES: I would say that you are  
11 before us asking for us to approve a subdivision of  
12 three lots, whether it's ratified or approved, it's  
13 the same difference.

14 MR. OSINSKI: And so you use the word "ratify"  
15 because that's what the public --

16 CHAIRWOMAN HAMMES: If you want to use the  
17 word "ratify," you use the word "ratify." That's  
18 fine.

19 MR. OSINSKI: That's what the Village said in  
20 the public notice. That's what the Village has in  
21 this agenda. And you're the one who is changing the  
22 wording.

23 CHAIRWOMAN HAMMES: Okay. Okay.

24 MR. OSINSKI: That's fine. So let's make clear  
25 of that.

1 All right, so, you know, we came here as your  
2 neighbors. We bought this property three decades  
3 ago, subdivided. We paid tax on three lots. We get  
4 sewer. Those, we have two, we have two water mains.  
5 We get water on these different lots under different  
6 bills. We get, we've had multiple approvals from  
7 the Village Board for all kinds of fencing.

8 You know, we have an oyster farm, so we got a  
9 lot of aquaculture permits, so, you know, again this  
10 was a total, we were totally flabbergasted to be  
11 told that this was an illegal action, or an illegal  
12 subdivision.

13 I don't think "illegal" is the right word.  
14 As a matter of fact, the lawyer at the last meeting  
15 said, oh, Mr. Prokop used the word "illegal"? He  
16 didn't mean illegal, if that's what he said. It's  
17 not illegal. Because if it's illegal, how can the  
18 Village be paying, taking taxes from us?

19 Anyway, we want to be good citizens. I don't  
20 know what you want to hear from me or from my wife,  
21 except that, you know, we were a little dismayed to  
22 find that the Village would dig up something from 50  
23 years ago, 50 years ago, to send us in here when  
24 we've already spent \$700, right? What for?

25 I mean, does the Village, and the last

1 meeting I asked the Chairperson, was this, has this  
2 ever come about. And the answer was no.

3 So we feel we are being singled out, and we  
4 are not happy about it, but we are here because we  
5 are all neighbors and we don't want to get into an  
6 illegal dispute with the Village. But we feel like  
7 we have purchased these properties in good faith and  
8 paid taxes, you know, and the Village continues to  
9 send me three tax bills, you know, even after  
10 voicing us to go before the Board. So the Village  
11 acknowledges.

12 CHAIRWOMAN HAMMES: You have three deeds for  
13 these properties?

14 MR. OSINSKI: Yes, I have three deeds. Three  
15 deeds, no easements. What is very interesting about  
16 the no easement, is the Village illegally commits a  
17 criminal trespass against us every time it rains.  
18 The Village doesn't care about that. No care. But  
19 it seems to care about something that happened 50  
20 years ago.

21 It's a little surprising to me as a taxpayer,  
22 as a resident, as a neighbor, that this is happening  
23 at all. But anyway, you know, what can we do? We  
24 came here in good faith of the Board and we are  
25 asking you, as our neighbors, to ratify the



1 subdivision that has always existed, for the last  
2 five decades.

3 Is there anybody, I don't know if there are  
4 any questions about it that I could answer that is  
5 not plain. You can look at this today, at this very  
6 moment, you can open your cellphone and see on the  
7 Village website, right now, at this instant, that  
8 there's three lots there.

9 CHAIRWOMAN HAMMES: There's three tax lots.

10 MR. OSINSKI: There's three lots on the map.  
11 Okay? You can dispute that, but that is what the  
12 Village advertises on its website.

13 CHAIRWOMAN HAMMES: I guess, Mr. Osinski, do  
14 you want this Board to take action or don't you? I  
15 mean, because I don't know --I'm not --

16 MR. OSINSKI: I paid \$700 to be here. Of  
17 course I want action.

18 CHAIRWOMAN HAMMES: Okay.

19 MR. OSINSKI: I'm making a plea not just to  
20 you, but to all the members, ma'am.

21 CHAIRWOMAN HAMMES: Okay.

22 MR. OSINSKI: Okay? I don't know why you are  
23 so hostile me.

24 CHAIRWOMAN HAMMES: I'm not being hostile.

25 MR. OSINSKI: You just asked me to say do I

1 not want the Board's approval. Of course I want the  
2 Board's approval.

3 CHAIRWOMAN HAMMES: Okay. You act like you  
4 don't think you need it.

5 MR. OSINSKI: Well, if I didn't think I needed  
6 it, I would not be here.

7 CHAIRWOMAN HAMMES: All right, that's what I  
8 want to make clear.

9 MR. OSINSKI: I'm just trying to set the tone  
10 how extraordinary this situation is.

11 CHAIRWOMAN HAMMES: Okay.

12 MR. OSINSKI: Okay.

13 Do you have anything to say, Isabel?

14 I mean, I know that adjoining us there is a  
15 legal action that the Village doesn't even, refuses,  
16 they don't care about.

17 CHAIRWOMAN HAMMES: Just to be clear, we are  
18 not the Building Department or the Village. We are  
19 the Planning Board.

20 MR. OSINSKI: I understand. That's why we  
21 are here.

22 MS. OSINSKI: Isabel Osinski, 307 Flint  
23 Street. Is there any questions that we should be  
24 answering?

25 CHAIRWOMAN HAMMES: The only question I wanted

1 you to confirm is there were no easements.

2 MS. OSINSKI: Oh, okay.

3 MEMBER WALTON: I did listen, I am new to the  
4 Board, but I did listen to the last, the whole last  
5 Board meeting, so I am familiar with the issues and  
6 the discussions, the prior discussions, and I just  
7 had a question relating to what appears an ancillary  
8 building that is closer to --

9 MR. OSINSKI: Totally permitted by the  
10 Village of Greenport.

11 MEMBER WALTON: Thank you.

12 MS. OSINSKI: What is --

13 MR. OSINSKI: The shed on one of those two  
14 lots.

15 MS. OSINSKI: Yes, we got Board approval.

16 MEMBER WALTON: So just a question as to what  
17 the use of that shed is.

18 MS. OSINSKI: When we first moved there, we  
19 made a garden, and we stored garden tools in it.

20 MEMBER WALTON: It's a garden shed.

21 MS. OSINSKI: It is a garden shed, yes.

22 MEMBER WALTON: I mean it's used in connection  
23 with maintaining that property and that lot or that  
24 area?

25 MS. OSINSKI: Solely for gardening.

1 TRUSTEE WALTON: And not in connection with  
2 the business that is run --

3 MS. OSINSKI: No. I mean lawnmower equipment.  
4 Is that germane? Is that important?

5 MR. OSINSKI: It's probably not on that  
6 survey.

7 MEMBER WALTON: It's just a question. And,  
8 you know, once you have separated the different  
9 parcels on the plans being used in connection with  
10 the business that might raise an issue. Not, again,  
11 our purview, as I understand it, but just that is  
12 something you might want to be aware of.

13 CHAIRWOMAN HAMMES: I think the point is those  
14 two properties will be zoned R-2 and otherwise to be  
15 used as R-2.

16 MS. OSINSKI: Definitely residential.

17 MEMBER WALTON: Thank you.

18 MS. OSINSKI: Okay.

19 CHAIRWOMAN HAMMES: Dan, do you have any  
20 questions that you wanted to raise?

21 MEMBER CREEDON: Well, I have. I don't know  
22 if the question is for the applicant but commentary  
23 and discussion.

24 CHAIRWOMAN HAMMES: Okay. Anybody else on the  
25 Board have any questions for the applicant?

1 (Negative response).

2 MS. OSINSKI: Okay, thank you, for your  
3 concern.

4 CHAIRWOMAN HAMMES: Anybody from the public  
5 want to speak?

6 (No response).

7 I would note that we got certified mail receipts  
8 from Janet Tufaro, Suzanne Ponovay, William Mills,  
9 Walter Burden, K&L LLC, Ellen Jaffe, Bernice Legette,  
10 Marina Kokkinos, Jill Dunbar and Victor Martin.

11 Is that all that was required?

12 MR. NOONE: Yes.

13 CHAIRWOMAN HAMMES: Okay. I guess I would  
14 like to make a motion to close the public hearing.  
15 Do I have a second?

16 MEMBER WALTON: Second.

17 CHAIRWOMAN HAMMES: All those in favor?

18 (ALL AYES).

19 Any opposed?

20 MS. OSINSKI: I just wanted to say one more  
21 thing.

22 CHAIRWOMAN HAMMES: Okay. Sorry.

23 MS. OSINSKI: I was just going to point out we  
24 spent at least two years in this process and have  
25 been stopped and frustrated and told many things

1 that just made no sense.

2 Like first we just went through a series of  
3 frustrating interactions with the Village, and, um,  
4 thank you.

5 CHAIRWOMAN HAMMES: Okay, I'll go back to  
6 remake the motion to close the public hearing. Do I  
7 have a second?

8 MEMBER WALTON: Second.

9 CHAIRWOMAN HAMMES: All in favor?

10 (ALL AYES).

11 Any Opposed?

12 (No response).

13 Motion carries.

14 We'll now have a discussion about a possible  
15 motion to approve the application of sketch plan and  
16 preliminary plat and ratification of the three lots  
17 by Michael Osinski for approval of, for ratification  
18 of the subdivision of one lot into three lots in  
19 respect to the property located on the southeast  
20 corner of Flint Street and 4th Street.

21 The property is located in the R-2 one and  
22 two-family Residential District and is not located  
23 in the Historic District, and is located at SCTM No.  
24 1001-6-8-1.2,1.3 and 1.4.

25 I will open this up for Board discussion.

1 Maybe, Dan, we'll start with you and work our way  
2 down.

3 MEMBER CREEDON: All right, so I'm curious  
4 about a couple of things, and one is what happened  
5 decades ago. I'm wondering, and I don't know if  
6 anybody knows, probably nobody knows the answer to  
7 that. If the county looked at a map like this or if  
8 it was just a flat map or no map at all. Because  
9 this map seems to indicate to me that a significant  
10 portion of the middle lot is wet and then the  
11 contour line -- and I walked over there, I remember  
12 this neighborhood. A significant portion of it  
13 appears that it is submerged. Either during storm  
14 tides or even the monthly spring tides. But I have  
15 not gone down there at spring high tide.

16 It seems when I go down there and it's not  
17 roped off, but you can walk down about 60 feet and  
18 then you can look at see, and the storm drains right  
19 there. So I was around there. And I go by there a  
20 lot on my daily walk.

21 Now, it strikes me that that middle lot is  
22 not appropriate to standalone, that it should be  
23 attached to one of the other two. And I would be  
24 very comfortable to divide this into two. And I  
25 don't know if -- and I'm not a lawyer.

1           CHAIRWOMAN HAMMES: I guess my thought on that  
2 would be, you know -- obviously, Rob, you can jump  
3 in here, too -- is that the Village has confirmed  
4 that this lot -- I understand your point about the  
5 wetlands -- but that this lot satisfies the code  
6 requirements for a lot size, and --

7           MEMBER CREEDON: Size, yes. But --

8           CHAIRWOMAN HAMMES: And the dimensions that,  
9 my understanding is they require dimensions. But in  
10 any event whatever they want to build on this would  
11 be subject to all the rules and all the laws of the  
12 state, as well as the Village, which would require a  
13 wetlands approval, if that was necessary. That's  
14 correct, right?

15          MR. CONNELLY: Right.

16          CHAIRWOMAN HAMMES: So I'm not, you know, if  
17 you are okay, we'll have Mr. Osinski address your  
18 question. I'm not necessarily for or against what  
19 you are saying. I think that within this Board's  
20 purview we could still approve this as a separate  
21 lot; whether or not anything will be built on it is  
22 a different question. That is not something we are  
23 being asked to opine on at this point. That is  
24 something that the Village would deal with with the  
25 applicant and they would have to conform to Building



1 Code in any of their applications.

2 One thing I would note that you should be  
3 aware of, but you may not be aware of, is that any  
4 curb cuts or driveways for these properties will  
5 have to come back to the Planning Board under  
6 Village of Greenport Planning Code.

7 But in any event, other than that, there is  
8 nothing in the code that requires Village Planning  
9 Board approval of anything built on an empty lot, as  
10 long as --

11 MEMBER CREEDON: Say that again?

12 CHAIRWOMAN HAMMES: There is nothing in the  
13 Code that requires the Planning Board approval of  
14 what actually goes on an empty lot in this Village.  
15 It's only a question of whether it's permitted as a  
16 use in the relevant district and it can comply with  
17 the setbacks and other things will get a variance.

18 So, I hear what you are saying, I guess I'm  
19 not enough of a, kind of on the architectural side  
20 of things to know whether or not it is reasonably  
21 feasible that there is something that can be built  
22 on this lot without requiring a wetlands permit. If  
23 it did require a Wetlands permit it would have to go  
24 before the Board of Trustees for that in any event.

25 MEMBER CREEDON: They would not go to the

1 Planning Board?

2 CHAIRWOMAN HAMMES: They don't have to go to  
3 the Planning Board for that. That is not required  
4 under our Code.

5 Wetlands Permit go to the Board of Trustees,  
6 and if they can't meet any of the other code  
7 requirements to build on that lot, they would have  
8 to go to the ZBA for that.

9 And then to the extent they are going to put  
10 a driveway or a curb cut in, that would come back to  
11 us. But that's how the Code works.

12 Rob, you agree with that statement, right?

13 MR. CONNELLY: Yes.

14 MEMBER WALTON: I have a clarifying question  
15 on this point, and I'm not sure if I'm going to  
16 articulate this correctly, but the Chair stated that  
17 each proposed parcel meets the requirements to be an  
18 independent parcel.

19 CHAIRWOMAN HAMMES: That's my understanding.  
20 I had specifically had asked for the Village to  
21 confirm that, and I received written confirmation of  
22 that.

23 MEMBER WALTON: So if that's the case, then  
24 there is nothing within the requirements to meet  
25 those standards speaking to wetlands.

1 CHAIRWOMAN HAMMES: Well, that's a separate  
2 question. What I was saying is that the laws as  
3 defined, meet the dimension requirements.

4 MEMBER WALTON: Dimension requirements. Okay.

5 CHAIRWOMAN HAMMES: That's what I was saying.  
6 But we don't have before us right now a proposal  
7 what they are proposing to build on here. So  
8 without that there is no way the Village would  
9 separately have to, as they always would with  
10 anything, go through Village Code to determine  
11 whether or not a variance or a Wetlands Permit was  
12 required.

13 MR. CONNELLY: Correct. Once they are ready to  
14 build they would have to submit a survey depicting  
15 where structure is going to be located and accompany  
16 how those structures interact with the Village Code.

17 CHAIRWOMAN HAMMES: Understood.

18 MEMBER WALTON: So this is specifically with  
19 respect to dimension.

20 CHAIRWOMAN HAMMES: Yes.

21 MEMBER WALTON: Thank you, for that  
22 clarification.

23 CHAIRWOMAN HAMMES: So I hear what you are  
24 saying. I guess I have a slightly different take on  
25 it, which is if they want to, assuming that you are

1 correct and it's significant wetlands and they  
2 couldn't get a wetlands permit to build on it, I  
3 guess my view would be that that's their risk to  
4 take and they would have a stranded lot at that  
5 point.

6 And to be clear, there is no merger provision  
7 in the Village Code, as I understand, to re-merge a  
8 lot once it's been separated. So it would just be a  
9 stranded lot at that point. But that seems to me to  
10 be --

11 MEMBER CREEDON: Thank you.

12 CHAIRWOMAN HAMMES: At least that's my  
13 opinion.

14 I hear you about the Wetlands Code. In my  
15 view that should receive adequate protection for the  
16 requirements for anything that gets constructed in  
17 the wetlands and that would be for the Village Board  
18 of Trustees to determine at that time.

19 MEMBER CREEDON: I never built a house, I  
20 bought a house once. So if you are building a  
21 building, whether it's a house or some other  
22 building, and you submit that application, as Rob  
23 said, where does that get submitted?

24 CHAIRWOMAN HAMMES: It gets submitted to the  
25 Building Department.

1 MR. CONNELLY: Yes.

2 MEMBER TALERMAN: I have a question. If these  
3 are three separate lots, and there is no provision  
4 to re-merge once they are separated, if two lots are  
5 sold to a single person, they would own two lots.

6 CHAIRWOMAN HAMMES: They would own two lots.

7 MEMBER TALERMAN: And they could build  
8 according to whatever the Building Code says, et  
9 cetera. Okay.

10 CHAIRWOMAN HAMMES: But they would not be able  
11 to build over the two lots. It would be the point  
12 because there is a separate lot.

13 MEMBER CREEDON: It would have to be set back  
14 from the property line. Even though --

15 CHAIRWOMAN HAMMES: Yes, correct.

16 But if it's not there --

17 TRUSTEE CREEDON: If it was a hundred years  
18 ago.

19 CHAIRWOMAN HAMMES: That's why you don't take  
20 things like that down.

21 Okay, Francis? Anything else on your end?

22 MEMBER WALTON: Just, not to bring up a sore  
23 issue but the issue of ratification versus what we  
24 are doing is approving a subdivision.

25 CHAIRWOMAN HAMMES: The notice says

1       ratification, so that's what the approval will say.  
2       It's six of one, half dozen of the other. That's  
3       really a question for our attorney representing --

4               MR. CONNELLY: No, it's the same thing.

5               MEMBER TALERMAN: Do you have anything, the  
6       notion that once these are three lots and they can  
7       no longer be merged and that does effect how someone  
8       can build, if they own two of the lots, um, I think  
9       that that clarification, I want to make sure that  
10      not only do we know but the applicant understands  
11      that.

12              CHAIRWOMAN HAMMES: She just wants to make  
13      sure you understand that once the Village has  
14      officially ratified the three lots, that each lot  
15      will be separately subject to all the requirements  
16      of the code.

17              MR. OSINSKI: Wait a second. If I could  
18      respond to. I agree with the Chairperson. The  
19      drawing of the legal line has no effect on the  
20      wetlands and the quality of the wetlands at all.  
21      Only when someone goes to build on some piece of  
22      land close to the wetlands could there be some  
23      degradation.

24              Now, I would like to note the irony of this  
25      is that the Village continues to soil the wetlands

1 every time it rains, and it doesn't seem to be, I  
2 would say they dump their storm water and pollutants  
3 in Widows Hole and nobody cares, except I have  
4 spoken to the new mayor about rectifying that  
5 situation. Finally, somebody who wants to fix it.  
6 Because the Village is polluting Widows Hole by  
7 dumping its storm water and illegally trespassing  
8 and violating state law every time it rains. And  
9 that is the real concern here. Okay? Not, you  
10 know, if in the future me or my wife or somebody  
11 wants to build on that lot that is close. The real  
12 concern is what goes on here every day, the  
13 pollution goes on that is being ignored.

14 CHAIRWOMAN HAMMES: That is a separate issue  
15 between the owner and the Village. It has nothing to  
16 do with the Planning Board. Anything else?

17 MEMBER BUCHANAN: I'm satisfied with our  
18 discussion.

19 CHAIRWOMAN HAMMES: Okay, at this time I'll  
20 make a motion to approve the ratification of the  
21 subdivision application of Michael Osinski for  
22 approval of, for the ratification of the subdivision  
23 of one lot into three lots with respect to the  
24 property located on the southeast corner of Flint  
25 Street and Fourth Street, and identified as SCTM No.

1 1001-6-8-1.2,1.3 and 1.4. Do I have a second?

2 MEMBER WALTON: Second.

3 CHAIRWOMAN HAMMES: All those in favor?

4 (ALL AYES) .

5 Any opposed?

6 (No response) .

7 Motion carries.

8 MR. OSINSKI: Thank you, very much. We really  
9 appreciate your concern.

10 CHAIRWOMAN HAMMES: Okay, we had pushed  
11 Claudio's to next week because we were concerned  
12 about time limitations for this meeting, and I know  
13 we had a little bit of a back about forth by e-mail  
14 about scheduling going forward.

15 In a moment I'll make a motion to schedule  
16 the public meeting for next week for the  
17 continuation of the preliminary plan for Claudio's.  
18 That will be the 4th.

19 And I guess for now we'll stick with May 25th  
20 for the next meeting. But I was wondering whether  
21 or not, I think going forward, we are all in  
22 agreement that the primary public meeting for this  
23 Board will be on the first Thursday of each month.

24 MEMBER CREEDON: The first Thursday?

25 CHAIRWOMAN HAMMES: The first Thursday of each



1 month.

2 MEMBER CREEDON: I thought we meet usually on  
3 the last Thursday.

4 CHAIRWOMAN HAMMES: We are going to change it  
5 to the first Thursday. We've always been the last  
6 and first, with the last being the primary one, but  
7 because the Board of Trustees has moved up their  
8 meeting to six o'clock on those Thursdays, and if we  
9 have a long agenda, like we did last time, we'll run  
10 up against that. So I think I'm proposing to switch  
11 to primary meeting to be the first meeting of the  
12 month. The first Thursday of the month. Unless  
13 that is a concern for anybody.

14 MEMBER CREEDON: Are you still suggesting just  
15 reversing.

16 CHAIRWOMAN HAMMES: No, I'll get to that. For  
17 purposes of this month, for purposes of May, it will  
18 be the first and the last. But going forward, what  
19 I would like to propose, if it works for everybody,  
20 if it doesn't, we'll leave it with the first and the  
21 last, with the first being the meeting that we  
22 absolutely will have and the last being if we need  
23 it.

24 But what I would like to propose is having a  
25 meeting the first Thursday of the month, starting at

1 4:30 instead of four o'clock, partly to encourage  
2 more engagement with the community, by starting a  
3 little bit later in the afternoon as people get off  
4 of work. And then have, this again is subject to us  
5 confirming we would have access to a meeting space,  
6 but having the second meeting be the third Monday of  
7 each month. So not the second Monday but the third  
8 Monday of each month.

9 So for instance in June we would meet on  
10 Thursday June 1st, and if we needed to we would meet  
11 on June 19th. And the reason for that, so everybody  
12 understands is, if we have a work session and we  
13 want to schedule something for a public hearing, we  
14 need ten days to get the public notices. If we  
15 stick with the first and the last week, that last  
16 week if we do, like we have Claudio's on the last  
17 week, and we wanted to put them in the public  
18 hearing, they would still need to wait a whole  
19 month, whereas if we could meet on the third Monday  
20 of the month, I think we could technically meet the  
21 public notice provisions -- no, we can't?

22 MR. NOONE: If we had a meeting on the 1st, if  
23 I got to the Suffolk Times on Friday the 2nd, it  
24 would be in the 8th edition.

25 CHAIRWOMAN HAMMES: No, no, I'm talking about

1 if we did it on the 19th of June, which if we have a  
2 meeting on the 19th of June, would we be able to  
3 public notice something on the 6th of July.

4 MR. NOONE: No. It's got -- you have to give  
5 enough time. In other words I would have to get  
6 something to the Suffolk Times on the Friday to be  
7 published on the next Thursday. And then you'd need  
8 ten days after that.

9 CHAIRWOMAN HAMMES: Okay, so if we were going  
10 to have our principle meetings on the first Thursday  
11 of the month, and I know --

12 MR. NOONE: The last Monday of the month would  
13 make more sense. But you could notice something for  
14 the following date.

15 CHAIRWOMAN HAMMES: No, no, because we are  
16 going to move our primary meeting to the first week  
17 of the month. That is going to be our public  
18 hearing meeting.

19 MR. NOONE: Okay, in other words, if you have  
20 it on the first Monday, you have to give it a week  
21 for it to get published in the newspaper, and then  
22 another ten days. So that doesn't allow for a third  
23 Monday.

24 CHAIRWOMAN HAMMES: All right, so we are going  
25 to just have to stick with the first and the fourth.

1           MR. NOONE: But that doesn't mean you can't  
2           can't have a worksession or -- in other words, you  
3           can have an additional meeting --

4           CHAIRWOMAN HAMMES: No, but my point is, the  
5           whole reason to have the worksession is to try to  
6           get it on for the next public meeting. And it  
7           sounds like there is just no way to make that work.  
8           Because I know the second Monday just doesn't work.

9           MR. NOONE: It's just because you have that  
10          week-long gap from getting it, from the deadline for  
11          the Suffolk Times to the following Thursday.

12          CHAIRWOMAN HAMMES: Is there any way we can  
13          look into Historic swapping meetings with us so that  
14          they can go to the last Thursday and we move back up  
15          to the third Thursday? Would that solve that  
16          problem?

17          MR. NOONE: I mean I certainly could talk to  
18          Chairperson Williams.

19          CHAIRWOMAN HAMMES: I'm really just trying to  
20          do this to be a benefit to the applicants.

21          MR. NOONE: I will ask her if we could have --  
22          so then we would have it the first Thursday and the  
23          last Thursday?

24          CHAIRWOMAN HAMMES: No, we would have it the  
25          first Thursday and the third Thursday. So like in

1 June it would be the 1st and the 22nd and the third  
2 Thursday instead of 29th.

3 MR. NOONE: Okay, so I could ask her if she  
4 would like to swap.

5 CHAIRWOMAN HAMMES: But we would want to do it  
6 on a continuous basis going forward.

7 MR. NOONE: Okay, so I'll ask her if she wants  
8 to swap to the last Thursday.

9 CHAIRWOMAN HAMMES: If she would not mind, it  
10 would be greatly appreciated. It would help us with  
11 meeting our notice requirements.

12 MR. NOONE: And we would have a solid gap --

13 CHAIRWOMAN HAMMES: I know you would have to  
14 get that notice in the next morning, right?

15 MR. NOONE: Yes.

16 CHAIRWOMAN HAMMES: But we could do that. We  
17 could have them lined up.

18 MR. NOONE: The trouble is I have to get  
19 approval from two lawyers and the Village  
20 administrator. It's not me just writing it up and  
21 putting in the newspapers. I have to then get it  
22 through --

23 CHAIRWOMAN HAMMES: Why don't we all think  
24 about this. You find out if the they can swap and we  
25 can talk about this a little more next week. Is

1 that okay with everybody?

2 (Board members respond in the  
3 affirmative).

4 CHAIRWOMAN HAMMES: But just so everybody  
5 understands, I think that it is really important  
6 that we move the meeting that we will always have it  
7 to be the first Thursday of the month, and then the  
8 question is whether we can come up with a backup,  
9 which we don't necessarily always have to have our  
10 agenda requirement to continue pre-submissions. It  
11 will only be for pre-submissions, not public  
12 hearings. We would try and schedule that second  
13 meeting --

14 MR. NOONE: We would definitely have a meeting  
15 on June 1st at 4:30.

16 CHAIRWOMAN HAMMES: We'll definitely be having  
17 -- yes.

18 MR. NOONE: Then we'll plan the next meeting  
19 from there.

20 CHAIRWOMAN HAMMES: Well, we'll talk about it  
21 next week, I guess.

22 MR. NOONE: Okay.

23 CHAIRWOMAN HAMMES: Okay. So, with that in  
24 mind, I would now like to make a motion to schedule  
25 a Planning Board worksession starting actually at

1 5:00 PM next Thursday, May 4th, 2023.

2 Do I have a second?

3 MEMBER WALTON: Second.

4 CHAIRWOMAN HAMMES: All those in favor?

5 (ALL AYES).

6 CHAIRWOMAN HAMMES: Any opposed?

7 (No response).

8 Motion carries. In addition I would like to  
9 make a motion to schedule a Planning Board regular  
10 meeting and worksession for 4:30 PM on May 25th,  
11 2023. Do I have a second?

12 MEMBER TALERMAN: Second.

13 MEMBER WALTON: I just want you to know I'll  
14 be out of the country.

15 CHAIRWOMAN HAMMES: But I think everybody else  
16 will be here, so I'll have a quorum. Do I have a  
17 second?

18 MEMBER TALERMAN: Second.

19 CHAIRWOMAN HAMMES: All in favor?

20 (ALL AYES).

21 CHAIRWOMAN HAMMES: Any opposed?

22 (No response).

23 Motion carries.

24 Then unless any Board member has anything  
25 else that they wish to raise or discuss at this

1 time, I would make a motion to adjourn the meeting.

2 Do I have a second?

3 MEMBER WALTON: Second.

4 CHAIRWOMAN HAMMES: All those in favor?

5 (ALL AYES).

6 Motion carries. Thank you.

7 (The time noted is 5:14 p.m.)

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# GREENPORT YACHT & SHIPBUILDING CO, INC.

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2.22.2023

Ms. Sylvia Pirillo  
Village of Greenport  
236 Third Street  
Greenport, NY 11944

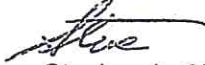
Re. Building Permit for work at 308 Front Street

Dear Ms. Pirillo,

I am writing on behalf of Sophia and Mike Antoniadis who have recently bought the subject property. I think their Building Permit was approved last fall, but of course is now put on hold with the moratorium. They wish to put in a pilates and yoga studio when the building clean up, paint, and other minor work on the interior and exterior is completed. No change to the building structurally or to the footprint is planned as far as I know.

I wish to request they be given consideration to proceed with their Building Permit in order to put the studio in operation.

Sincerely yours,

  
Stephen L. Clarke

**From:** Rooney, Rita  
**Sent:** Tuesday, March 28, 2023 6:40 PM  
**To:** Michael Noone  
**Cc:** acetweety@aol.com  
**Subject:** Pilates and Yoga Studio in Greenport

Dear Mike,

I'm writing as a Greenport resident to offer my full support of Sofia and Mike Antinoti's plans to use the building they purchased on Front Street (behind Mr. Roberts) as a Pilates and Yoga Studio.

I understand their plans were approved by the planning board but then everything came to a halt due to the recent moratorium.

I'm writing to ask that their plans be granted exemption from the moratorium. In my opinion, everything Mike and Sofia touch in the Village has been transformed into something beautiful - tastefully enhancing the Village. I personally would love to be able to walk to their studio (My husband and I have resided at our year round home on 2nd Street since 2006).

I believe the studio would be a wonderful addition for the residents of the Village and I fully support their endeavors.

Warm Regards,  
Rita M. Rooney

Sent from my iPad



RITA ROONEY  
LICENSED REAL ESTATE SALESPERSON  
DOUGLAS ELLIMAN REAL ESTATE  
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[Rita.Rooney@elliman.com](mailto:Rita.Rooney@elliman.com)

124 FRONT STREET, GREENPORT, NY 11944

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**From:** backstreetdesign1@yahoo.com  
**Sent:** Wednesday, March 29, 2023 8:41 AM  
**To:** Michael Noone  
**Subject:** Yoga studio

Good morning, I am writing to you in regards to the proposed yoga and exercise studio. I have known Sofia and Mike for many years, and have worked with them on most of their restoration projects, each of which were very different and challenging, but were always completed perfectly and in a timely fashion. They are creative and the workmanship is impeccable. I encourage you to approve their studio, so that we as village residents can have a business that is both functional and an asset to our community.

Thank you for your consideration.  
Sincerely, Ruth Shank

Sent from my iPhone  
Ruth Shank

---

**From:** Walter Foote

**Sent:** Wednesday, March 29, 2023 4:58 PM

**To:** Michael Noone

**Subject:** Application of Mike and Sofia Antoniadis for Pilates Studio

To the Members of the Planning Board,

I am writing you in support of the application of Mike and Sofia Antoniadis to open a Pilates Studio on Front Street.

I have known Mike and Sofia for over 8 years. During that time, in addition to becoming good friends, I have observed with great admiration and respect several commercial and residential properties they have improved in the area for the benefit of the entire community. I have no doubt that they will turn the Pilates space into a very successful, attractive facility that will be well managed. I am equally confident that they will be respectful of their neighbors and the community at large. I believe this studio will fulfill an important need in our town to provide both yoga and Pilates classes within walking distance.

I fully support and endorse this application.

Respectfully,  
Walter Foote

Sent from my iPhone

---

**From:** JOSEPH PAGANO  
**Sent:** Wednesday, March 29, 2023 5:27 PM  
**To:** Michael Noone  
**Cc:** Acetweety@aol.com  
**Subject:** Proposed Pilates & Yoga studio

Greenport Village Planning Board

Dear Board members,

I own and operate Greenport Eyeworks in Greenport village and am excited by the prospect of Mr. And Mrs. Antoniadis opening a Pilates and yoga studio in the village. I believe this will provide a great benefit to the residents of Greenport as both a place for exercise and as a place for building community ties.

I have known Mr. And Mrs. Antoniadis for many years and can personally vouch for both their good character and taste in the properties they have renovated in the village. Their properties and adjacent gardens have given a much needed face lift to parts of the village.

I hope the board approves this proposal and look forward to seeing the property put to such a good use.

Sincerely,  
Dr. Joseph Pagano

Sent from my iPad

---



**From:** stacey krumenacker  
**Sent:** Thursday, March 30, 2023 8:45 AM  
**To:** Michael Noone  
**Subject:** Greenport Village Moratorium Exemption Approval

Dear Mike,

I am writing about the exemption approval for Sofia Antoniadis's pilates & yoga studio.

I am a Greenport resident. I have been here for 7 years and feel truly blessed to have been easily welcomed into this community. I am a pilates instructor and a health & wellness coach, and I am looking forward to serving the community in which I live. Pilates is a practice for all ages and helps us to develop strength and stability and I know the community will benefit greatly from the practice.

I met Sofia many years ago at the North Fork Yoga Shala that used to be on Main Street. We both enjoyed taking classes there. I was thrilled to learn that she was opening a studio here in the village since the North Fork Yoga Shala closed its doors many years ago and our only option right now is hot yoga at Karuna which is not for everyone. I do teach one hot pilates class a week there but it is not appropriate for my older clients so I currently do not have a space to teach pilates in Greenport.

To be honest, I am relying on the income I hope to generate by working there when Sofia opens the studio. My rent in Greenport has gone up \$300 a month in the last year and to keep up with the high cost of living in the village, I would like to start working there as soon as possible.

It will be a great asset to our year-round community. I sincerely hope that you will approve the exemption and allow them to build the studio in time for our summer season.

Kindly,  
Stacey Krumenacker  
611 Main Street A  
Greenport, NY 11944

---

**From:** Laura OBrien  
**Sent:** Thursday, March 30, 2023 2:33 PM  
**To:** Michael Noone  
**Cc:** acetweety@aol.com  
**Subject:** Planning Board/ Pilates and Yoga studio Front St

To the Planning Board,

I'm writing as a local resident in support of the new Studio. I believe it will be a great addition to have Pilates available in the village. As well as to have an old, empty building renovated and revitalized. Sofia is a longtime customer of mine, and will do a great job upgrading the space tastefully and putting her heart into this venture.

Thank you!

Laura O'Brien  
Fez & Ivy  
53800 Main Rd  
Southold, NY 11971  
631.407.5660

---

**From:** Jill

**Sent:** Thursday, March 30, 2023 1:07 PM

**To:** Michael Noone

**Cc:** Sofia Troy

**Subject:** 308 Front St

Dear Mr. Noone-

Kindly find here my enthusiastic support for the proposed Yoga & Pilates studio at 306 Front St. It would be a very welcome addition to the Village; and is just the kind of wellness business we need in our community. I know Sofia well. She will create a lovely, stylish & energetic establishment that will fit into the thriving commercial district. We hope the Planning Board will approve her requests.

Best

Jill Dunbar  
312 4th St  
631.278.5324



**From:** kathnrl@aol.com  
**Sent:** Tuesday, March 21, 2023 10:25 AM  
**To:** Michael Noone  
**Subject:** tenant 310 Front Street

December

27, 2022  
Greenport Village  
Planning Board  
236 3rd Street  
Greenport, NY 11944

To the Members of the Board,

My name is Andrew McGowan. I am the tenant occupying the apartment over the NoFo Bike Shop at 310 Front Street. I moved into this apartment September 15th of 2022, I don't need to tell you how hard it is to find a full time rental in the Village.

I would like to make my position known regarding the relationship between me, and the owner of the building just east, at 308 Front Street. These are two attached buildings with common basement space and an easement for the same, and an easement in the back of the building for one parking space. Shortly after I moved in, 308 Front Street was sold to the new owner who introduced himself to me as Mike. I do not know Mike's last name. Mike seemed like a good enough individual, we have talked, and I have identified myself as the tenant at 310.

Shortly after finalizing the purchase Mike was working hard renovating the interior space at 308. He had two other workers with him as they started to gut the first floor and basement below. The basement houses the new washer and dryer I bought to replace the old units when I moved in. One day I went down to do my laundry and it was apparent that Mike, in a move violating the easement that has been in place for decades, had put day-glo orange markers up on the rafters and had yellow string marking out the new boundaries, the boundaries he had determined would be where he planned to erect a wall. I was very upset that the boundaries he had outlined meant that I would no longer be able to physically maneuver the basement space to do my laundry if he did in fact proceed and erect the wall.

In further conversation it was apparent that Mike was being difficult. Mike had told me that yes, the wall was going up and that he was also cutting off the electric service to my apartment and the entire building since the main panel was on his side of the basement. Thank God for me my landlord was willing to pay thousands of dollars to have all the electric including the main service feed moved over to her part of the building because he had cut, and was going to continue to cut, all of the electric service.

I hope this letter lends some weight to the situation and helps protect the good people of this town who try to invest in real estate and in business and do it the correct way instead of using bully and scare tactics to get what they want, or at least try to get what they want.

In this instance I hope that decisions will be made at the village level that will protect my rights as a tenant. I just want to exist in my living space with no uncertainties and in the way I envisioned when I moved into my apartment.

Sincerely yours,

Andrew J. McGowan III

Andrew McGowan | Claim Professional | Boat & Yacht  
Travelers

P.O. Box 430

Buffalo, NY 14240-0430

W: 631.599.2627 F: 866.381.6247

[amcgowan@travelers.com](mailto:amcgowan@travelers.com)

TRAVELERS 

*Please include the CLAIM NUMBER in all correspondence.*

*Upload photos, video files, documents here:*

<https://www.travelers.com/claimuploadcenter/>

March 31, 2023  
Greenport Village Planning Board  
236 3rd Street  
Greenport, NY 11944

To the Members of the Board,

I was dismayed to find that my previous letter was not read at the Public Hearing. As the tenant at 310 Front Street I would like to add to my concerns on the application of 308 Front Street. The plans submitted to the Building Department show three separate doors into my backyard and five new windows being added. As the building is directly on the property line with no setbacks these doors and windows will be looking directly into my yard. I don't think it's wrong for me to have an expectation of some privacy in my own yard. People coming in and out three doors into someone else's yard is a bit excessive. It seems to me that the new owners plan to use my backyard as the entrance to their yoga studio. I spend a lot of time on my deck, and in the yard, grilling and entertaining. I'm sure you agree that this will seriously impact my quality of life. Because this back building was always a garage for storage, there was very little traffic to it through my yard, but now that this garage is being turned into a yoga studio I am quite concerned for my safety with the increased traffic. When you come down the driveway it's a blind turn making it hard to see a person there, I worry not only for myself but for their clients as well.

I also understand this Yoga and Pilates Studio will be open seven days a week from 6:00am to 7:00pm. On the weekends I enjoy sleeping in, people in and out of my yard at 6:00 am would disrupt that. I would respectfully request they open at 9:00 am on Saturday and Sunday.

According to the law, "Tenants have the right to a reasonable level of privacy and quiet enjoyment of the property." I fear that if this goes through the way it is I will lose both of those rights. I would propose that the owners amend their plans and put in fewer windows and limit it to the one door in front of their easement. I do not think this is an unreasonable request and would hope that the board would be mindful of my rights as a Tenant.

Sincerely Yours,

Andrew J. McGowan III

Andrew McGowan | Claim Professional | Boat & Yacht  
Travelers  
P.O. Box 430  
Buffalo, NY 14240-0430  
W: 631.599.2627 F: 866 381-6247  
[amcgowan@travelers.com](mailto:amcgowan@travelers.com)

**TRAVELERS** 



March 14, 2023

To the Members of the Village of Greenport Planning Board,

My name is Kathy Lofrese, I own the building at 310 Front Street, it is a late 1800's Victorian house that is zoned mixed-use with my bike shop on the first floor and a year-round tenant on the second floor. I am writing today concerning the application of 308 Front Street, our buildings are partially connected and were originally one parcel with one owner. In the 80's the buildings were subdivided and deeded easements were put into place to satisfy the requirements the Village deemed necessary to allow the parcels to be separated. It is hard to understand what is there without seeing it; the property line that separates the buildings was determined by the location of the dental equipment in the basement. The owner at the time, a Dentist, did not want to move the equipment. Because of that I own a zig zag line from 7' wide to 2.5' in the basement, 1<sup>st</sup> floor, and attic in the west side of their building. The basement was created under a front extension added to the free-standing garage at 308 Front Street, this extension was built completely attached to 310 Front Street. This was done to create a place to put the utilities because the garage at 308 Front Street had no basement and 310 Front Street only had a crawl space. Later, when they were subdivided, each building had to have their own heat, electric meter, oil tank, water main etc. A utility easement and access easement were deeded to 310 Front Street to have their utilities in the basement of 308 Front Street and to have access to them. 308 Front Street was given an easement to access the shared sewer line which runs along 310's side of the basement (This shared sewer line has had some previous issues so I am very concerned with the two bathrooms they are adding, the yoga studio directly across the street only has one bathroom, do they really need three?) 308 Front Street was also given a pedestrian and vehicular easement to and from Front Street and the 2-car garage, and to park one car outside of it. If that garage door is removed, they lose the easement to drive and park there. I have attached the easements so you can read them for yourselves. Their sketch shows a very large opening in their building into my yard, it is outside their easement boundaries, what is that? I'm concerned, because the new owners don't seem to respect easements that were put in place and adhered to for years by good neighbors. This is evident from what happened the week after they bought the building. I noticed spray painted markers and lines put up in the basement. When I asked Mike, the new owner, he said he was putting up a wall. This wall would cut off my access to the basement, also denying my tenant and I access to our utilities, laundry and storage. I explained to Mike that I needed access to my utilities and had a deeded access and utility easement, he laughed and said I could call him if I needed to get to them and he would take me through his building. This is not safe as my tenant lives there full time and needs access to the heating unit, water supply, and oil tank to see how much oil is in the tank. The emergency shut off for the burner is in the basement as well as the shut off for the water in case a pipe breaks. He and I need to be able to access these anytime of the day or night in case of emergency. Mike then led me upstairs to the 1<sup>st</sup> floor of his building to the front east corner. On the outside of this corner are my two electric meters and his. At this point they had completely gutted their building so my main electric wire coming from the meter was exposed, he pointed at it and told me he would be disconnecting it. I was very upset, the electric meters for my building had been there for almost 40 years, the Village installed my meter at that location! I went up to the village hall to ask if he could cut my wire, they said yes, there was nothing they could do. The following week he started by disconnecting and capping the electric to the lights in the basement. I was concerned for the safety of my tenant who does his laundry in our basement, and I had no light to see to

get to our panel, at that point I felt I had no other choice; I was forced to hire a licensed electrician and move my 2 electric meters and my panel. I also had to hire an attorney to write a cease-and-desist letter to stop the wall from being put up.

I'm truly sorry for the length of this letter, but I felt you needed to know the building's back story. I am writing to highlight that some things on the sketch they provided and the written description in their site plan application are in direct violation of the deeded easements that were put in place to remedy the Village of Greenport's conditions of subdivision. I am asking for this to be placed on a brief hold until a survey is done to establish the property line inside the building on the first floor and in the basement, it would also be prudent to see if the Building Department's approved plans for 308 Front Street do in fact negate some of the easements thereby affecting egress, and most importantly, to be sure the safety issues are resolved for my tenant, Andy McGowan, who calls 310 Front Street home. If you would like to inspect the site including my yard and the basement, I am happy to take you in at your convenience any time.

Sincerely,

Kathy Lofrese

6315999858



MICHAEL PERVOLARIS residing at 1486 Sweetman Avenue, Elmont, New York  
1003 and BLAIR O. ROGERS residing at 345 East 57th Street, New York, New York  
10022, as tenants in common (45)

party of the second part,

WITNESSETH, that the party of the first part, in consideration of Ten and 00/100 (\$10.00) Dollars and other good and valuable consideration paid by the party of the second part, does hereby grant and release unto the party of the second part, the heirs or successors and assigns of the party of the second part forever,

ALL that certain plot, piece or parcel of land, with the buildings and improvements thereon erected, situate, lying and being in the Incorporated Village of Greenport, Town of Southold, County of Suffolk and State of New York, more particularly described in Schedule "A" annexed hereto.

BEING and intended to be a the same premises as conveyed to the grantor herein by deed dated 10/31/94, recorded 12/2/94 in Liber 11704 page 823. The grantor herein is the same person as the grantee in the aforesaid deed.

SUBJECT to utility easement described in Schedule "B" annexed hereto in favor of premises ("Dominant Estate") contiguous to the subject premises ("Servient Estate") on the West which Dominant Estate is commonly known as 310 Front Street, Greenport, New York and designated on the Suffolk County Tax Map as: 1001-004.00-08.00-034.001 for the purpose of access to as well as servicing, repairing, maintaining, removing and replacing oil burner, hot water heater, fuel oil storage tank, telephone panel and water meter servicing the Dominant Estate located in the basement of the Servient Estate, including the reading of the water meter, which easement shall run with the land.



- 6) North 84 degrees 12 minutes East, 7.3 feet;
- 7) North 05 degrees 48 minutes West, 74.3 feet to land of Elk Associates;

THENCE along said land North 85 degrees 15 minutes 10 seconds East, 29.3 feet;

THENCE still along said land and along land of Mr. Roberts Convenience Food Stores, Inc., South 06 degrees 05 minutes 10 seconds East, 122.90 feet to the point of beginning.

Together with an Access Easement described in Schedule "C" annexed hereto in favor of the above described premises ("Dominant Estate") over premises contiguous to the Dominant Estate to the West ("Servient Estate") which Servient Estate is commonly known as 310 Front Street, Greenport, New York and designated on the Suffolk County Tax Map as 1001-004.00-08.00-034.001 for the purpose of vehicular and pedestrian access to and from Front Street and the two (2) car garage located on the Dominant Estate together with one (1) automobile parking space in front of the garage, and upon removal of the garage door, the availability of the parking space and vehicular traffic shall terminate and the easement shall be limited solely to pedestrian traffic.

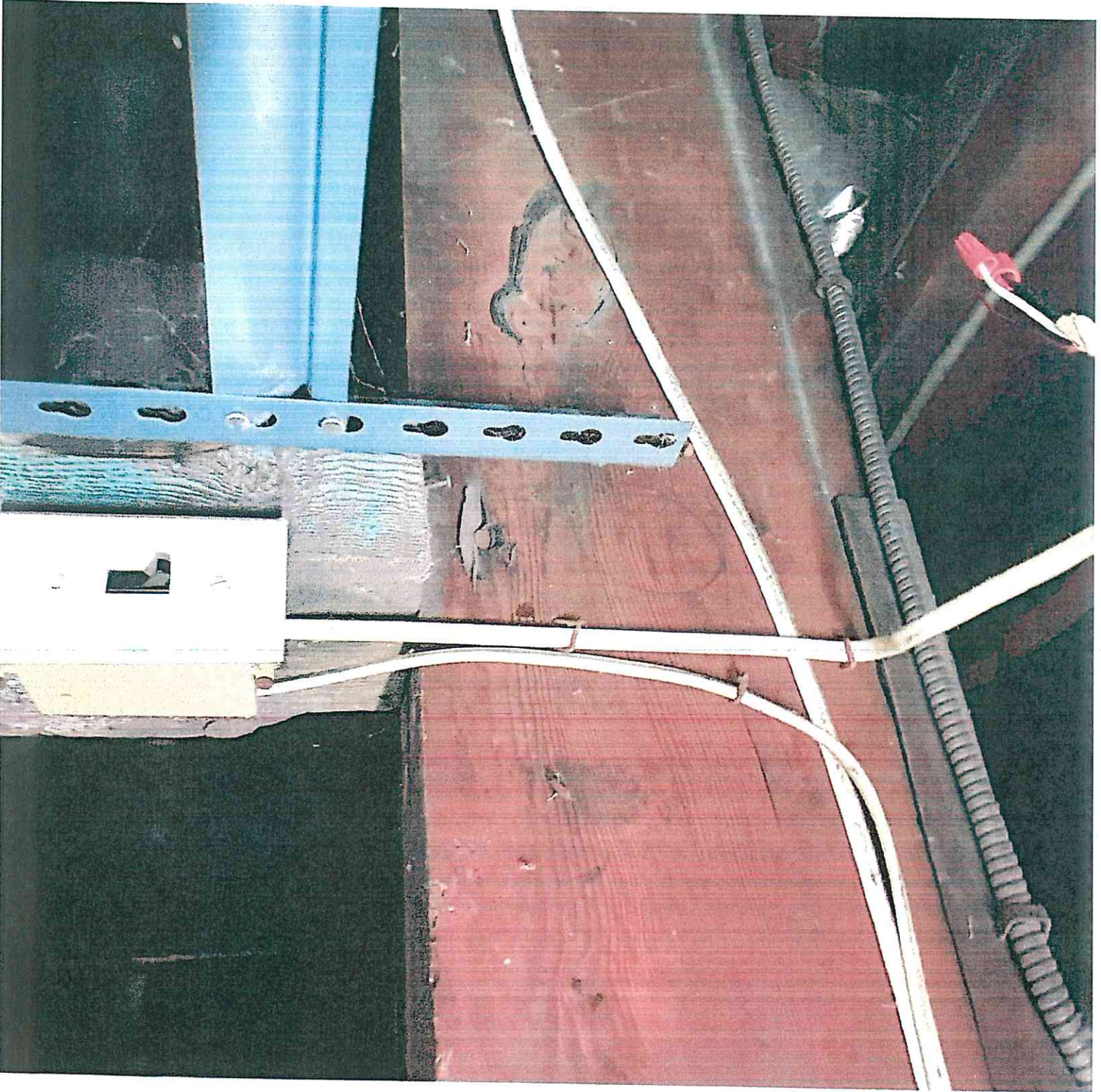
Together with a Sewer Easement described in Schedule "D" annexed hereto in favor of the above described premises ("Dominant Estate") over premises contiguous to the Dominant Estate to the West ("Servient Estate") which Servient Estate is commonly known as 310 Front Street, Greenport, New York and designated on the Suffolk County Tax Map as: 1001-004.00-08.00-034.001 for the purpose of access to the existing sewer line servicing both the Dominant Estate and Servient Estate and including the cleaning, repair and/or replacement of said sewer line, the cost and expense thereof to be borne equally by the parties unless the cleaning, repair and/or replacement is caused by the misuse or neglect of one of the parties in which event the party causing the cleaning, repair and/or replacement shall bear the entire cost and expense.

Both of the aforesaid easements shall run with the land.



















March 22nd, 2023

Kathy Lofrese/ NoFo Bikes  
310 Front Street  
Greenport, NY 11944

Dear Planning Board Members,

I truly apologize for writing again but I was finally able to see the submitted plans for 308 Front Street. From what I saw these are the most concerning issues, but I haven't received the full size copy yet from the building department so that may raise more questions.

1. The plan that was submitted is very deceiving. It shows the part of the building I own in the basement, first floor and second floor but never identifies it as 310 Front Street, falsely giving the impression that it is part of 308 Front Street. It has 4 large structural beams going across almost 7 feet past the property line and into my building. It also shows their staircase to the basement but conveniently leaves mine out.
2. They are putting up a wall in the basement. This wall will cut off my stairs into my basement, and violates my Utility Easement and Utility Access Easement, denying me access to my oil burner, oil tank and water main. I will have no access to my utilities in an emergency. The wall, as drawn, is also in the wrong place. I paid a Licensed Surveyor to come and mark the boundaries in the basement so I know where they are. I don't know where they came up with the placement of the wall if they didn't get a survey.
3. The plans call for the removal of the chimney that my heating unit and theirs is attached to. First they disconnected my electric and now my heat? Should I take a chain saw and cut off the parts of their building that are on my property? Is this what it's come to?
4. 308 Front street had two elevations inside, I know because I looked at it when it was for sale. The front was two steps up and the back, the garage, was at street level. According to the plans the back is now at the same elevation as the front. The west wall of their building is built on the property line, right now their roof eave and gutters are all over the property line. If you look at the west side elevation, you see three new doors. These doors are raised to the new elevation so they need steps. I'm sorry but I will not allow them to encroach any further into my yard, they cannot be allowed to build anything past the property line. Also because they are removing the garage, and garage door, this ends their easement providing access through my yard. So these doors will lead to nowhere.

This has become a nightmare for me. Lawyers, surveyors, I don't want to do any of this, but I have no choice, I have to protect my property.

Regretfully,  
Kathy Lofrese

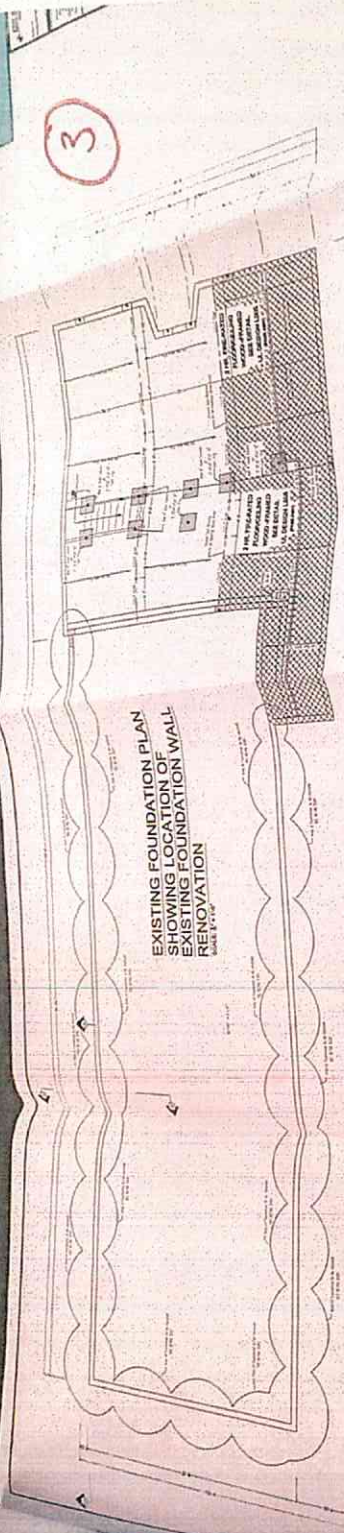




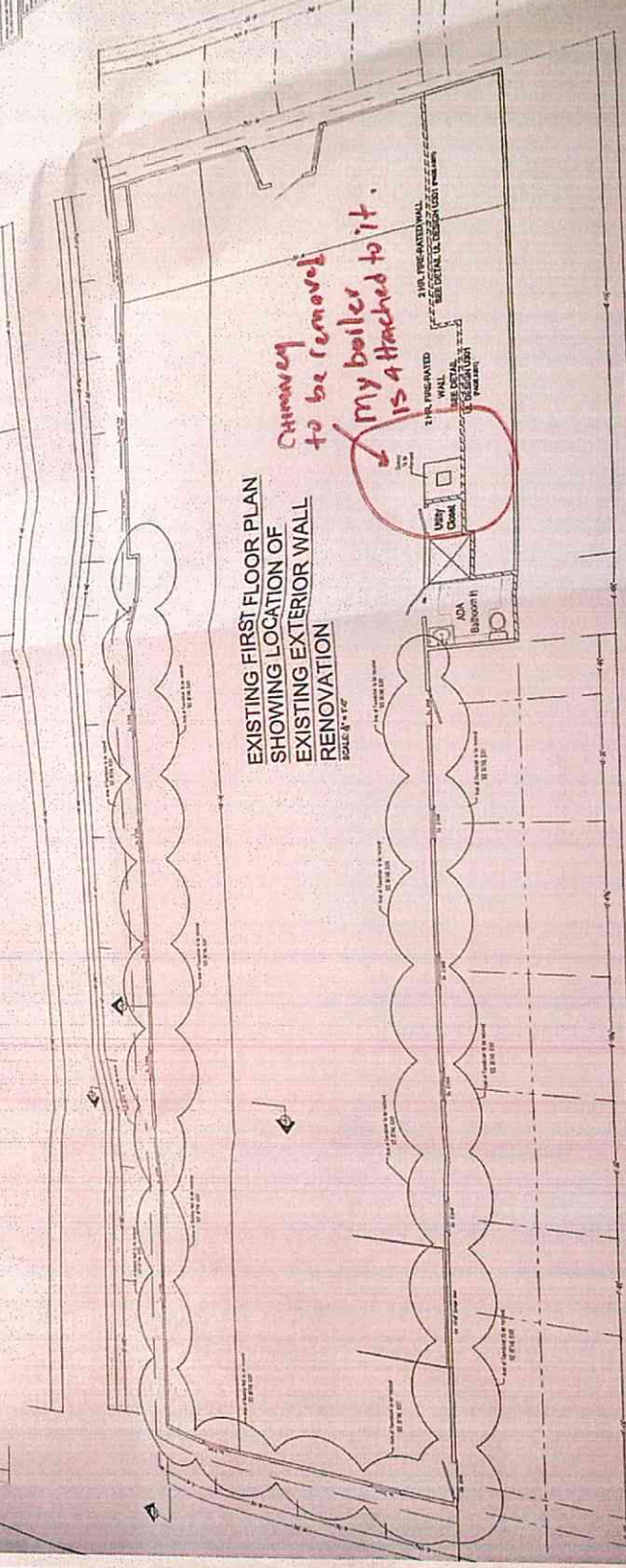


3

EXISTING FOUNDATION PLAN  
SHOWING LOCATION OF  
EXISTING FOUNDATION WALL  
RENOVATION



EXISTING FIRST FLOOR PLAN  
SHOWING LOCATION OF  
EXISTING EXTERIOR WALL  
RENOVATION  
SCALE 1/4" = 1'-0"



Chimney  
to be removed  
My boiler  
is attached to it.



NOTES: ALL WORK SHALL BE CONDUCTED TO MEET ALL APPLICABLE CODES, ORDINANCES, AND REGULATIONS. ALL LOADS, INCLUDING DEAD, LIVE, WIND, SEISMIC, FLOOD LOADS, SOFT LOADS, AND SOILS AND SEISMIC LOADS, SHALL BE CONSIDERED IN THE DESIGN OF ALL STRUCTURES. THE FOUNDATION, BUILDINGS, AND STRUCTURES SHALL BE DESIGNED TO RESIST ALL APPLICABLE LOADS FROM ALL DIRECTIONS. THE DESIGN SHALL COMPLY WITH THE 2010 BUILDING CODE OF NEW YORK STATE.

DESIGNED BY: [Name] ENGINEER



21'-8 1/2"

19'-7 1/2"

This is my foundation wall  
It has nothing to do with them

any beams etc. in my building

THIS IS MY BUILDING  
They cannot put

2 HR. FIRE-RATED  
SEE DETAIL  
UL DESIGN U301  
(PAGE A301)

2 HR. FIRE-RATED  
SEE DETAIL  
UL DESIGN U301  
(PAGE A301)

2 HR. FIRE-RATED WALL  
SEE DETAIL UL DESIGN U301 (PAGE A301)

BEAM "C"

5" x 9" Anthony Power Beam LDF=1.00 3000F

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Utility Closet

Hall

BEAM "B"

BEAM "A"

BEAM "A"

BEAM "A"

BEAM "B"

BEAM "B"

BEAM "C"

Reception Area

308

310

Existing Window is to be Replaced  
Provide Andersen unit Comparable  
in size with Tempered Glass

Existing Window is to be Replaced  
Provide Andersen unit Comparable  
in size with Tempered Glass

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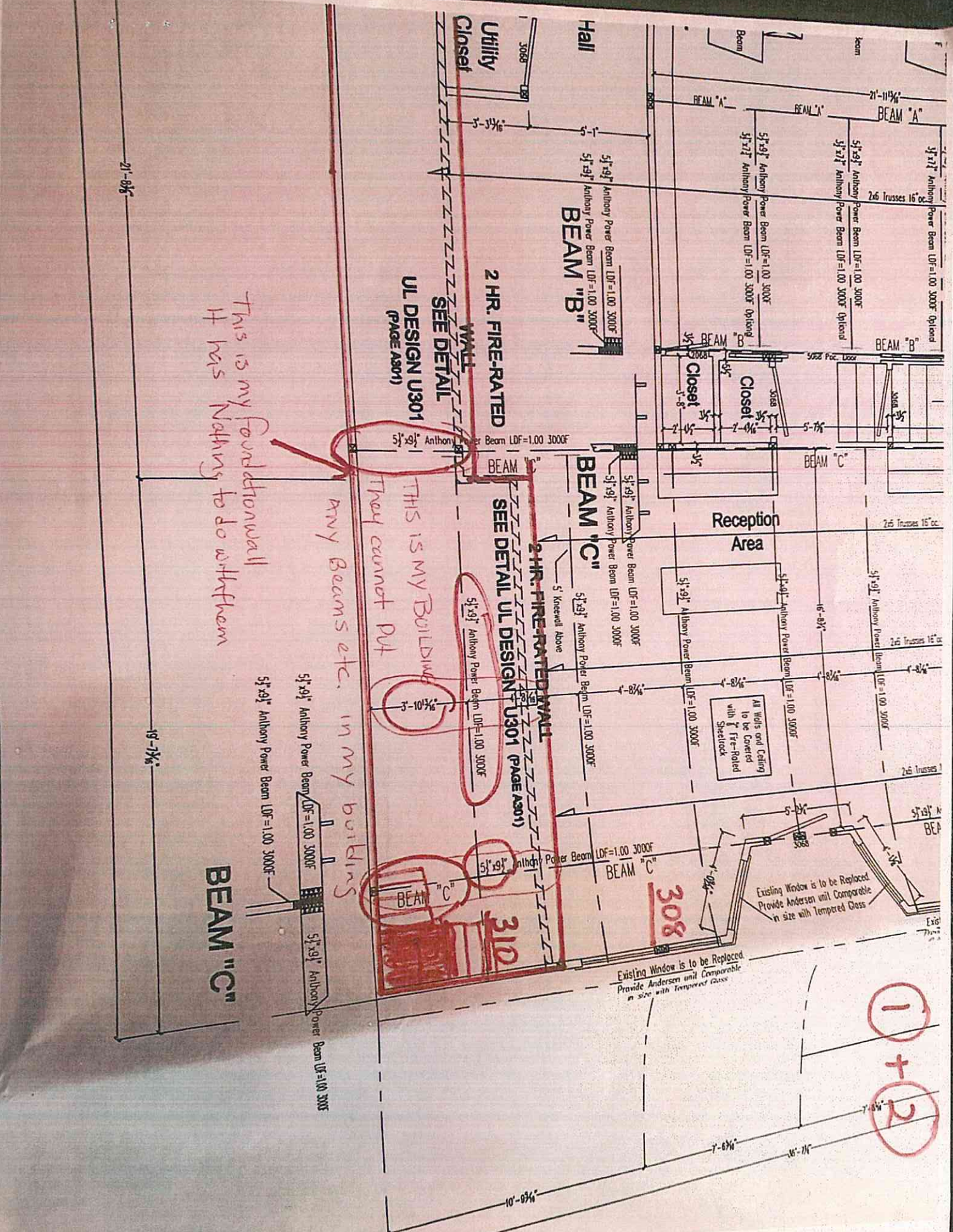
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in size with Tempered Glass

1 + 2





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♦ FACSIMILE

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FLORIDA OFFICE

♦ MARATHON, FL 33050  
(855) 588-0200

DANIEL J. HERRERA  
MATTHEW O. McCORMICK

\* MICHAEL D. SOLOMON - OF COUNSEL

JACQUELINE FINN BARBARO  
ASELLIGH OCCHINO  
PARALEGALS

\* ALSO ADMITTED TO PRACTICE  
FLORIDA-PENNSYLVANIA-TENNESSEE

March 24, 2023

VIA HAND DELIVERY

Village Planning Dept.  
Village of Greenport  
236 Third Street  
Greenport, NY 11944

Re: March 30, 2023 Calendar Item #6  
308 Front Street Application of Antoniadis  
On behalf of On Front Street LLC

Dear Planning Board:

This office represents, Kathleen Lofrese, the owner of 310 Front Street the property adjacent to the applicant's property.

My client stands in strong opposition to the granting of the application predicated upon the following facts:

1. There is currently a dispute with the applicant concerning property and building lines and the exact dimensions of each parcel and the use thereof. Thus, until such time as the property line and building line (party wall) dispute is resolved the application is premature as even the applicant does not know to a certainty where the proper lines are.
2. By converting the use of the garage to commercial use side yard requirements must now be met, which issues we believe the applicant does not address and the proposed use would violate.
3. There are utility and access easements in place on the property. Copies of which my client directly provided to your board. Once the garage is converted all vehicular and pedestrian access to the site will be eliminated.

With the open issues above still not resolved and no resolution in sight, we submit that the application is premature and must be denied.

Very truly yours,

A handwritten signature in black ink, appearing to read "Michael D. Solomon", written over a horizontal line.

MICHAEL D. SOLOMON

MDS:ao



