

1 VILLAGE OF GREENPORT
2 COUNTY OF SUFFOLK : STATE OF NEW YORK
3 -----x
4 BOARD OF TRUSTEES
5 PUBLIC HEARING AND PUBLIC MEETING
6 ON LOCAL LAW OF 2023
7 CREATING SECTION 150-51
8 OF THE GREENPORT VILLAGE CODE
9 -----x

8 Station One Firehouse
9 Third Street
10 Greenport, New York 11944
11 April 20, 2023
12 6:00 p.m.
13

14 B E F O R E:

15 KEVIN STUESSI - MAYOR
16 MARY BESS PHILLIPS - DEPUTY MAYOR/TRUSTEE
17 PATRICK BRENNAN - TRUSTEE
18 LILY DOUGHERTY-JOHNSON - TRUSTEE
19 JULIA ROBINS - TRUSTEE
20

21
22 JOSEPH PROKOP - VILLAGE ATTORNEY
23 PAUL PALLAS - VILLAGE ADMINISTRATOR
24 JEANMARIE ODDON - VILLAGE DEPUTY CLERK
25 STEPHEN GAFFGA - VILLAGE TREASURER

1 (The Public Hearing was Called to Order at 6 p.m.)

2 MAYOR STUESSI: I'd like to make a motion to
3 Open the Public Hearing, and a second, please.

4 TRUSTEE ROBINS: Second.

5 MAYOR STUESSI: All in favor?

6 TRUSTEE BRENNAN: Aye.

7 TRUSTEE DOUGHERTY-JOHNSON: Aye.

8 TRUSTEE PHILLIPS: Aye.

9 TRUSTEE ROBINS: Aye.

10 MAYOR STUESSI: Aye.

11 Any against?

12 (No Response)

13 MAYOR STUESSI: Ayes carry.

14 Please stand for the Pledge of Allegiance.

15 (Pledge of Allegiance)

16 MAYOR STUESSI: Please be seated. I'd like
17 to open the hearing for any public comments
18 regarding Local Law Creating Section 150-51 of the
19 Greenport Village Code on the moratorium. Is there
20 anybody that would like to be heard?

21 TONY SPIRIDAKIS: Tony Spiridakis,
22 178 Sterling Street, Greenport, New York. And I
23 just welcome all of you, and am sort of just here
24 to support, as I have been from the very beginning,
25 a well considered and practical approach to the

1 moratorium, which is to pause and make sure that we
2 have a plan for the waterfront, and we move forward
3 with anything development-wise by knowing what we
4 want it to look like in the Village of Greenport.
5 So I'm very much in support of the moratorium.

6 MAYOR STUESSI: Thank you, sir. Would
7 anybody else like to speak?

8 LEUEEN MILLER: Good evening. Leueen Miller,
9 424 Fourth Street. And I would just like to add my
10 support to the moratorium, and reiterate the
11 comments made by the earlier speaker, that I think
12 it's a good thing for Greenport. I understand it's
13 approved for two months, with a possible extension,
14 and, hopefully, that will give enough time to take
15 effect and produce some plans for the future.
16 Thank you.

17 MAYOR STUESSI: Okay. Thank you for
18 speaking.

19 LISA GILLOOLY: Hi. Lisa Gillooly,
20 178 Sterling Street. I, too, am in support of the
21 moratorium. I wish you all well. I understand the
22 committees have been working, and I think it's a
23 really big step forward in the development of our
24 downtown in a way that we can all input into. So,
25 yes, keep going. Thank you.

1 MAYOR STUESSI: Thank you very much.

2 TRICIA HAMMES: Hi. Tricia Hammes, 603 Main
3 Street. I actually feel a little silly being up
4 here, because everybody knows my views, but -- and
5 I think, obviously, I support the moratorium, I
6 supported it since it first came up. And I think I
7 feel doubly silly, because it seems to me that the
8 election was a resounding voice in the community in
9 support of it. So I am all for it, and I look
10 forward to working with everybody moving forward to
11 get the code revised, and get the LWRP updated and
12 move on. Thank you.

13 MAYOR STUESSI: Okay. Thank you.

14 RANDY WADE: Randy Wade, Sixth Street. I
15 support the moratorium. And I was a witness to
16 very productive Code Committee meetings, where you
17 had ideas, and you had ideas, and the Lawyer had
18 had ideas, and Mary Bess had ideas, and it was -- a
19 lot of progress was made, and I'm sure more can be
20 made. So thank you for working on this.

21 MAYOR STUESSI: Thank you very much. Is
22 there anybody else that would like to speak?
23 You're fast. I clocked you at about seven seconds
24 from that back row to the podium.

25 MARY YOURCH: Pretty good.

1 MAYOR STUESSI: That's impressive.

2 (Laughter)

3 MARY YOURCH: Hi. I'm Mary Yourch,
4 15 Stirling Cove, Greenport, and I totally support
5 the moratorium. We have to be careful not to have
6 anything more happen like happened to us. Thank you.

7 MAYOR STUESSI: Thank you very much. Are
8 there any other comments from the public?

9 (No Response)

10 MAYOR STUESSI: With that, I'll make a motion
11 to close the public hearing. May I have a second?

12 TRUSTEE PHILLIPS: Second.

13 MAYOR STUESSI: All in favor?

14 TRUSTEE BRENNAN: Aye.

15 TRUSTEE DOUGHERTY-JOHNSON: Aye.

16 TRUSTEE PHILLIPS: Aye.

17 TRUSTEE ROBINS: Aye.

18 MAYOR STUESSI: Aye.

19 Any against?

20 (No Response)

21 MAYOR STUESSI: The motion carries.

22 With that, I'm going to make a motion to open
23 the public meeting of the Board of Trustees in
24 regards to the discussion of Local Law 2023,
25 creating Section 150-51, and adopting the

1 resolution.

2 With that, may I have a motion to open the
3 public meeting?

4 TRUSTEE ROBINS: Second.

5 MAYOR STUESSI: Or second, please. Yes,
6 thank you.

7 TRUSTEE ROBINS: I'll second that. Thanks.

8 MAYOR STUESSI: All in -- any questions?

9 (No Response)

10 MAYOR STUESSI: All in favor?

11 TRUSTEE BRENNAN: Aye.

12 TRUSTEE DOUGHERTY-JOHNSON: Aye.

13 TRUSTEE PHILLIPS: Aye.

14 TRUSTEE ROBINS: Aye.

15 MAYOR STUESSI: Aye.

16 And against?

17 (No Response)

18 MAYOR STUESSI: The motion carries.

19 With that, I'd like to open up the Board
20 discussion regarding this. I'd like to start off
21 by saying that one of the things we have done is we
22 have not just listened to the community, but we
23 have also listened to the Suffolk County Planning
24 Board.

25 The Suffolk County Planning Board, as you may

1 be aware, agreed that the moratorium should press
2 forward. There were some certain considerations
3 they asked us to take a look at in the draft of
4 this. You'll see that we have separated the
5 moratorium itself from tying it directly towards
6 the LWRP. Our goal is to get the code updates done
7 by the end of the summer before Labor Day, continue
8 working on the LWRP. But the moratorium and the
9 ability to lift it will not be tied towards any
10 completion of the LWRP. But proceeding with the
11 work, and as part of the Waterfront Advisory
12 Committee, deeply engage in the community over the
13 next several months, which is something we intend
14 to do.

15 With that, I'll open it up to the Board for
16 any discussion.

17 TRUSTEE ROBINS: I mean, I think we all are
18 pretty much in agreement. And, to be honest with
19 you, I thought Suffolk County Planning Commission
20 made a pretty strong argument in favor of the
21 moratorium. The main difference we're disagreeing
22 with them is on the timeline, and I don't agree
23 with their two-month timeline. I think that the
24 original six months with that two to three month
25 extension is what we should be voting for.

1 MAYOR STUESSI: Thank you.

2 TRUSTEE PHILLIPS: I think that separating
3 the LWRP from the moratorium, since that is one
4 document that would take a fair amount of time to
5 complete, and just tying it to the code changes,
6 which I think we can move along quickly with the
7 process, once you've decided how you're going to
8 move along with the Waterfront Planning Commission,
9 as to how you're going to do these things. As, you
10 know, my understanding is, you want to spread some
11 responsibilities to some other --

12 MAYOR STUESSI: Absolutely.

13 TRUSTEE PHILLIPS: Please.

14 MAYOR STUESSI: We'll talk about that in just
15 a moment, you know.

16 TRUSTEE PHILLIPS: All right. I think that
17 will help move it along. And I'm looking forward
18 to completing the work that I started, along with
19 the other committee members. Okay?

20 MAYOR STUESSI: Great. Thank you. Lily or
21 Patrick?

22 TRUSTEE BRENNAN: Yeah, I'd say I agree with
23 Trustee Robins' and Trustee Phillips' comments.
24 The Suffolk County Planning Board did do really
25 actually a good job in helping us make the case

1 with the data that they provided.

2 I've been very personally invested in this
3 process, I'm looking forward to continuing to work
4 through it. I've said many times over the past few
5 months that I think one of the best things about
6 the moratorium was that it galvanized the community
7 and got people focused on our planning and code
8 needs.

9 I do feel like that we need to spend more
10 time on the comprehensive planning aspect, so
11 upgrading the -- updating the LWRP as part of that.
12 I would have liked to have seen more time spent on
13 planning before heading into a moratorium, but we
14 are where we are. And I think we need to move
15 forward with this, because we've already invested a
16 lot of work in our various committees, and I think
17 we have to push forward, get the code changes. The
18 code changes are the kind of priority for me.

19 MAYOR STUESSI: Uh-huh.

20 TRUSTEE BRENNAN: And we may need more time
21 than what Suffolk County Planning has suggested,
22 but we just have to move very quickly. So we know
23 that we were contemplating six months, right, for
24 this. But because we have to refer our code
25 changes to our own Planning Board, and I believe we

1 have to also send it back to Suffolk County
2 Planning for their approval, and we also have to
3 take the initiative to do more public engagement
4 and get out in front of the public. So there's
5 actually not a lot of time. Six months I think
6 realistically would be the shortest time period
7 to --

8 MAYOR STUESSI: Yeah, it's a tight schedule
9 to get it done, yeah.

10 TRUSTEE BRENNAN: -- that we could possibly
11 do this in. I think if we worked back from a
12 six-month timeline, we would probably end up
13 with -- maybe we have about a month left that we
14 can continue to contemplate these code changes,
15 because we need to get on to public engagement, and
16 then those referral processes, which are each going
17 to take some time.

18 So I guess I'd say onward. Let's -- I think
19 we need to work very quickly and very efficiently
20 at this as we move forward and --

21 MAYOR STUESSI: Yeah. I'd note for the
22 public, one of the things that we built into this
23 as well is a progress report that we're going to be
24 doing with Suffolk County in the next several
25 months as part of this, so that we are giving them

1 an update, and they are better prepared when you do
2 come in such that, you know, they're ready to
3 accept it.

4 TRUSTEE BRENNAN: Yeah. Because I think that
5 we haven't actually invested enough time in the
6 planning process, I think the public should be
7 aware that even as we work through the moratorium,
8 and -- as we work through the moratorium and we get
9 our code changes worked out, and then we all know
10 we're talking about continuing with the LWRP, we
11 have kind of disengaged it from the moratorium
12 process, I think that's good. But I think that
13 even beyond the LWRP, we have to spend more time on
14 comprehensive planning, and to me, that might
15 include things that are not actually included in
16 the LWRP at this point. We've talked about this a
17 little bit, housing, environmental sustainability.
18 I think there's more work that the community is
19 going to need to do.

20 And I want the public to understand that
21 after we get through the moratorium, after we make
22 our code changes and we're proceeding with the
23 LWRP, we will likely have to do more code changes
24 at the end of that process. It doesn't mean that
25 we need a moratorium to do it, but that work that

1 we do in that planning process is going to really
2 inform the code and inform what we may or may not
3 do with the code at that time. So --

4 MAYOR STUESSI: In the iterative over time,
5 right?

6 TRUSTEE BRENNAN: I believe so. I just want
7 everyone to know that we're not done with this in
8 two months or six months. I think that we're going
9 to learn more as we continue this planning process,
10 and then we'll be back contemplating more code
11 changes, most likely.

12 MAYOR STUESSI: Great. Lily?

13 TRUSTEE DOUGHERTY-JOHNSON: I don't have much
14 more to add, except that I'm in support, and I do
15 think we should move as quickly as possible.

16 MAYOR STUESSI: All right. Attorney Prokop,
17 do you have anything to add?

18 ATTORNEY PROKOP: I have a few comments to
19 add explaining technical points.

20 So the Suffolk County Planning Commission had
21 three conditions or comments regarding the referral
22 that we did on this Local Law. The first, the
23 first condition was that the moratorium be limited
24 to two months. And I believe that the -- as was
25 stated, the two months, even if tonight we were

1 moving ahead on something, the two months is really
2 just not enough time to even get it through the
3 different steps that we need to take.

4 So the -- so it's my recommendation that you
5 adopt the Local Law as proposed, which has a
6 six-month moratorium, and that you endeavor or
7 determine that the -- it will be -- you'll tend to
8 limit it to the six months and not use the
9 extensions.

10 The other two comments that the Suffolk
11 County Planning Commission had, one was that the
12 Local Law not be tied -- the moratorium length
13 should not be tied to the LWRP. As Mayor Stuessi
14 and the Trustees expressed, it will -- it will not
15 be. I've created adopting language for the Local
16 Law tonight, if you choose to adopt it, and that
17 language separates the term of the moratorium from
18 the time that's necessary to work on the LWRP.

19 The third thing that the Suffolk County
20 Planning Commission had as a comment or a condition
21 is they wanted the Board of Trustees to adopt
22 findings of fact, which we -- were made available
23 to us to some extent by the staff of the Public --
24 Suffolk County Public -- excuse me, Suffolk County
25 Planning Commission through a study that they did,

1 and also through information that the Village
2 provided to them. And, again, the adopting
3 resolution that I had done, adopting language that
4 I had done does contain those findings of fact from
5 the -- from the memorandum of the Suffolk County
6 Planning Commission, and also from the material
7 that was provided to the Commission by the Village.

8 The other thing that I would like to mention
9 is, initially, we had talked -- we had talked,
10 discussed whether the adoption of the moratorium
11 was a -- for purposes of SEQRA, was an Unlisted
12 Action or a Type II Action. The adoption, the
13 adoption of a moratorium is specifically a Type II
14 Action under SEQRA. There were some -- there were
15 some additional features of the original language
16 which we're not adopting tonight, which is
17 involving the LWRP, because we are going -- it's my
18 recommendation that the Board not tie the
19 moratorium to the LWRP as discussed. And for that
20 reason, I think that the -- it's my recommendation
21 that we determine that the adoption of the
22 moratorium is a Type II Action for purposes of
23 SEQRA, which is specifically provided in the SEQRA
24 resolution -- SEQRA regulations. I think it's
25 6 NYCRR 617.4 C34 or 36. It specifically says that

1 a moratorium on land use is a Type II Action, so
2 that's my recommendation. And those are my only
3 comments, unless somebody has a question.

4 Oh, I technically -- I'm sorry, I apologize.
5 I need to also point out that on the term of the
6 moratorium, if you vote for the Local Law with a
7 six-month moratorium, that's technically going to
8 override the Suffolk County Planning Commission.
9 That is provided for under New York State Law, and
10 you are able to do that with a super-majority of
11 the Board.

12 TRUSTEE DOUGHERTY-JOHNSON: I only have one
13 question, which is just that if we vote on it
14 tonight, does it take effect immediately, or that
15 like takes 10 days? And what is --

16 ATTORNEY PROKOP: No, there's a -- there's a
17 few requirements that we need to do. So one is
18 that it has to be sent to the State. And, also,
19 there's -- to the extent that it amends our zoning
20 law, which it does, we're talking as Chapter 150,
21 150-51, we -- I believe there's a requirement for
22 publication also, so we're going to have to meet
23 those two requirements. We've been working on that
24 and we're set up to do that, if it is adopted.

25 TRUSTEE DOUGHERTY-JOHNSON: How long does

1 New York like notify or does the first part take?

2 ATTORNEY PROKOP: Go out to the State right
3 away, so in two, two or three days.

4 TRUSTEE DOUGHERTY-JOHNSON: Oh, okay.

5 ATTORNEY PROKOP: Business days.

6 TRUSTEE BRENNAN: I have a question. Have we
7 already determined Lead Agency?

8 ATTORNEY PROKOP: We determined Lead Agency
9 on December 2nd, 2022 and I -- we determined Lead
10 Agency on December 2nd, 2022. I sent a Notice of
11 Adoption of Lead Agency status to all the required
12 involved agencies, and also interested agencies.
13 And I sent another notice of the adoption of the
14 Local Law -- excuse me, of the public hearing on
15 the Local Law and the consideration of it 10 days
16 ago, as necessary. So I actually sent two notices
17 to cover the Board.

18 TRUSTEE BRENNAN: No one's challenged Lead
19 Agency, no one's wanted to -- no other agency has
20 asked to be lead agent?

21 ATTORNEY PROKOP: Nobody else has asked to be
22 Lead Agency. And one of the -- a representative,
23 he wasn't here on behalf of the Southold Town
24 Planning Board -- Planning Department, but somebody
25 from the Southold Town Planning Department did

1 speak at one of the public hearings and said that
2 he wanted to point out to us that it was a Type II
3 Action, which purely as a moratorium on land use I
4 agree with, if it's not tied with the LWRP.

5 TRUSTEE BRENNAN: For the benefit of the
6 public, Type II means there's no further
7 environmental review required.

8 ATTORNEY PROKOP: Yes, Type II is -- if it's
9 on a Type II list, it means that the -- New York
10 State has determined that it will not have a
11 significant negative impact on the environment, and
12 that, therefore, no further review of potential
13 environmental impacts is required.

14 TRUSTEE BRENNAN: Thank you.

15 MAYOR STUESSI: Any other questions for
16 Attorney Prokop?

17 (No Response)

18 MAYOR STUESSI: With that, I'd like to make a
19 motion on the resolution of Local Law of 2023,
20 creating Section 150-1 -- 51. May I have a second,
21 please?

22 TRUSTEE ROBINS: Second.

23 MAYOR STUESSI: Any questions? All in favor?

24 TRUSTEE BRENNAN: Aye.

25 TRUSTEE DOUGHERTY-JOHNSON: Aye.

1 TRUSTEE PHILLIPS: Aye.

2 TRUSTEE ROBINS: Aye.

3 MAYOR STUESSI: Aye.

4 Anyone against?

5 TRUSTEE PHILLIPS: Wait, one question.

6 Super-majority, do you have to do a roll call vote?

7 ATTORNEY PROKOP: We need to know everybody's
8 vote, but we just -- if it's unanimous, we know
9 everybody's vote.

10 TRUSTEE PHILLIPS: Okay.

11 ATTORNEY PROKOP: So there'll will be --
12 everybody will be required -- recorded as a yes
13 vote.

14 TRUSTEE PHILLIPS: Okay.

15 ATTORNEY PROKOP: If that's okay with
16 everybody.

17 TRUSTEE PHILLIPS: All right. I just want
18 to double-check, that's all.

19 ATTORNEY PROKOP: That will -- it will be
20 recorded as a roll call vote.

21 MAYOR STUESSI: Out of an abundance of
22 clarity, why don't we do a roll call vote?

23 (Roll Call by Mayor Stuessi)

24 TRUSTEE ROBINS: Aye.

25 TRUSTEE PHILLIPS: Aye.

1 TRUSTEE BRENNAN: Aye.

2 TRUSTEE DOUGHERTY-JOHNSON: Aye.

3 MAYOR STUESSI: And as the Mayor, Kevin
4 Stuessi, I vote aye as well. The motion passes
5 unanimously.

6 (Applause)

7 MAYOR STUESSI: Thank you. With that, we
8 also have public comments, if there is anybody else
9 that would choose to speak. I'm guessing the
10 audience spoke in the hearing just a moment ago.
11 Is there anybody that wishes to speak on this matter?

12 (No Response)

13 MAYOR STUESSI: Okay. With that, I am going
14 to briefly go over the updated Waterfront Advisory
15 Committee, which we will be communicating here very
16 shortly. We are going to be having a breakdown
17 that's a little bit different than what was done
18 under the last administration. Together with that,
19 I will serve as Chair of the Waterfront Advisory
20 Committee. Trustee Brennan will act as Vice Chair.
21 We will be having five different subcommittees this
22 time, which will include an LWRP Update Committee,
23 a Code Update Committee, Transportation, Parking
24 and Way Finding, and then we will be pulling off
25 Infrastructure from that and forming a new

1 committee under Harbor Management and Waterfront
2 Infrastructure. Together with that, we will have
3 Communication and Community Engagement. Together
4 with that, the members of these committees, which
5 is going to be a slightly smaller group, and will
6 be actively working, very disciplined, we'll talk
7 more about that in the coming week, to engage the
8 community, which is a very important part of this
9 process that had not yet been done, that we want to
10 be doing very quickly, together with all of the
11 Trustees and myself on the Board. We will have
12 Mr. John Saladino, Patricia Hammes, our new
13 Planning Board Chair, William Swiskey, Eric Elkin,
14 Elizabeth Talerma, Lisa Gillooly, Steve Clarke,
15 Andrew Wolf, Jeanne Cooper and Suzy Donovan. With
16 that -- do I need to make any type of motion on that?

17 ATTORNEY PROKOP: Why don't you have the
18 Board approve it, yeah. It's not -- it's not a
19 requirement.

20 MAYOR STUESSI: Okay.

21 TRUSTEE PHILLIPS: I think it would be a good idea.

22 MAYOR STUESSI: Okay.

23 TRUSTEE PHILLIPS: For the record, it would
24 make it clear for things to be --

25 MAYOR STUESSI: All right. So for the

1 clarity on the record, I'd like to make a motion to
2 approve the Waterfront Advisory Committee.

3 TRUSTEE BRENNAN: Second.

4 MAYOR STUESSI: All in favor?

5 TRUSTEE BRENNAN: Aye.

6 TRUSTEE DOUGHERTY-JOHNSON: Aye.

7 TRUSTEE PHILLIPS: Aye.

8 TRUSTEE ROBINS: Aye.

9 MAYOR STUESSI: Aye.

10 Great, motion carries. With that, I would
11 like to adjourn the public meeting. May I have a
12 motion or a second to adjourn the public meeting on
13 Local Law 150-51?

14 TRUSTEE DOUGHERTY-JOHNSON: Second.

15 MAYOR STUESSI: All in favor?

16 TRUSTEE BRENNAN: Aye.

17 TRUSTEE DOUGHERTY-JOHNSON: Aye.

18 TRUSTEE PHILLIPS: Aye.

19 TRUSTEE ROBINS: Aye.

20 MAYOR STUESSI: Aye.

21 Against?

22 (No Response)

23 MAYOR STUESSI: Motion carries. Thank you
24 for attending, together with that.

25 (The Meeting was Closed at 6:21 p.m.)

C E R T I F I C A T I O N

STATE OF NEW YORK)
) SS:
COUNTY OF SUFFOLK)

I, LUCIA BRAATEN, a Court Reporter and Notary
Public for and within the State of New York, do
hereby certify:

THAT, the above and foregoing contains a true
and correct transcription of the proceedings taken
on April 20, 2023.

I further certify that I am not related to
any of the parties to this action by blood or
marriage, and that I am in no way interested in the
outcome of this matter.

IN WITNESS WHEREOF, I have hereunto set my
hand this 3rd day of May, 2023.

Lucia Braaten

Lucia Braaten