Meeting held at the Greenport Firehouse
236 Third Street, Greenport, New York 11944

Appearances:
Peter Jauquet - Chairman
Pat Mundus
Ben Burns
Chris Dowling
Devin McMahon (Not Present)

Joseph Prokop - Village Attorney
David Abatelli - Village Administrator
(Whereupon, the meeting was called to order
at 5:12 p.m.)

CHAIRMAN JAUQUET: Okay. We're going to
call the meeting to order. Does that have to be
a motion?

MR. PROKOP: No.

CHAIRMAN JAUQUET: Okay. And let's see.

Item #1, I'm just going to read that off.

Discussion and possible motion on an application
submitted by James Olinkiewicz, owner of 510
Madison Avenue and 407 Kaplan Avenue, Kaplan
Market, to provide a shared driveway on 510
Madison Avenue for access to three parking lots
on 407 Kaplan Avenue for the 407 Kaplan Avenue
residents. A final survey has been submitted for
review, and --
MR. PROKOP: I think that's what we're waiting for. I think that we looked at this once before and gave them sort of the general go-ahead.

CHAIRMAN JAUQUET: We did, yeah.

MR. PROKOP: Yeah. And I think we were just waiting for the final survey, just so we could close the file, basically.

CHAIRMAN JAUQUET: Okay.

MR. PROKOP: And so, if the survey is okay if it shows everything that you think is okay, you know, in the way that you thought --

CHAIRMAN JAUQUET: I have one concern.

MS. MUNDUS: Well, last week, you weren't here last week either.

MR. PROKOP: I'm sorry.

MS. MUNDUS: We did have somebody from the community send photographs of the driveway to us, which prompted a discussion.

MR. PROKOP: Oh, okay.

MS. MUNDUS: And he came, he spoke. And
the question was, you know, with all the Planning
Board input, and Mr. Olinkiewicz changed the site
plan several times to put these three parking
places in the back, these people are still
parking on the grass in the front yard, which the
neighbors said was rightfully offensive.

And, also, if this easement goes through
for Kaplan, then if anybody, again, doesn't park
where they're supposed to, this easement gets
blocked.

So the question is, other than constantly
somebody having to report it, which turns it into
an enforcement issue, and then Jim has to come

over here, or his lawyer, and talk to the tenants
to get it straightened out, is there any way that
we could prevent that from happening? That's
what happened last week at the work session.

MR. PROKOP: Okay. So the way that -- to
handle this is, you know, it would be -- an
enforcement issue would be a violation of site
plan that we could keep issuing tickets. The other way -- the way for your Board to handle it would be to -- to make it a -- make the use be, the property use be a condition of the approval, basically, the approval that you gave.

So what we did was we modified, we went back and modified the approval that we had given to 510 Madison Avenue, and so we would -- if you're concerned about this, then modify it with a condition that the parking spaces be actually used for parking by the residents of 407 Kaplan Avenue.

CHAIRMAN JAUQUET: Could we ask them to put anything physically there so that it can't possibly be used otherwise, so that they can't go from the --

MR. PROKOP: Sure.

MR. DOWLING: Yeah.

CHAIRMAN JAUQUET: We were thinking like a low fence or a --

MR. DOWLING: So used for a one-car only,
instead of two, the way it's been all week.

CHAIRMAN JAUQUET: Can we ask him to put a
low fence up there, so that it can't be --

MR. PROKOP: Yes.

CHAIRMAN JAUQUET: That the lawn can't be
driven upon?

MR. PROKOP: Yes.

CHAIRMAN JAUQUET: And maybe use that as a
precedent for other places around town that --
you know, because this happens everywhere.

MR. PROKOP: Yeah, I think that's
important. Yes, you could do that.

CHAIRMAN JAUQUET: We could? Okay. Let's
do that, then.

MS. MUNDUS: It just seems very cumbersome
to have to go through the whole process of
creating a violation that -- calling the
landlord, and the landlord or the lawyer going
over, because that's what happened last week.

And then now, today, just a little while ago, one
of the cars was parked right diagonally on here.

I mean, he probably thought -- I know it's
snowing, everybody does weird things when it's
snowing, but people did complain.

MS. MC ENTEE: Is this closed to the
public? This is an open session, right?

CHAIRMAN JAUQUET: Sure, it is.

MS. MC ENTEE: Because, I mean, there is
public input.

CHAIRMAN JAUQUET: Go ahead. Does somebody
want to speak?

MS. MC ENTEE: Absolutely.

CHAIRMAN JAUQUET: Go ahead. Is this on
this issue?

MS. MC ENTEE: Yes.

CHAIRMAN JAUQUET: Okay.

MS. MC ENTEE: Hi. My name is Joanne
McEntee, 242 Fifth Avenue.

A temporary CO, from what I understand, had
been issued to the 407 Kaplan and people have
been living there since December. One of my
questions are, what is a temporary CO? I've
never heard of a temporary CO, so can you, one,
explain that to me? That means residents are
living in a home with a temporary CO. Someone
should know what that means.

MS. MUNDUS: Okay. This is the Planning Board, so --

MS. MC ENTEE: Right, I do get that, but there's all --

MS. MUNDUS: A code violation like that doesn't --

MS. MC ENTEE: There's all kinds of --

CHAIRMAN JAUQUET: Sure, we'll get into that. Let's go on to the -- Dave.

MS. MC ENTEE: Thank you.

MR. ABATELLI: Yeah. I mean, quite simply, it means that the building is habitable, but there are still issues, usually site issues in most cases, that would prevent us from giving a final CO. So a temporary CO is issued with a three-month or six-month time period that allows the house to be occupied while any variety of different things, not necessarily related to the
safety of the occupants, is being dealt with, such as this, this is a good example.

MS. MC ENTEE: So parking would not be a safety issue, is that what you're saying?

Because parking on the road is --

MR. ABATELLI: Well, there is the parking. I mean, it's -- well, I'm not going to debate it, but that's what a temporary CO is for. There is parking there. The fact that it may not being used is a -- that's the issue we're talking about.

MS. MC ENTEE: Okay. So they are still currently with a temporary CO and they do not have the final CO yet?

MR. ABATELLI: That's correct,

MS. MC ENTEE: The final CO is after all this is said and done?

MR. ABATELLI: When they meet all of the requirements.

MS. MC ENTEE: Okay. So then I do want to
Mr. Olinkiewicz' attorney stated, at the ZBA minutes on 11/20, and I'm so sorry that they're not here today, or even Mrs. -- Miss --

MR. PROKOP: Rea.

MS. MC ENTEE: Excuse me?

MR. PROKOP: Ms. Rea.

MS. MC ENTEE: No, not Ms. Rea. Well, she -- whether it's her or not, Eileen Wingate.

But on Page 32 and 33, in reference -- that it was stated by her attorney that the easement at the 510 Madison has been, quote, unquote --

I'm a little nervous, so --

CHAIRMAN JAUQUET: It's all right.

MS. MC ENTEE: Contemplated as part of the 407 Kaplan project, that an easement would be granted from the -- would be granted from the property behind the Kaplan Market property. In fact, it was -- again still her quote, it has been in the works for a very long time, end quote, yet the application just -- was just
prepared and submitted to the Board, the ZBA, on 11/20.

So Eileen Wingate stated again on 11/20, per the ZBA minutes, Page 23, quote, unquote, as far as the easement goes, we have -- we have, again, have preliminary paperwork filed with the County for easements for parking for two cars. The last I knew is that the copy of a filed document showing proof should be on file with the Village in order to make this type of statement and not going by someone else's word, and this is what I felt that happened.

And I also verbally spoke with Eileen Wingate weeks prior and she verbally told me that Mr. Olinkiewicz had an easement already on Madison. So, yet, no documents in the file, because that was verified, and that's also in the minutes. So why wasn't the application submitted to the County when the permit was filed with the Village for 407 on July 15th, or when the second
permit was issued on 5 -- September 5th?

Stories are changing. Someone is not
telling the truth. Who is fooling who? The work
is -- and who is abusing our system, and where is
the real truth?

The Village continues to overlook what some
people do in the -- what some people do in the
Village, which is -- which, in turn, gets away
with things within our Village and should not.
So I'm feeling that there's something going on
that should not be, and there's too much of this
going on that we're seeing throughout the
Village. We have a beautiful Village and we
should really keep it that way.

With 410 Madison, what would be the
variances or the setbacks due -- or, if any, due
to placing an easement on this lot, had the
easement been submitted to the Board when the
Board had been -- had received the original
building site plan? Would there have been a
change due to the easement that they're putting
in now?
MS. MUNDUS: Okay. There's a lot of questions and response built in. It's hard for us to take them all at the same time, but --

MS. MC ENTEE: I do have more, though.

MS. MUNDUS: Okay.

MS. MC ENTEE: If you'd like me to read more, and then if you want to respond, I can --

MS. MUNDUS: Let's just work through it a little bit at a time --

MS. MC ENTEE: Sure.

MS. MUNDUS: -- because this is the copy of the easement that was filed with the County. I mean, it's signed and sealed and delivered already.

MS. MC ENTEE: And the date is?

MS. MUNDUS: It's dated November 26th of last year.

MS. MC ENTEE: Okay. So we had a ZBA on the 20th, November 20th.

CHAIRMAN JAUQUET: Why don't you finish?

Why don't you finish your comments?

MS. MC ENTEE: Sure. I recommend, and this
is my true recommendation, that the filed
recorded deed copy, should this go through, be
placed on file with the Village of Greenport

before any final approvals, including a final CO
on 407, and whatever is necessary, or any
approvals on 510 before anything is given.

I don't see why we would still have a final
or a temporary CO at that point. It doesn't make
any sense to me. I don't see why we have one
now. It was told because it was of a need, and I
don't believe, with as many homes as
Mr. Olinkiewicz now owns in this Village, which,
if I'm about correct, it's about nearly 14. One
is coming up, which is next to my house, so I
will be back. And until then, I would ask that
all the cars, and you spoke about this before,
that all the cars be parked on the front -- that
are parked on the front lawn at 510, which I've
seen four at a time many times -- I have pictures
myself. I've seen two cars in the back parking
lot. I've seen cars parked on Kaplan Avenue, which they are -- should not be there. There's a residence in the front, there's a residence in the back.

So I'm going to also say that I am with -- there are 75, I've said this at the ZBA meeting, that there are 75 to 80%, per Eileen Wingate, of properties in the Village with an R-2 zoning.

This is far too many. I don't know how it got this far. It's way too far for our Village, too many, way out of proportion, and I don't think it's a fantastic ratio. We will be back to 1997 if we continue going this route. Thank you.

So, if you'd like to respond to anything I had to say, I'd appreciate it.

MR. PROKOP: Well, your question about the variance, there was no variance. It was determined by the Building Department that there was no variance necessary for the shared driveway, and I think that that's correct, there probably was no variance required for the shared
But the issue before this Board was that we received an application for site plan approval for 510 Madison Avenue, and then at the hearing regarding 407 Kaplan -- excuse me. And at the site plan application for 510 Madison, there was no shared driveway indicated. Then what happened was at the Public Hearing on an application for 407 Kaplan, Mr. Olinkiewicz was asked where the parking was going to be, and he said that there was going to be a shared -- he had -- he was in the process of recording an easement across 510 Madison Avenue. I advised the Village that that was not in conformance with the site plan that had been approved for 510 Madison, and that if he was going to do that, the Planning Board had to revisit the site plan for 510 Madison.

And that's how the whole thing came before the Planning Board again, because, basically, it
was a revision, the shared driveway is a revision
of a site plan that we approved for 510 Madison.
Now, at what stage he was discussing that with
the Village, I don't know. You know, there's
many things that are discussed with the Village.
I wasn't part of the discussion. I'm sure
that --

MS. MC ENTEE: Way longer than him
submitting for an actual application to the
County.

MR. PROKOP: So, you know, I'm not sure --
I'm not sure -- you know, I'm sure that he
discussed -- I'm not sure when it was submitted.
Excuse me. I'm not sure when it was discussed,
but I am sure that there were many things that
were discussed, and that probably was just one of
them. And that's how we came back to this Board,

just because it affected the site plan that we
had approved.

MS. MC ENTEE: Okay. Eileen Wingate, also
way back, and I'm -- weeks before we came to the
Planning Board, she also knew and said that he
had this easement. So, if she knew something,
why wasn't that -- why wasn't she abreast of it?
Why wasn't she taking charge of it? Why did this
not follow through until the filing date of
11/26, which I was told tonight?

MR. PROKOP: The other thing is your
question about R-2 zoning, and this has come up a
lot, you know, a number of times at different
meetings, so that's really before -- that's
something you should mention to the Trustees,
because this Board really can't -- we can only
deal with what the zoning is --

MS. MC ENTEE: I get that.

MR. PROKOP: -- you know, and deal with
planning on that basis. But if you have a
concern as a resident of a particular type of
zoning, that concern really should go to the
Mayor or the Board of Trustees.

MS. MC ENTEE: I do believe in R-2 zoning.
I do believe it's excessive, and I do believe the
ratio is way out of proportion. That is my opinion, I will tell that to every Board. And I appreciate you listening to me.

CHAIRMAN JAUQUET: Okay.

MS. MUNDUS: Thank you very much.

CHAIRMAN JAUQUET: We appreciate your comments. Go ahead.

MS. RICHARDS: My name is Margaret Richards. I live at 415 Kaplan Avenue, next door to Kaplan's Market.

Some of my neighbor's points are well taken. And I also saw cars parked both in the front yard and the backyard. And that's a fairly small lot, 510 Madison. And the way I read the code, it should never have been two families, because the code says the only way you can waive dimensional requirements is if there's already a single-family dwelling on the lot. There was no single-family dwelling on the lot, it was vacant for years, so it should have never been given a two-family status to begin with. So now you have an overburdened property, and you're further
overburdening it with an easement to allow
another overburdened property to park.
I also have knowledge and I -- if somebody
wants to see the proof, you'd have to give me an
email address and I'll send it to you, that
Mr. Olinkiewicz has told the people in the front
that they're not allowed to park in the back. So
that kind of defeats the purpose of 407 Kaplan
being allowed to be a two-family residence,
because it has three offsite parking spaces.
The woman parks in front of the building,
which I understand. All her guests come through
the front door and park along Kaplan Avenue. And
even in the snow they're parked in front of the
building, which kind of is a problem for me,
because when the plow goes around them, it leaves
the snow in front of my driveway. So I think
that both of those properties are overburdened,
and that is a provision of the Planning Board.
I'm trying to think if there's anything
else. I think she said a lot of what I was going
to say.

My biggest issue is -- and because she brought up the fact that there's too many two-families. That would be fine if the properties were big enough, but too many two-family dwellings being allowed on substandard properties, many of which Mr. Olinkiewicz owns, like the one right over here. He was given a subdivision and he ended up with four units on the two lots, and I don't believe that should have --

MS. MUNDUS: Which one are you talking about?

MS. RICHARDS: 314, 306 Center, right here.

MS. MUNDUS: Okay.

MS. RICHARDS: So, if not now and if not for this property, I think in the future we should think a little harder about allowing two-family residences on substandard properties, unless they meet the criteria of the law, which
has an allowance for people who already have a home.

CHAIRMAN JAUQUET: For -- what was that last phrase?

MS. RICHARDS: It has an allowance for people who already have a substandard property with a home on it, that they can have the second apartment. But if you're talking about a substandard property that's vacant and you're now allowing people to put two-family homes on it, that's overburdening the Village terribly.

Thank you.

MS. MUNDUS: Thank you.

CHAIRMAN JAUQUET: Thank you.

MR. DOWLING: Thanks.

CHAIRMAN JAUQUET: It seems to me that, you know, in this particular case, the Zoning Board has approved four parking places, and we seem to be faced with trying to regulate or put another overlay on how that front space is used, and to try and regulate how that is set up physically so
that it's used properly.

Can we go ahead and make a motion
to require him to do what we want to do
conditionally on this?

MR. PROKOP: I think so, because he owns --
because he owns both properties, I think that you
can do that, yes. Normally you wouldn't be able
to, because they're really two separate
properties. But I think in this case, because
he's the owner of the two properties, and it's
this easement on 510 that's satisfying his
requirement on 407, because of that, I think that
you could --

CHAIRMAN JAUQUET: Yeah.

MR. PROKOP: I think that you could do that
conditionally, yes.

CHAIRMAN JAUQUET: Well, what about those
three spaces in the back that he's got approval
for from the Zoning Board with the same sort of
requirement as in the front, that no more than
three cars can be there, and they have to be
parked in their spaces and not excess cars on the
yard, can we do that, too?

MR. PROKOP: Yeah, that's the requirement,
that there wouldn't be any parking on the front --

CHAIRMAN JAUQUET: I mean, that would
partially address who brought that up, I mean,
because I'm --

MS. RICHARDS: Both, I think.

CHAIRMAN JAUQUET: You know, my druthers,
as a Planning person, would be to make sure that
these, you know, highly -- that these densely
populated properties use the rest of the site
properly.

MS. MUNDUS: Well, there's seven --
according to the plan that we approved, there are
seven parking places appropriated. There's three
behind Kaplan Market and there's four for the 510
Madison property. The issue is how do people use
them or not.

CHAIRMAN JAUQUET: I know. Can you
regulate that?

MS. MUNDUS: And if you say that he gave them instructions not to use those parking places, well, that's -- this is the dilemma for the Planning Board. And then the people come before us, we approve a plan, which is basically a promise, because there's nothing -- we have no enforcement, we have nothing. Once it leaves here, there's no way to -- other than impose --

CHAIRMAN JAUQUET: Well, that's what we're saying.

MS. MUNDUS: Like you said, build a structure or something.

CHAIRMAN JAUQUET: I mean, I think we have to impose, and I think that would be a good precedent for others that present a similar --

MS. RICHARDS: 510 Madison definitely has at least six vehicles.

MR. ABATELLI: You really shouldn't just speak, you know, just for the --

MR. DOWLING: Can we --

CHAIRMAN JAUQUET: Why don't we -- hang on.

MR. DOWLING: Can we table this and ask him
to come back with a better plan on the front parking?

MS. MUNDUS: Well, they've already been approved.

CHAIRMAN JAUQUET: Well, I think we have to tell him what to do.

MR. DOWLING: Okay.

MS. MUNDUS: Yeah.

MR. ABATELLI: I mean, they really actually should have been here. I mean, it's kind of a problem now.

CHAIRMAN JAUQUET: Well, then let's table it and tell him what we want, and let him respond with an idea of physical -- of a physical construction, and how we feel about the way the ones in -- the three in the back are used, and the yard not used for cars.

MR. PROKOP: That's a good idea.

CHAIRMAN JAUQUET: You know? I mean, something like that --
MS. MUNDUS: I mean, there was a lot of dialogue, and he went through a lot of trouble to please us --

CHAIRMAN JAUQUET: I know, but there's --

MS. MUNDUS: -- by putting these in the back, and now he's telling them not to use it? It's crazy

CHAIRMAN JAUQUET: Well, I guess we could bring -- we could ask him about that, because --

MR. DOWLING: I think until we see a real plan of how this will properly be utilized, we can't --

CHAIRMAN JAUQUET: Okay. So I'm going to make --

MS. MUNDUS: Yeah, one second. Yeah, let her go.

CHAIRMAN JAUQUET: Oh, wait. Let's hear her talk.

MS. MC ENTEE: I do have another issue, though. There -- how are they going to get fire trucks all the way into the back? How are they
going to -- if there is an emergency and a fire
truck needs to get back there, this needs to be
addressed, so it's a big issue. If there's a
fire, you're going to let it burn, or can they
actually physically get their trucks all the way
in the back?

MS. MUNDUS: Well, they don't have to get
the truck to where the fire is, they have to get
the hose to where the fire is.

MS. MC ENTEE: Can they get down -- can get
they get down the easement?

MR. DOWLING: According to the site plan
that was submitted, yes.

MS. MC ENTEE: So they can get down o the
easement with the -- all the trees that are there
and everything?

CHAIRMAN JAUQUET: That's part -- I think
that issue was covered in the original zoning
approval of the site.

MS. MC ENTEE: In the original matter of
CHAIRMAN JAUQUET: No. I'm assuming that the Fire Department regulations are part of zoning.

MS. MC ENTEE: Yeah, but this is now an easement, so --

CHAIRMAN JAUQUET: Same thing.

MR. ABATELLI: There's a 10-foot, you know, requirement for the driveway for that space and a fire truck can go down there. Usually, the fire -- in most -- I'm not a fireman, but, generally, a fire truck would not try to get that close to a fire, especially right next to a building, they'd stay in the street --

MS. MC ENTEE: Fair enough.

MR. ABATELLI: -- and run in.

MS. MC ENTEE: Fair enough.

MR. ABATELLI: You know, they tend not to go down driveways in any fire situation.

MS. MC ENTEE: If you feel it's -- if you feel it should be fine, then that's okay.
MR. ABATELLI: I think that's -- I mean, again, I'm not a fireman, but they tend not to pull into driveways.

MS. MC ENTEE: Okay.

MR. PROKOP: When you discuss the -- when you discuss with Mr. Olinkiewicz whatever you want for the front of 407, we could also discuss with him that we don't want the 510 driveway ever blocked. You know, that could be the other part of the requirement.

CHAIRMAN JAUQUET: Okay, okay. So I'm going to -- I'll make a motion that we table. Is that the word?

MR. PROKOP: Yes.

CHAIRMAN JAUQUET: To table this until the next work session, so that we can discuss with Mr. Olinkiewicz our concerns about the front parking, and our new requirement that the front space be physically set up so that yard parking in the front cannot happen, vis-a-vis some sort
of barrier that they can't move, that a car can't
go through.

MR. ABATELLI: And how he would intend to
always keep that clear.

CHAIRMAN JAUQUET: And how he would intend
to satisfy our requirement for that. So does
somebody want to second that?

MS. MUNDUS: I second it.

CHAIRMAN JAUQUET: All in favor?

MR. BURNS: Aye.

MR. DOWLING: Aye.

MS. MUNDUS: Aye.

CHAIRMAN JAUQUET: Aye.

Okay. All right. Item 2 is a discussion
and possible motion on an application submitted
by Imran Qasim Khan, owner of Layyah Corporation,
requesting and evaluation for the addition of a
car service office/operation into the existing
convenience store office. This store is located
at 331 Front Street.

What did you guys do with this last time?

MS. MUNDUS: We discussed signage, lights.

MR. BURNS: It came down to --
MS. MUNDUS: Parking.

MR. BURNS: It seemed like the only issue was the signage.

MS. MUNDUS: And here's the sign.

MR. DOWLING: Yeah. We felt that it was an appropriate use for the Village.

MS. MUNDUS: Would you like -- would you like to speak?

CHAIRMAN JAUQUET: Do they have a special new office inside there?

MS. MUNDUS: It's within the existing building.

CHAIRMAN JAUQUET: I'm just coming up to speed with this, because I wasn't here last year -- last time.

MR. BURNS: Is this the same one?

MR. DOWLING: That's separate.

MS. MUNDUS: No, that's separate.

CHAIRMAN JAUQUET: That's something else.

MS. MUNDUS: That's separate.

CHAIRMAN JAUQUET: Is this it?
MS. MUNDUS: Yeah, this is the sign.

CHAIRMAN JAUQUET: Okay.

MS. MUNDUS: This is his intended use, and this is where the office is. There's no change at all to the fence, to the building, or anything.

CHAIRMAN JAUQUET: So this is Front Street and this is Third?

MS. MUNDUS: Right.

CHAIRMAN JAUQUET: So what's in there? Did you -- were you told?

MS. MUNDUS: I'm sorry that our Chairman wasn't here last week, so if you could just --

CHAIRMAN JAUQUET: Are you going to -- what are you going to do? What are you going to -- well, go ahead and say what you were going to say.

MR. KHAN: Imran Qasim Khan. I was wanting to use my office as a car service office. I was starting to -- trying to start up a new business,
like a taxi service in Greenport. It's basically for the Town of Southold, and that's why I came here last week for them. I provided the signage, and I showed that I have enough parking space in the back, back of the building.

MR. PROKOP: I have a comment on -- it's sort of -- I'm just mentioning -- I'm just interrupting because I have sort of a threshold comment just at the beginning.

I asked the -- I asked Dave Abatelli what the zoning is and he said it's Commercial/Retail,

CR-Commercial/Retail. So in Commercial/Retail you're allowed to have a business office, so this would probably -- I mean, the Building Department didn't mention that there's a problem with the use, you know. So I'm just asking the question now. He's probably allowed to have a business office, but like a car service or something is not one of the uses that's --

CHAIRMAN JAUQUET: That's what I was wondering.
MR. PROKOP: -- yeah, that's allowed, so --

CHAIRMAN JAQUET: This didn't have to go past the Zoning Board already? This application is coming directly to us?

MR. ABATELLI: Right. We were looking at it as a use evaluation. We didn't --

CHAIRMAN JAQUET: A what evaluation?

MR. ABATELLI: A use evaluation.

CHAIRMAN JAQUET: Use evaluation, okay.

MR. PROKOP: So, probably, if he wanted to have -- I mean, this is really the interpretation of your Board and also the Building Inspector, but just, you know, legally, looking at this, you could probably have the office there, because it is a business office, but, you know, if he wanted to start parking, you know, the cars that are actually coming and going, they would probably have to be somewhere -- I would think that they would probably have to be somewhere else.

CHAIRMAN JAQUET: That's what I was
wondering.

MR. PROKOP: Yeah. But the office --

CHAIRMAN JAUQUET: Thinking like, okay,
could be a business office for dispatching and,
you know, doing the telecommunications, but not
adding those cars and that activity to the
site --

MR. PROKOP: Right.

CHAIRMAN JAUQUET: -- without a special
permit or something, because it's -- so it's your
job to tell us that the code goes so far in terms
of the use. It's a business office --

MR. PROKOP: Yeah.

CHAIRMAN JAUQUET: -- but taxi services
aren't specifically noted, they're not in there.

MR. PROKOP: Right. There's 18 uses that
are allowed, and this isn't one of them.

CHAIRMAN JAUQUET: So there's some specific
uses and this isn't one of them. Okay.

So who told you that there's enough parking

there to add those cars?
MR. KHAN: I have enough parking in the back to just park the car. Basically, the cars would be moving around, they're not going to be stopping in one spot. You're not going to see it.

CHAIRMAN JAUQUET: Yeah, but that's where you're going to store them at night when there's nobody there.

MR. KHAN: If there's more -- I mean, if it's --

CHAIRMAN JAUQUET: That's what you're thinking?

MR. KHAN: If it's not operation time. If it's not operation, not calls, and they are returning, and we have nothing to do, we can leave the car, we can leave the car in the back.

CHAIRMAN JAUQUET: Where in the back?

MR. KHAN: In the back.

MR. DOWLING: So this is -- we're saying through here.

MS. MUNDUS: Yeah.

MR. DOWLING: Where there's a dumpster or something.
CHAIRMAN JAUQUET: Oh, where the dumpster is.

MR. DOWLING: So it's not in front.

CHAIRMAN JAUQUET: Okay. I'm not sure that -- but there's a dumpster there, not a car.

MR. DOWLING: Correct.

CHAIRMAN JAUQUET: Or a car or both.

MR. KHAN: Even after the dumpster. I already have to park the car over there and there's still enough space for the one more car.

CHAIRMAN JAUQUET: Yeah, yeah.

MR. BURNS: You're suggesting that he would need a variance?

MR. PROKOP: I think so. I think the --

CHAIRMAN JAUQUET: That's what I was thinking. And what were you thinking?

MS. MUNDUS: You said two cars, right?

MR. KHAN: Two cars.

CHAIRMAN JAUQUET: Two cars?

MR. KHAN: Most of the business is going to
be over the phone, and there's basically not a
requirement. Just for the paperwork, I'm going
to use the same office as the a paperwork. I can
do it. And some people, they work right from the
house, and if you see the ones from the Town of
Southold there, they've never been through it,
because there is no law in the Town of Southold,
not even the Village of Greenport, no requirement
for anything. I'm just putting the sign board,
that's why I come here to the Village of
Greenport, for approval of the office as a taxi
office. Other than that, there is no
requirement, no law for nothing. All they are
just operating from the house and they are just
using the cell phone or the house telephone
number.

MS. MUNDUS: Right.

MR. KHAN: The Cindy Taxi, they've never
been -- went through the Town of Southhold, or
the Hometown, or the Flying Cow, and a few other
names.
CHAIRMAN JAUQUET: Have you looked into putting the cars somewhere else, rather than at that location, in that area of the town; putting the car actually, you know, somewhere else and then just doing the dispatching from that office, as the code would allow? Adding the cars is another layer of use that, you know, isn't necessarily, you know, your right to do right away, I mean, without any, you know, approvals. Have you looked into putting the cars somewhere else? I mean, can I --

MR. ABATELLI: Let me just -- I think what the problem is is that it's not listed, it's not listed as a prohibited use or as a permitted use. So there's technically no place to put the cars.

CHAIRMAN JAUQUET: Say that last again.

MR. ABATELLI: There's actually no, place because I don't think any place --

CHAIRMAN JAUQUET: Oh.
MR. ABATELLI: You know, we don't have --

unless you had like a used car lot.

MS. MUNDUS: Livery service.

CHAIRMAN JAQUET: Right.

MS. MUNDUS: Livery.

MR. ABATELLI: But I don't think -- I think

that's what the problem is, it's not listed one

way or the other.

CHAIRMAN JAQUET: Right.

MR. ABATELLI: We have some things that are

prohibited and some things that are permitted,

it's just not one of the things on the list one

way or the other.

CHAIRMAN JAQUET: Right, right.

MR. ABATELLI: But maybe it should have an

interpretation or something from the Zoning

Board.

CHAIRMAN JAQUET: Do we need a plan that

shows there's enough places near the dumpster to

put two cars permanently?

MR. ABATELLI: Well, for what it's worth, I
think two cars would fit there. I mean, it's 20 feet wide. The dumpster is maybe five foot wide.

CHAIRMAN JAQUET: Okay.

MR. ABATELLI: I mean, there's enough room for the two cars to sit there, but -- though the Attorney is correct. I mean, there's nothing that says you can do it. You know, I think, from a Building Department standpoint, it just didn't seem, you know, that the other cars are either parked there, or they're out driving around, you know, stay, you know, by the railroad station. I know one of the Hometown Taxi things used to just sit at Mitchell Park Marina all day, you know, just waiting for somebody who wanted a taxi ride. You know, they can park anywhere that it's legal to park, you know, the ones that have been around in the past.

MR. PROKOP: Well, I would ask either the Building Inspector or the Zoning Board if this is

-- if this is a use, permitted use in the CR
CHAIRMAN JAUQUET: All right. Let's do that, then.

MR. PROKOP: You know, because you really can't -- I mean, to me, I mean, I don't think it is, but I'm not the person who makes that call. It's really up to the Building Inspector or the ZBA. It's only my job to point out to you that there's some kind of an issue here that you need to address.

CHAIRMAN JAUQUET: Yeah. And what about public hearings on it, haven't we done that already, or is this it?

MR. PROKOP: No, because this type of --

CHAIRMAN JAUQUET: Is tonight the public -- is there --

MR. PROKOP: Excuse me.

CHAIRMAN JAUQUET: Go ahead.

MR. PROKOP: A use evaluation wouldn't normally have a public hearing.

CHAIRMAN JAUQUET: You wouldn't?

MR. PROKOP: No.

CHAIRMAN JAUQUET: Okay.
MR. PROKOP: It's just a discussion. But

the purpose of the use evaluation is to sort of
flush out things -- flush out things like this,
you know, that come up.

CHAIRMAN JAQUET: I mean, I'd like someone
else's opinion on it, aside from our --

MR. ABATELLI: Yeah. I mean, that's
what -- that is exactly what the Attorney just
said.

CHAIRMAN JAQUET: Right. So who do we --

MR. ABATELLI: Part of the purpose -- in
the bad old days, this might have just gotten a
permit right out of the box, or even worse,
someone would have just opened it.

CHAIRMAN JAQUET: All right. I know, I
know, I know.

MR. ABATELLI: They don't put up a sign
that says "taxi," you know, and parked a car
there or two cars. So what we should be -- what
you were talking about last week is worrying
about that there's not five cars.
MS. MUNDUS: Right.

CHAIRMAN JAUQUET: Right. Oh, yeah. Well, that's still to come.

MR. ABATELLI: And they happen to be like, okay, it's two cars.

CHAIRMAN JAUQUET: Right.

MR. ABATELLI: And that's how many cars, you know, but we may not be at that point yet.

MS. MUNDUS: The Southold Town has different laws than the Village of Greenport, also, because the Village of Greenport's an incorporated village and it's very densely populated. So that's why it's hard to compare the other two taxi companies with what you're trying to do.

MR. KHAN: First, I went to the Town of -- Village of Greenport and Mr. Dave was already there that day, and they said there is no law, there is no requirements, and because I thought I was going to put the board and it's going to be
like official there.

CHAIRMAN JAQUET: To start right then and there, yeah.

MR. KHAN: There's an office and I'm running -- and the addition of my car, and start operation myself, and I think there is not going to be any problem to start up any business or the -- that's why I was going to put an office, make it like official. There is a space where they can come and they can see that somebody's there, they can find a taxi there. That's why I came to the Village and get approval for the office.

MS. MUNDUS: Right.

MR. KHAN: The cars, I already have the five, and one handicapped and five spaces for the office -- I mean, for the store use, too, and that's why --

CHAIRMAN JAQUET: What kind of -- what kind of cars were you going to do this with, the new used cars or --
MR. KHAN: It's going to be the used cars.

CHAIRMAN JAUQUET: The used cars?

MR. KHAN: Yeah, it's going to be the minivans.

CHAIRMAN JAUQUET: Oh, a minivan.

MR. KHAN: Minivans.

MR. BURNS: I find it interesting that cars are parked all over the Village overnight, and here's a guy who wants to park two of them on his own property. I don't see any objection. I don't see how there could be an objection.

MR. DOWLING: Yeah. I mean, I think it's -- I think what he wants to do is good for the Village, but I think we have to make sure we go ahead and approve it properly and legally.

CHAIRMAN JAUQUET: I do, too. And are you saying that we need Wingate or someone from the Zoning Board here to add their comment?

MR. ABATELLI: Well --

CHAIRMAN JAUQUET: I mean, I'd like to do
that. I mean, I don't know.

MR. ABATELLI: From a Building Department standpoint, I think our -- as he was just saying, our feeling was that it's not prohibited.

CHAIRMAN JAUQUET: Right.

MR. ABATELLI: You know, but we don't have any rules specifically for it, so that's why we felt --

CHAIRMAN JAUQUET: And who in the Village would --

MR. ABATELLI: Well, I think the --

CHAIRMAN JAUQUET: -- provide more input for us?

MR. ABATELLI: I think what's happening is what's supposed to happen. We felt that the Building Department -- well, at a minimum, you've got to come for a use evaluation to have this group look at it, as opposed to Eileen and I either saying, "No, you can't do it, go away," or saying, "Go ahead, go ahead and just do it," you know. So we have this step.
CHAIRMAN JAUQUET: Okay.

MR. ABATELLI: This step is bringing up this discussion where you're wondering about it. So the the next -- as we're talking about it, probably the next thing could be if you -- you know, I don't know. Would be the Zoning Board as an interpretation, perhaps. I'm not sure it would be a variance, because I'm not positive what the variance would be, because there's not like a violation of anything. He just is not --

MS. MUNDUS: I'd like to have a little more time to look into this.

CHAIRMAN JAUQUET: Who on the Zoning Board can we invite here to make some comments.

MR. ABATELLI: Well, no. I think they would have to discuss it, because it's not listed. You know, it's -- there's a part of the code that deals with if there's just nothing, you know, it's just empty. You know, it's --

CHAIRMAN JAUQUET: Yeah, okay.

MR. BURNS: I think this Board's authority extends to how many cars and where they are parked.
MR. ABATELLI: I mean, again, I don't want
to -- I'm saying too much here, I think. I mean,
if the four of you felt this is a great thing, we
ought to do it, you know, why not, it's great,
then I don't know.

CHAIRMAN JAUQUET: I don't think we're
there, though.

MR. ABATELLI: I guess that would work, but
I really --

MR. PROKOP: I think that that's gotten us
into a lot of trouble in the past. That
statement that was just made has been the -- an
ongoing dilemma. And when the Trustees, prior
Trustees adopted the zoning code, the way you
adopt the zoning code is you identify the
districts and then you come up with the permitted
uses in each district, and if it's not listed as
a permitted use, it can't be done. Otherwise,
you know, there's --

CHAIRMAN JAUQUET: Otherwise there's
nothing.

MR. PROKOP: There's hundreds of things that people could come here and say, "Well, we could do it because of the use."

CHAIRMAN JAUQUET: Right.

MR. PROKOP: So I would just ask -- suggest you do the more cautious thing and refer it back to the Building Inspector. I would suggest the Building Inspector, and then if feels she needs this, she could send it to the ZBA on her own, or you could send it directly to the ZBA, whatever you want to do.

MS. MUNDUS: Well, I think -- I also think it's something that Greenport needs. And I agree that it's a preexisting -- an office in a preexisting building, it's another phone line. And two cars parked behind the fence, as long as it is only two and it doesn't grow to five or seven, I think it's a good thing. And I'd like to just have a little more time to figure out what is the right and best thing to do.
CHAIRMAN JAUQUET: And that's what I want to do.

MR. DOWLING: Yeah.

CHAIRMAN JAUQUET: Okay. So I'm going to make a motion to have further discussion and have an opinion or some comment from the ZBA on this before we go ahead with what our recommendations are going to be. And I think we're going to have some need for maybe a little bit more a graphic situation as to where cars are going to actually be, and the spaces between the fence and the cars.

So does anybody want to second that motion?

MS. MUNDUS: Sure, I'll second it.

CHAIRMAN JAUQUET: Okay. All in favor?

MR. BURNS: Aye.

MR. DOWLING: Aye.

MS. MUNDUS: Aye.

CHAIRMAN JAUQUET: Aye.

Okay. Let me ask you, what made you come
up with the idea of doing the taxi service? You just saw the competition around the Town and decided that there was probably some --

MR. KHAN: There's no competition. There's nothing in the Town.

CHAIRMAN JAUQUET: We don't have it? We don't have a taxi service?

MR. KHAN: We don't have anything, not in the Town of Southold.

CHAIRMAN JAUQUET: Right.

MR. KHAN: Not from -- according to that, there is nothing.

CHAIRMAN JAUQUET: Right. And the people are going from --

MR. KHAN: They're operating from the Town of Southampton. They are operating there. They come all the way to Greenport and they are doing basically business right now.

CHAIRMAN JAUQUET: They have drivers that are located to go --

MR. KHAN: Yeah, they come from there and
they are doing it, because nothing is available in the Town.

CHAIRMAN JAUQUET: Where are are -- I don't know if this -- where are your drivers going to be located, here?

MR. KHAN: Right here.

CHAIRMAN JAUQUET: There's people already in Greenport?

MR. KHAN: Yeah. That's why I come, I'm going to make my office right here in Greenport.

CHAIRMAN JAUQUET: I mean, the drivers themselves are going to be on tap to --

MR. KHAN: Yeah, they're going to be local.

CHAIRMAN JAUQUET: Maybe have the cars at their houses or something? I mean, sometimes, that's way they do that.

MR. KHAN: It depends if they want to take it over there. But the more the cars are going to be in operation, they're not going to be standing in one spot.
CHAIRMAN JAUQUET: Right, yeah, I understand that.

MR. KHAN: And that's why I suggest that I can park in case if I need it, I can park in the back of the building. Other than that, they're going to be moving around here.

CHAIRMAN JAUQUET: What's your role in the business, are you behind the counter, or are you going to drive yourself?

MR. KHAN: No, I'm going to be behind the counter. I'm going to manage.

CHAIRMAN JAUQUET: Manage both businesses from that, yeah.

MR. BURNS: Am I wrong, if this gentleman wanted to go ahead, he'd just advertised his telephone, which is already in his store, and he parked his taxis where everybody parks, on the road, or on the street, or in one of the parking lots, he can go ahead and do it?

MR. PROKOP: He's really not supposed to change the use of the store. I mean, if it was -- I mean, if he was running from a cell phone and he was walking around, you know, inside
the store, just talking to people on the cell
phone, I mean, we could never control that, I
don't think. But, you know, once he sets aside a
part of his store that this is now the taxi
business and starts bringing cars, you know --

MR. BURNS: Then he could go ahead and do
the taxi business out of his cell phone.

MR. PROKOP: Yeah, we wouldn't be able to
control that, but he just can't allocate space in
the store for that.

You know, and I think it's -- you know, one
of the things is -- I mean, I'm not a Planning
Board member, I'm the Attorney, but, you know,
this is -- the allocation of space would also
include an allocation of the parking lot, you
know, for the minivans, or whatever.

MS. MUNDUS: Is livery service mentioned
anywhere else?

MR. PROKOP: I didn't see it. No, I didn't
see it.

MS. MUNDUS: I'd like to look for it.
Okay. So we'll table it.

CHAIRMAN JAUQUET: So what's the timing on -- you know, just so that we know.

MR. ABATELLI: You have to -- probably should try to come in tomorrow, because you could get on -- you could get on the agenda for the Zoning Board as a starting spot. I mean, that's going to take a while, though. The Zoning Board is going to take probably two months.

CHAIRMAN JAUQUET: Do you have your cars already?

MR. KHAN: If I just run my company on the phone, just going to be on the telephone, and if my car's going to be around like other cars, I think there's not going to be a problem. The thing is that I am trying to do this with my office. I'm just trying to put the sign board. Even if I don't put the sign board, it's not going to be problem either --

CHAIRMAN JAUQUET: Probably not.
MR. KHAN: -- if I have a couple of cars over there, and I think it's not going to be hurting anybody.

CHAIRMAN JAUQUET: I mean, you know, you could run that off your internet instead of the side of your building.

MR. KHAN: The only thing I was doing it --

CHAIRMAN JAUQUET: For now.

MR. KHAN: -- because sometimes I do the paperwork, I'm in once or twice a week in the office, and basically the office is empty, not doing anything.

CHAIRMAN JAUQUET: Yeah, I know.

MR. KHAN: And doing this kind of business is going to be over the phone.

CHAIRMAN JAUQUET: I know.

MR. KHAN: Probably I'm sitting here, even in the city, and taking the calls --

CHAIRMAN JAUQUET: I know.

MR. KHAN: -- and doing dispatch and everything. It's not going to hurt. The only
thing, I was trying to put the sign board on the
doctor. That's why I came to the Village for it.
And I went already to the TLC Commission and to
the Department of Motor Vehicle. They asked me
you can do this any time you want to, there's no
requirements.

CHAIRMAN JAUQUET: Is that who approves all
the vehicular permits?

MR. KHAN: Everything is approved. There's
no commission, no it TLC Commission in Suffolk
County.

CHAIRMAN JAUQUET: Right.

MR. KHAN: And I can operate from anywhere

I want to and I can do it.

CHAIRMAN JAUQUET: Yeah.

MR. KHAN: The only thing I can't have, just for the use of the office as a taxi office.

Other than that, I can start my cars tomorrow. I
already bought one of them and I could start it
from tomorrow, it's not going to be a problem.
CHAIRMAN JAUQUET: What about that? A sign is -- I mean, that's really -- the sign says the use. I think we have to --

MR. ABATELLI: I really don't know. All I can say is I know --

CHAIRMAN JAUQUET: Look, we already made our -- we made our motion, and I think you're going to have to wait for the ZBA to -- you know, I think you're going to have to go to the ZBA.

MR. KHAN: Just for the signage?

CHAIRMAN JAUQUET: Just for the sign.

MR. KHAN: I can start up operation --

MR. DOWLING: No.

MR. PROKOP: We don't regulate that.

CHAIRMAN JAUQUET: We don't regulate that, but the sign we do regulate.

MR. KHAN: Yes. This means I can start my business tomorrow with the cars, and I'll only only for the sign.

CHAIRMAN JAUQUET: Right. You can't put the sign up.
MR. DOWLING: And we can't tell you -- we can't tell you that --

CHAIRMAN JAUQUET: We can't tell you what else to do, so that's fine. I mean, we can't tell you what to do, but the sign is an issue.

MR. KHAN: Just for the sign and I have to come back for the ZBA?

CHAIRMAN JAUQUET: Yeah

MR. DOWLING: Well, we can't tell you that you can use it as a taxi office either.

MR. PROKOP: No. See, this is the same problem as the last application, where we -- at one time, we had a site plan here, and a site plan laid out the parking lot in relation to that store. So now, if you decide that you're going to use -- and whether there's parking spaces available or not, I mean, that's something that you could tell us about at later application, but the problem is we design the parking lot based on the use of that store. So, if you decide that, you know, you're going to start allocating some of it for a different business, that's something
that you need to get approved. That is something you get -- you need to get approved by us. You can't just say that, "There's a couple of spaces there all the time, so I'm going to start using them," you know, or park the things around the back. I mean, that is something that has to be discussed by this Board.

So, if you have cabs running around town, I mean, there's nothing we can -- this Village doesn't regulate taxis, that I found. I'm sure I'll read on a blog tonight that it does. But, as far as I could see --

(Laughter)

MR. PROKOP: As far as I could see, and maybe Mr. Abatelli could correct me, but we don't give out permits to cab companies.

MR. ABATELLI: You know, because, as I said before, they just park in the summer. During the summer on weekends, you'll see the Four Ones Taxi. You know, the Four Ones is one company. Hampton Bays, actually, they send a car over here
and people might call there, and the car are already parked here at the train station or just parked. You know, that is -- but they're not -- they're in operation here, you know, just the
cars here, you know. And so, when someone calls Hampton Bays, at least for Four Ones, I know about that company, and there's also like Hometown, they just send a car.

CHAIRMAN JAQUET: You know, and no one knows there's a taxi service, but everybody that needs a taxi knows where to look that up, usually on their device. So, anyway --

MR. KHAN: Even if I don't get approval, I'm still going to use -- I mean, taxis are going to be allowed in the Town. It doesn't affect anybody. I mean, it's just like putting the board is not going to hurt anybody.

CHAIRMAN JAQUET: Well, the sign -- the sign is in our jurisdiction. The sign is an issue.

MR. DOWLING: I think the major thing is
that we have not approved anything, right now yet, so --

CHAIRMAN JAUQUET: Yeah, the sign -- you know, what you do in the office as a business is a business. But, you know, the physical reflection of a new use, which the sign is, is something that we're now -- we just made a motion that you have to go to the ZBA to get an opinion from them so that we have more information.

Okay? Is that okay? I mean, is that --

MR. PROKOP: So talk to the Building Department. Stay in touch with them. That's perfect.

CHAIRMAN JAUQUET: Okay.

MR. ABATELLI: Come into the Building Department.

MR. KHAN: It's going to be tomorrow?

MR. ABATELLI: Just come to the Building Department and Eileen can explain the process. We'll explain the process on what to do next.
MR. KHAN: Sure.

CHAIRMAN JAUQUET: Okay.

MR. KHAN: Thank you.

CHAIRMAN JAUQUET: You're welcome. Thank you.

CHAIRMAN JAUQUET: Okay. So are we going to go on to #3? We're going to go on to the third? We're going to keep on going, even though it's 6 o'clock?

MR. PROKOP: (Nodded yes.)

CHAIRMAN JAUQUET: Okay. Item #3 is a discussion and possible motion on an application submitted by Mariana Solano requesting a use evaluation. She has proposed the installation of a hair salon at 120-122 Front Street. The building is zoned as CR - Commercial/Retail, and the proposed use is a permitted use.

Did you guys talk about this last week?

MS. MUNDUS: We did.

CHAIRMAN JAUQUET: Yeah.

MS. MUNDUS: She was here.
CHAIRMAN JAUQUET: Yeah. And what sort of --

MR. ABATELLI: I think you wanted sign information.

MR. DOWLING: Yeah.

CHAIRMAN JAUQUET: Sign? Okay.

MS. MUNDUS: Yes.

MR. DOWLING: But as far as everything else, we're happy with it.

MR. ABATELLI: Which has to be submitted, but I think --

MS. SOLANO: Hello. I have a little proposed sign. This is number one, this is number two and number three.

MS. MUNDUS: Okay.

CHAIRMAN JAUQUET: Just say that again into the microphone.

MS. SOLANO: I have one proposal for the signs. It's three little little signs. Number one is that one, it explains it here.
MS. MUNDUS: Okay.

MS. SOLANO: And number two is that one, the front door. And three is in the -- okay. That window is up in here.

MR. DOWLING: Okay, which I don't believe these are -- these are what they call sandwich signs?

MS. MUNDUS: Yeah.

MR. DOWLING: Sandwich board? Those are -- I believe are allowed in there.

MR. ABATELLI: They would be on her own property.

MR. DOWLING: It's got to be on -- a sign like this has to be on your own property in the Village, so it can't be out on the sidewalk or in the planter here, which is not your property.

MS. SOLANO: No, but this is my property. I would only want to put it here or over here, but only see people -- it's open outside of my store, you don't see it's open across.

MS. MUNDUS: Okay. So, for the record, Proposal #1 says, "Nice Haircuts Unisex."
MS. SOLANO: Yes.

MS. MUNDUS: It's 7 inches by 17 inches.

MS. SOLANO: Yeah.

MS. MUNDUS: And it would go inside the front window of her store on the corner.

MR. DOWLING: Her store's back here, but I think there's other signs here already.

MS. SOLANO: Yeah, this is all the signs that would be --

CHAIRMAN JAUQUET: There's a directory.

MS. SOLANO: Yeah, yeah, directory.

MS. MUNDUS: Oh, I'm sorry, it's not a window, it's a sign board.

MR. DOWLING: Right.

MS. MUNDUS: Sorry.

MS. SOLANO: Yeah.

MS. MUNDUS: Sorry.

MR. DOWLING: This is the previous use.

MS. MUNDUS: Okay.

MS. SOLANO: My store is here. Go back.

MS. MUNDUS: Okay. And then Option #2 is an old-fashioned swinging sign on a bracket that
sticks out very close to the front door, which
is -- the bracket itself is 10 inches high by a
little over 20 -- it looks like 26 inches long,

and the sign itself is 16-by-24 that also says,
"Nice Haircuts Unisex."

And then the third option that she proposes
is not legal, and that's a sandwich board out on
the curb on the other side of the sidewalk. So
you understand that, right?

MS. SOLANO: Yes, I know.
MS. MUNDUS: Okay.
MS. SOLANO: I know.
CHAIRMAN JAUQUET: Okay. Could I see the
picture, the photo that she gave?
MR. DOWLING: Yes.
CHAIRMAN JAUQUET: Where is her shop going
to be?
MR. DOWLING: Back there.
MS. MUNDUS: In the tea shop. In the tea
shop.
CHAIRMAN JAUQUET: Okay, yeah. That's what I thought. So the hanging sign is --

MR. DOWLING: She has a drawing right here where the hanging sign is going to be.

CHAIRMAN JAUQUET: Yeah, so you see it from the street, if you looked out.

MS. MUNDUS: It's a very nice drawing.

CHAIRMAN JAUQUET: Oh, yeah, that's a nice drawing.

(Laughter)

MS. MUNDUS: Everybody should submit drawings like that.

CHAIRMAN JAUQUET: To scale.

MS. MUNDUS: Yeah.

MR. DOWLING: Now, for the hanging signs, for the -- I know there's a requirement. If it's over public space, does it have to be a certain size?

MR. ABATELLI: Yeah. So those are put all in a private -- whatever that is, that you call it.
MR. DOWLING: So there's no restriction.

CHAIRMAN JAUQUET: Yeah, a little private courtyard.

MR. DOWLING: Right.

MR. ABATELLI: It's on a courtyard, that's it.

MR. DOWLING: Yup.

MS. MUNDUS: Well, it also -- it matches the one right across the street.

MR. DOWLING: Yeah.

MS. MUNDUS: Across the courtyard.

MR. ABATELLI: Yeah. It would be a size requirement.

MR. DOWLING: And also matches what you see all over town.

CHAIRMAN JAUQUET: So do we know what the size requirement is?

MR. ABATELLI: Yeah. Ideally --

CHAIRMAN JAUQUET: Is the bracket there already?
MR. ABATELLI: Ideally, they were supposed to bring this in to the Building Department, not here.

CHAIRMAN JAUQUET: Oh, okay.

MR. ABATELLI: But, I mean, we can go forward. But if you guys, let's say, approve the basic layout, then the Building Department can verify the signs and so forth.

CHAIRMAN JAUQUET: The signs, okay, fine. Okay.

MR. ABATELLI: It looks -- they're not -- I would think they'll probably be okay.

MR. DOWLING: Yeah, they look fine to me.

MS. MUNDUS: Can she have them both?

CHAIRMAN JAUQUET: Yeah, everybody gets a directory.

MR. ABATELLI: Yeah, a directory.

MS. MUNDUS: Every -- that's the directory.

CHAIRMAN JAUQUET: Yeah.

MS. MUNDUS: And then this one.

CHAIRMAN JAUQUET: And then the other.
MR. ABATELLI: It's similar like the way
Stirling Square was.

CHAIRMAN JAUQUET: Sure.

MR. DOWLING: And other businesses back
there have the same thing.

CHAIRMAN JAUQUET: Right.

MR. ABATELLI: Yeah. So this -- the only
thing is that that should be there, on their
property.

CHAIRMAN JAUQUET: Oh, these are -- oh,
okay.

MR. ABATELLI: It should be on their own
property.

CHAIRMAN JAUQUET: Oh, okay.

MS. MUNDUS: So she could have this, as
long as it's on the other side of the sidewalk.

MR. ABATELLI: Right, and she'd bring it in
and out every day, like during the opening.

CHAIRMAN JAUQUET: Do you understand that?

MS. SOLANO: And that's the thing for every
day. Every day, take it off and put inside and
up.

MR. DOWLING: Yes. As long as it's not on public property, it's okay.

MS. SOLANO: Yes.

CHAIRMAN JAUQUET: It has to be in here.

MS. SOLANO: I'm sorry?

MS. MUNDUS: On the courtyard property.

CHAIRMAN JAUQUET: This is public, just, you know -- I don't want to write on it.

MR. ABATELLI: I know you might see other ones that are out there.

CHAIRMAN JAUQUET: Yeah.

MR. ABATELLI: It's a constant battle with them, so --

CHAIRMAN JAUQUET: So we won't approve it here, but we'll -- you know, it's up -- it's your business if it's here.

Okay. Did you want to say something?

MR. SOLANO: No, that's fine.

CHAIRMAN JAUQUET: All right. So can we -- okay. So what's your --

MR. BURNS: It's not our business to tell
her what she wants --

CHAIRMAN JAUQUET: That is true.

MR. BURNS: -- or what she needs --

CHAIRMAN JAUQUET: Yeah.

MR. BURNS: -- so much as it is to approve what she recommends. She's recommended several of these. I like this one.

MR. DOWLING: Well, I think she requested those two there.

MS. MUNDUS: Yeah.

MR. DOWLING: She requested all three, but I think the one and two definitely fit.

MS. MUNDUS: The sandwich board, where she has it on her diagram, is not legal.

MR. BURNS: No, no.

MS. MUNDUS: But it would be legal if she put it on the courtyard side.

CHAIRMAN JAUQUET: So we're just -- our motion is --

MS. MUNDUS: To approve.

CHAIRMAN JAUQUET: -- to approve the
directory sign and the hanging sign over shop, so
that's all.

MS. MUNDUS: And the other sign, as long as
it goes -- it comes in and out when the business
is open, and it's on the courtyard property.

CHAIRMAN JAUQUET: Yeah, but he's saying
that that's none of our business, because we're

only going to approve the two signs.

MR. DOWLING: Yeah. I think the two that
are actually affixed to the building we can
approve.

CHAIRMAN JAUQUET: The other one is
superfluous, even though she's got it on there.
We're not approving her drawing, right?

MR. BURNS: Well, it has to go to the
Building Department.

MR. DOWLING: Right.

MR. ABATELLI: Right, and the Building
Department has to --

CHAIRMAN JAUQUET: And then -- and with the
Building Department's final approval of --

MR. ABATELLI: Right.

CHAIRMAN JAUQUET: -- size and --

MR. ABATELLI: Size and details.

CHAIRMAN JAUQUET: Size and --

MR. DOWLING: Detail.

MR. BURNS: Can we do something and then say --

CHAIRMAN JAUQUET: Yeah.

MR. BURNS: -- whatever the Building Department approves?

MR. ABATELLI: Yeah, subject to the -- even to the sign, the details of the sign, or the specifics of the sign.

CHAIRMAN JAUQUET: Okay. So --

MR. ABATELLI: The sign is actually pretty clear. I don't think that's going to be a problem.

MR. BURNS: How about we accept her designs as the signs that she wants on her shop, with the provision that they be approved by the Building Department.
Department?

MS. MUNDUS: I second.

CHAIRMAN JAQUET: I second -- I mean, all

in favor?

MR. BURNS: Aye.

MR. DOWLING: Aye.

MS. MUNDUS: Aye.

CHAIRMAN JAQUET: Aye.

MS. SOLANO: Thank you.

CHAIRMAN JAQUET: You're welcome.

Okay. Number 4 is a motion to schedule the

February 2014 work session for February 27th, and

the March 2014 regular session for March 6th.

MR. BURNS: So moved.

MR. DOWLING: I will be out of town for the

27th, but you can have it. I don't mind you

having it without me.

CHAIRMAN JAQUET: You know what, when I --

I got an email from one of the Village residents,

Dave Corwin, asking why do we have to have two
meetings a month, and why do we have to have a
work session. I think in previous times, they
used to not have work sessions that's scheduled,
but it seems -- but, anyway, so what's the --

MR. PROKOP: It's up to you. I mean, you
don't have to have it.

CHAIRMAN JAQUET: Yeah.

MR. PROKOP: There's no requirement.

CHAIRMAN JAQUET: Okay. Anyway --

MR. PROKOP: You know, it's just -- the
initial idea was that we would get at the work
session -- sort of discuss the application, and
then at the next meeting, you know, to act on it,
so it's up to you. I mean --

CHAIRMAN JAQUET: Yeah, I'm not going to
make any -- I don't want to make any decisions.
I like the way it's going.

MS. MUNDUS: I appreciate the work
sessions.

CHAIRMAN JAQUET: I do, too.

MR. DOWLING: Yeah.
CHAIRMAN JAUQUET: I like the way it's going so far.

MS. MUNDUS: I really like the interaction with the --

CHAIRMAN JAUQUET: Yeah, I do, too. I do, too.

MS. MUNDUS: -- applicants and explaining and, you know.

MR. DOWLING: And if we didn't have the work session, this would have taken her two months to get this approved, instead of a week.

CHAIRMAN JAUQUET: That's right, yeah. Okay.

MR. BURNS: So let's just deal with it.

CHAIRMAN JAUQUET: Anyway. So you motioned to accept the --

MR. BURNS: Accept that.

CHAIRMAN JAUQUET: -- item #4, I'll second.

All in favor?

MR. BURNS: Aye.

MR. DOWLING: Aye.

MS. MUNDUS: Aye.

CHAIRMAN JAUQUET: Aye.
MS. MUNDUS: I will not be here on March 6th.

CHAIRMAN JAUQUET: Okay. We'll just go with that as we go along with --

MS. MUNDUS: Okay.

CHAIRMAN JAUQUET: -- the absences, I mean, and okay.

So Item #5 is a motion to accept the minutes for August 1st, 2013, regular session.

MR. DOWLING: I never saw them, so I --

CHAIRMAN JAUQUET: Me neither, but I guess we'll accept them.

MR. ABATELLI: Yeah, I think you accept -- I know it's been -- I was actually surprised, too, when we are looking at that, but I know it's been a long time since --

CHAIRMAN JAUQUET: Okay.

MR. ABATELLI: That we're behind on minutes.

CHAIRMAN JAUQUET: Okay.

MR. PROKOP: If you didn't -- if you don't
have them, you shouldn't move to accept them, you
should just wait until you have them.

CHAIRMAN JAQUET: Okay, let's not.

MR. ABATELLI: Or we should send them to
you again, because even if maybe you got them
four months ago.

CHAIRMAN JAQUET: Do we have to -- do we
have to vote on accepting them at a later --

MR. ABATELLI: You probably could just --

MR. PROKOP: No, just --

MR. DOWLING: I'll make a motion to table
them until we receive them.

CHAIRMAN JAQUET: Let's make a motion to
table Item #5.

MR. ABATELLI: We'll send you whatever
minutes we have --

CHAIRMAN JAQUET: Okay, fine.

MR. ABATELLI: -- and then we'll put them
on the next agenda.

CHAIRMAN JAQUET: Motion to adjourn.

MR. BURNS: Second.
CHAIRMAN JAUQUET: All in favor?

MR. BURNS: Aye.

MR. DOWLING: Aye.

MS. MUNDUS: Aye.

CHAIRMAN JAUQUET: Aye. Okay.

MR. BURNS: Thank you all.

(Whereupon, the meeting was adjourned at 6:12 p.m.)

CERTIFICATION

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 February 6, 2014.

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 15th day of February, 2014.

__________________
Lucia Braaten