VILLAGE OF GREENPORT

COUNTY OF SUFFOLK STATE OF NEW YORK

PLANNING BOARD

REGULAR/WORK SESSION

Third Street Firehouse
Greenport, New York

November 7, 2019
4:00 p.m. p.m.

BEFORE:

WALTER FOOTE - CHAIRMAN

JOHN COTUNGO - MEMBER

REED KYRK - MEMBER

LILY DOUGHERTY-JOHNSON - MEMBER

PATRICIA HAMMES - MEMBER

PAUL PALLAS - VILLAGE ADMINISTRATOR

ROBERT CONNOLLY - PLANNING BOARD ATTORNEY

KRISTINA LINGG - CLERK TO THE BOARD

AMANDA AURICCHIO - CLERK TO THE BOARD
CHAIRMAN FOOTE: Good afternoon.

This is the Village of Greenport Planning Board. It's a work session and regular meeting combined. It's November 7, a little after 4:00 p.m.

I'd like to first make an announcement that, for all of you that are here for the 123 Sterling Hearing, there is gonna be no hearing tonight.

We've made an arrangement and scheduled a special meeting a week from today, Thursday, November 14 at 4:00 p.m. at the firehouse, so if you're here to hear any discussion on that tonight you'll be disappointed.

And I'd also like to differ to Paul; he'd like to make an announcement.

MR. PALLAS: I just wanted to let everybody, the Board know and the public, Kristina Lingg is moving on to greener pastures, and Amanda Aurichio will be taking her place as clerk to the board.

CHAIRMAN FOOTE: We're sorry to see Kristina go. And welcome, Amanda, you don't
know what you're getting into.

Now we're in the work session.

Item number, motion the accept and approve the minutes of the October 3, 2019 Planning Board meeting.

Do I have a second?

MR. COTUGNO: Second.

CHAIRMAN FOOTE: All those in favor?

MS. HAMMES: Aye.

MR. KYRK: Aye.

MS. DOUGHERTY-JOHNSON: Aye.

MR. COTUGNO: Aye.

CHAIRMAN FOOTE: We accept those minutes as part of the record.

Item number 2, is a motion --

Now, we're gonna schedule a special meeting for November 14, correct?

MS. LINGG: Correct.

CHAIRMAN FOOTE: So that we're gonna do right now.

That's gonna be specifically for 123 Sterling and at 4:00 p.m.

Now, at this time, I'd like to ask
the Board and the Building Department, were
we, were weren't initially planning to
schedule a November 23 meeting.

Why was that on this agenda?

MS. DOUGHERTY-JOHNSON: I think
it's just because we used to do the work
session and then --

MS. HAMMES: -- because of the
amount that's on the agenda --

CHAIRMAN FOOTE: Okay.

MS. HAMMES: -- we need to go back
to having two sessions.

CHAIRMAN FOOTE: I have no problem
doing that, except we have the second session
on the 14th. Are we really prepared to have
three sessions?

MS. HAMMES: Well, the 14th, we're
only doing the pre-submission for 123,
correct?

CHAIRMAN FOOTE: Well, I --

MS. HAMMES: -- won't be for public
comments, it will just be for presentation to
the Board.

CHAIRMAN FOOTE: Right.
MS. HAMMES: So I suspect that won't be as long as a public hearing.

I'm just concerned that we're backing into the holiday with a number of public hearings that we're going to have, so I don't know -- I mean, I differ to everybody, but we need to keep that in mind.

CHAIRMAN FOOTE: I think it's probably a good idea. I don't have an objection to it in particular.

So is that date available? Kristina, is the 21st available if we wanted to schedule another session?

MS. LINGG: It's not for this month anymore.

CHAIRMAN FOOTE: So we can do it, so that's just --

We're just scheduling the special meeting for 123 Sterling for the 14th.

May I have a second on that motion?

MR. COTUGNO: Second.

CHAIRMAN FOOTE: All those in favor?
MS. HAMMES: Aye.

MR. KYRK: Aye.

MS. DOUGHERTY-JOHNSON: Aye.

MR. COTUGNO: Aye.

CHAIRMAN FOOTE: Motion carries.

Next item is a motion to schedule the combined Planning Board regular meeting 4:00 p.m. on December 5.

Do I have a second for that motion?

MR. COTUGNO: Second.

CHAIRMAN FOOTE: All those in favor?

MS. HAMMES: Aye.

MR. KYRK: Aye.

MS. DOUGHERTY-JOHNSON: Aye.

MR. COTUGNO: Aye.

CHAIRMAN FOOTE: Item number 4 is 604 First Street, this is a motion to accept the findings and determinations for Beachy Blond LLC located at 604 First Street.

Have all the Board members had an opportunity to review those findings and determinations?
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MS. HAMMES: I'm abstaining.

CHAIRMAN FOOTE: Okay.

Anybody have any question on this?

(No response.)

I'd like to move to accept those findings and determinations.

Do I have a second?

MR. COTUGNO: Second.

CHAIRMAN FOOTE: All those in favor?

MR. KYRK: Aye.

MS. DOUGHERTY-JOHNSON: Aye.

MR. COTUGNO: Aye.

CHAIRMAN FOOTE: Motion carries.

The next item is in regards to 326 Front Street.

This is a discussion and possible motion of the Board to provide comments regarding the application of the Greenporter located at 326 Front Street at the request of the Zoning Board of Appeals.

This is Suffolk County Tax Map number 1001-4-8 lot 29, lot 30 and lot 31.

Is there anybody at this time that
wants to speak further on behalf of the
applicant on this?

MS. HAMMES: Walter, I guess I
would be interested in hearing exactly what
feedback the ZBA is waiting for is on; given,
I tried to watch the tape and it wasn't, as
you know, available, so it's not totally
clear to me, is there a specific point they
want feedback on, or they just want to know
where we stand in general on the whole thing?

If it's in general, we still have
never had a public hearing on it on our
side, and I wouldn't feel comfortable
commenting pending having that public
hearing.

CHAIRMAN FOOTE: Is it appropriate
for us, if there is a member of the Zoning
Board to ask the member to speak on their
behalf?

MR. CONNOLLY: I was at the Zoning
Board meeting, and I think what the Zoning
Board is looking for were comments on the
overall height of the structure and the
parking, the application for the variance and
the parking.

CHAIRMAN FOOTE: Okay.

Because the way it evolved in front of us, at the direction, I think of the Building Department, were told to differ those determinations to the Zoning Board because the height restriction part of the variance, as I understand, and as well as the parking.

Now, if the Zoning Board would like to get our views and our perspective in terms of how these may impact the public, I think we have to have a further discussion about it, but I don't think we're prepared to really talk about it right now.

Unless anybody wants the weigh in on it at this point.

MS. HAMMES: I have a couple of related points. I agree with you, as you know, that's kind of my view and I, frankly, wouldn't be comfortable commenting on it without a public hearing. I believe the ZBA has had a public hearing on it, and I actually was there for part of that; but I
don't know that other Board members were, and
I don't know how they would feel commenting
on something without having heard from the
public on it.

I guess it wasn't ever really
clear to me definitively what the variances
were that were requested. All we were told
at the last meeting we had was there would
be some, so I'd still like clarification on
exactly what those are, if it's height and
parking.

And if it's parking, I guess I'd
still like very precise numbers in terms of
what parking would be required if the
exemption didn't apply, assuming, well,
whether the restaurant stayed in business or
if it was closed.

On the point about deferring this
to the ZBA, I do believe, and you guys can
correct me if I'm wrong, but I looked at the
code and I think the question, if we made
determination of parking requirement, I
believe the determination on the pilot
payment or payment in lieu of parking is a
Planning Board decision, not a ZBA decision; so the ZBA can grant them, I believe, the variance, but if they don't, then it would be up to us whether or not it would require them to do the payment; is that correct?

MR. PALLAS: Yes, but the order of that is the opposite. If ZBA were to grant the variance, then you can't then go ask them for money at that the point. The concept would be, the payment in lieu would then reduce the necessity for the variance, reduce it in terms of how many spaces the variance would need or eliminate it all together. I don't remember, I think this one would reduce the variance, if I remember correctly. I think there is a maximum of 20 that you could buy in the code in lieu of a variance.

That decision would have to -- There's two opportunities to make that decision. You can make it up front, or if the Zoning Board of Appeals does not grant the variance, they can come back to this Board to pay, then they go back to ZBA for
whatever remaining variance would be left if
the Zoning Board crafted it that way, that
would be the process.

MS. HAMMES: But is it correct that
the variances that are before the ZBA right
now are the height variance and the parking
variance?

MR. PALLAS: Yes.

MS. HAMMES: Is the parking --

MR. PALLAS: Both, two are related
to parking, one is loading zone and one is
number of spaces and the height, yes.

MS. HAMMES: Is the parking
variance that's been requested, is that
assuming that the restaurant potentially
could be reopened or is it assuming that the
restaurant is not opened?

MR. PALLAS: It's assuming that the
restaurant is for guests only.

CHAIRMAN FOOTE: I think there is a
little bit of ping pong that we ought to try
to avoid though because the message I got
from the Zoning Board was that they'd like to
know what our views are, did we have a view
on the height and the parking; and we're, you
know, I was under the impression that we're
really just, you know, it was out of our
jurisdiction per se. We were letting Zoning
handle it because it required a zoning
variance.

If, in fact, we have input, it's
really not something that we've had any
discussion about yet. It's something that
we probably should have a discussion about
if we have an opinion on it, if Zoning is
looking for our input on it.

So I guess, to the extent that
there seems to be somewhat of a stalemate
with the Zoning Board in terms of this
application, and it needs to come back
before us to weigh in further on these
points, then maybe that's what we need to
do.

I just need a little guidance here
in terms --

MR. CONNOLLY: I don't think there
is a stalemate at the Zoning Board. I think
they're just asking for the Planning Board's
input on how the variances might affect the health, safety and welfare of the Village.

CHAIRMAN FOOTE: Okay.

How would we express that, through a letter or what kind of --

MR. CONNOLLY: You can have a discussion on it, I guess once everybody is more up to speed on the application, then write a letter.

CHAIRMAN FOOTE: So why don't we differ that discussion until our next meeting, which would be December 5.

MS. HAMMES: I think we need to have a public hearing. We haven't had a public hearing.

MR. CONNOLLY: In New York State --

CHAIRMAN FOOTE: -- public hearing.

MR. CONNOLLY: -- Planning Boards are able to give input to the Zoning board when requested.

MS. HAMMES: But if we give that input, presumably, I mean, what happens when it comes back to us? How much leeway are we really gonna have to revisit it?
MR. CONNOLLY: It would just be, they're just asking specifically for the issuance of the variances.

MS. HAMMES: Okay.

MR. PALLAS: If I may, Mr. Chairman, I can send out -- I meant to do this, I apologize, I didn't do it in advance, tomorrow, Tuesday at the latest, I will send out the Notice of Disapproval to all of you.

I think you had asked what would the variance have been if they needed the restaurant, I can see if I can see if I'm permitted to do that because it's not in the Notice, but the minimum you will get a copy of the Notice by early next week.

MS. DOUGHERTY-JOHNSON: The height variance is for the solar panels; is that correct?

CHAIRMAN FOOTE: No, it's for the entire third floor.

MS. HAMMES: I thought it was the solar panels and the edging that put it over the 35 feet?

MS. DOUGHERTY-JOHNSON: That's what
I remember too.

MR. PALLAS: It's also three stories. It's the fact that the way the code reads, it's three stories or 35 feet, and historically, we've always been interpreted -- well, that's what's before the Zoning Board.

MS. DOUGHERTY-JOHNSON: So meaning it's over the 35 feet --

MR. PALLAS: Over 35 feet --

CHAIRMAN FOOTE: -- three stories.

MS. DOUGHERTY-JOHNSON: So they always need the variance for the third floor?

MR. COTUGNO: I think it's a good idea that the Zoning Board asked for our opinion.

In fact, there is another project a few years ago, I wish they would have asked for that before they granted all the variances.

MS. HAMMES: So then would the next steps be for us, we could do it on the 14th if it doesn't run too long for us to have a discussion with the Board and craft a reply?
CHAIRMAN FOOTE: I don't think we should mix it with the 14th meeting, I think we should do that separately. It's going be a large crowd here for that alone.

MS. HAMMES: Are we gonna take comments at a pre-submission hearing?

CHAIRMAN FOOTE: Again, we don't need to get public comments on that, it will --

MS. HAMMES: Public comments on 123 Sterling, it's not a public, that won't be a public hearing.

CHAIRMAN FOOTE: If we have enough time leftover, I suppose we can add it to the end of that meeting. I think we should make sure we have a certain amount of time for the 123 Sterling.

Actually, let's go ahead and tentatively schedule it for the next meeting as well, 14th and --

MS. HAMMES: Just we're all on the same page, that will just be a discussion here among us, it won't be a public hearing, so there will be a discussion recalling what
was presented to us previously along with
whatever you provide us and we'll perhaps get
points we think we should send back to the
ZBA.

CHAIRMAN FOOTE: Right.

MS. HAMMES: And then you would put
that in a letter and that letter, hopefully,
and we would approve that letter at the
December 5 meeting.

CHAIRMAN FOOTE: Very good.

Do I need a second and an approval
or can we move on?

Okay.

Item 6, pre-submission conference
for the application of the Miller Family
2012 Irrevocable Trust, represented by
attorney Patricia C. Moore.

The applicant proposes the
addition of two new rooms for a total of
five rooms for the bed & breakfast located
in the R-2 One- and Two-Family District.
This property is not located in the Historic
District.

It's located at Suffolk County Tax
Is there anybody that would like to speak?

Hi. Do you want to go up and talk about it?

MS. MOORE: Good evening.

Patricia Moore on behalf of the Miller Family Trust. Leueen Miller is here as well.

We are intending to add two rooms to an existing B&B. We gave you the site plan.

The regulations provide for a certain number of parking spaces and access and so on, and all that was shown on the survey. It's been way throughout the time. The Millier's have -- they're down to one car, so the rest of the parking spaces that are all existing are available for the guests.

The two rooms that we're talking about are one room that is on the second floor that had been part of their private, one of the rooms that they retained...
privately. And then the bedroom that is part of an annex had been, had been a separate pre-existing cottage and over some issues with the Building Department, it ultimately became, the kitchen was removed, and now it's a bedroom suite. So that room and one on the second floor, which is a relatively small room would be added to the number of the already-existing three-bedroom B&B.

So that is the application and if you need additional information, we'll have it for you at the meeting, if you need it.

MS. HAMMES: Is this something that is requiring a Building Permit or it's just the site plan?

MR. PALLAS: You're not doing --

MS. MOORE: It's just site plan.

MR. PALLAS: -- just site plan.

MS. HAMMES: I know the Board of Trustee recently did something with respect to B&B Law, right, increased it to five?

MR. PALLAS: Right.

MS. HAMMES: So was it increased to
five subject to site plan approval or would they just normally have to come because she's increasing it?

I'm just trying to understand why we're here because I know you've been through a lot having been to the meetings.

MR. PALLAS: The code requires B&B to be approved by this Board.

MS. MOORE: The original law has -- the only method of review was site plan review, that's what the original B&B had.

When the legislation changed from three to five, the only modification to the code was the number of rooms, so the process remained what was the original process in place; so we're here to complete the, essentially amendment or it's technically, I guess, an amendment to the original site plan because we are adding two rooms and then after we get the site plan approval then those rooms are existing, they already have COs, they're ready to be occupied. It's just a matter of going through the final process.

CHAIRMAN FOOTE: Has the planner or
the Building Department reviewed this for compliance with the building code?

MR. PALLAS: No, we didn't send it to the planner; but we reviewed it, and it does meet the requirements.

CHAIRMAN FOOTE: Is does.

Does each new bedroom have its own separate bathroom, or is it required to?

MR. PALLAS: It's not required.

MS. MOORE: Does the bedroom upstairs have its own bathroom?

MS. MILLER: Yes.

MS. MOORE: Okay. So they both actually have their own bathrooms. I know the one does, Leueen Miller just confirmed that the one on the second floor does.

CHAIRMAN FOOTE: And is this, you confirmed this complies with the parking requirement?

MR. PALLAS: Yes.

CHAIRMAN FOOTE: Does the trigger any requirement on fire code for sprinklers or anything like that?

MR. PALLAS: Not that I'm aware of,
but we will review it for that. I don't believe it's required that in this case.

MR. COTUGNO: Should definitely have smoke detectors.

MS. MOORE: Yes.

MR. PALLAS: That would part of the routine inspection, we would check for those things anyway.

MS. MOORE: All of those things were required with the original B&B bedrooms. As I said, when we met with the safety, health, safety provisions under the same building code for the three bedrooms that were previously being rented; so we will continue to be compliant with the addition of the additional two bedrooms.

CHAIRMAN FOOTE: Does anyone else have any questions at this time?

(No response.)

Is this something we need to open to a public hearing, or we can move on it?

MR. CONNOLLY: You have to have a public hearing.

CHAIRMAN FOOTE: Okay.
So at this time, with the Board's permission, I'd like to schedule a public hearing for December 5.

Do I have a second on that?

MR. COTUGNO: Second.
CHAIRMAN FOOTE: Okay.

All those in favor?

MS. HAMMES: Aye.

MR. KYRK: Aye.

MS. DOUGHERTY-JOHNSON: Aye.

MR. COTUGNO: Aye.

MS. MILLER: Thank you.

CHAIRMAN FOOTE: You're welcome.

Next item, 424 Fourth Street, a pre-submission conference for the application of 415 Kaplan Avenue, Greenport Inc., represented by owner James Olinkiewicz.

The applicant proposes the construction of a two-family dwelling for the property located at 415 Kaplan Avenue.

This property is located in the R-2 One- and two-Family District. This property not in the Historic District.
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It's located at Suffolk County Tax Map 1001-4-1-6.

Good evening.

MR. OLINKIEWICZ: Good evening.

How are you?

James Olinkiewicz, 415 Kaplan Avenue, Greenport.

I'm looking to build a two-family home on an existing 11,000-square-foot lot. There had been a house there that had burned down a number of years ago that the Village had taken down.

We're looking to build another house on the property. It's in the R-2 District, so it's an accepted usage, and it's going to be for workforce housing.

CHAIRMAN FOOTE: Is this gonna be going for rental?

MR. OLINKIEWICZ: Yes.

MS. DOUGHERTY-JOHNSON: Year-round?

MR. OLINKIEWICZ: Year-round rentals, yes.

MS. DOUGHERTY-JOHNSON: It seems like a lot of parking, I know sometimes --
MR. OLINKIEWICZ: Well, I can tell you from the size of the parking, the reason why the parking lot is that big is because I also own 411 Kaplan right next door, which has two rental properties that park there. That was pre-existing when I bought it, so we didn't have any parking requirement, so we're gonna add extra parking in the back of 415 to help accommodate some of the parking for 411 Kaplan and take some of the extra stress off of the street and have off-street parking for some of the other tenants.

CHAIRMAN FOOTE: Why doesn't 411 Kaplan have sufficient parking on its own?

MR. OLINKIEWICZ: It's pretty much built property line to property line to property line. There is no real parking for it at all. There's only two parking spots in the rear that get access from another property I own at 510 Madison Avenue that when we came here to make the two apartments at Kaplan, it was accepted to have an easement to come across, so they had parking in the back.
But you have a two bedroom apartment in the back 411 Kaplan and a three-bedroom in the front and a husband, wife and 16-year-old kid in the front or 17-year-old now, so there's three cars there and there's one or two in the back apartment with a husband, wife and little baby, so there's five spots that are needed. It's not enough. And that's the pre-existing grandfathered building, that we were doing; so I'm trying to help the Village by accommodating more parking on this piece that I'm purchasing.

MR. CONNOLLY: What do you mean by future garage?

MR. OLINKIEWICZ: Future garage. You're allowed to build a garage in the Village on your property. You're allowed to rent two spots in your garage to people if you want to and house cars and everything else.

It's within five feet of the property line. It could never be developed into another rental property as a house, but
keeping it five feet off the property line, you're still able to build a garage on any Village lot.

MR. COTUGNO: Is it part of this application, or not?

MR. OLINKIEWICZ: It's to be addressed at this time, yes because I would be wanting to build that within, maybe at the same time, maybe within a year's time of the construction of the house.

MR. COTUGNO: Then you should provide a plan for the garage.

MR. OLINKIEWICZ: I do not have a plan.

MR. COTUGNO: It's neither here nor there.

MR. OLINKIEWICZ: Okay.

MR. COTUGNO: It just says future garage. I don't like the word future.

MR. OLINKIEWICZ: Okay.

MR. COTUGNO: If it's part of this application, then it's here; if it's in the future, it's not part of this application.

MR. OLINKIEWICZ: Then it could be
in the future because at that time, I don't
need to come to the Planning Board to build a
garage on my property. It doesn't have to be
reviewed, so that's how come it says future
garage, I didn't feel --

CHAIRMAN FOOTE: I have a question
for the Building Department.

Every time there's a two family --
how many parking spaces are they supposed to
have onsite?

MR. PALLAS: Three.

CHAIRMAN FOOTE: Three, so you're
creating six?

MR. OLINKIEWICZ: Correct.

CHAIRMAN FOOTE: With the intent
that the other three, they're going to be
overflow on your other properties?

MR. OLINKIEWICZ: Correct.

CHAIRMAN FOOTE: And the other
property is also two family?

MR. OLINKIEWICZ: Correct.

CHAIRMAN FOOTE: And that has how
many parking spots, you said only two?

MR. OLINKIEWICZ: Correct.
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CHAIRMAN FOOTE: Supposed to have three. Why --

MS. HAMMES: It's pre-existing, Kaplan Market building.

MR. OLINKIEWICZ: Right.

MS. HAMMES: Right?

MR. OLINKIEWICZ: Yes, this was done six years ago.

CHAIRMAN FOOTE: Kaplan Market Building.

MS. HAMMES: Kaplan Market Building.

Before your time.

MR. COTUGNO: I'm surprised there's no bathtubs in the bathrooms; they look like just showers.

MR. OLINKIEWICZ: Correct.

MR. COTUGNO: With four bedrooms, I would think people are gonna have children.

MR. OLINKIEWICZ: That's a possibility.

MR. COTUGNO: Well, why wouldn't you have a bathtub?

MR. OLINKIEWICZ: Bathtub actually
is more dangerous for your insurance than a shower is; so when you take that into
account, you can't have elderly because they have problems getting in and out of the bathtub.

Sometimes when people need affordable housing, they have their parents, their grandparents and maybe a couple of kids so you're taking that into account. A person can put a little tiny portable bathtub and the kid can sit in it inside the shower.

It doesn't say anywhere in New York State Code that you have to have a tub in every apartment.

MR. COTUGNO: I've just seen them in every house I've ever been in for the last 66 years.

Seems like an awful lot of bedrooms and very little living space.

In fact, there is a ratio that requires and I'd ask you to ask our consultant. This didn't go through the consultant yet, right?
MR. PALLAS: We have not routinely sent residential projects to the consultant.

MR. COTUGNO: Well, I would like it to go to him because there is a calculation based on the number of bedrooms, how much living space and dining space you need.

MR. OLINKIEWICZ: The building inspectors normally make that decision as well as the engineer that drew the plans usually makes that decision.

MR. COTUGNO: We have a consultant.

MR. OLINKIEWICZ: And calculate that.

CHAIRMAN FOOTE: Hey, Rob, is this property zoned to permit the excess parking on the property?

MR. CONNOLLY: I believe three spots is the minimum that's required for a two family, so they can keep it easements, private easements between the properties, nothing preventing from doing that.

MR. PALLAS: I will point out to the Board, there is a variance that will be required for this property as well.
MR. OLINKIEWICZ: Need a variance for?

MR. PALLAS: For an existing small lot, lot width less than described in the chapter, you need a variance.

MR. OLINKIEWICZ: Lot width is chapter is what chapter?

MR. PALLAS: 150-32 is the section of the code.

We can speak about that after the meeting.

CHAIRMAN FOOTE: Is that because it won't comply with the setback requirements or the overall --

MR. PALLAS: It has to do with, because of lot width is less than required.

CHAIRMAN FOOTE: But it does comply with the setbacks?

MR. PALLAS: It does comply with setbacks.

CHAIRMAN FOOTE: And percentage of the lot, obviously.

MR. OLINKIEWICZ: I'm unsure on what Paul is talking about because I thought
if the lot was over fifty feet wide, you
didn't have to go -- I thought it was a
stipulation the Village code.

MR. PALLAS: I will confirm that
before -- I will confirm this, I believe
it -- let me rephrase, it may need a
variance, I'll confirm that and I'll let the
Board know as soon as I know.

MR. OLINKIEWICZ: Will that prevent
us from scheduling a public hearing here in
case, for December?

MR. PALLAS: I don't know if
they're in a position to do that anyway,
that's not -- the schedule --

CHAIRMAN FOOTE: Well, I have no
problem scheduling it at that time.

Does anybody else any more
comments to talk about at this point?

(No response.)

So let's schedule it. Gosh, I
think the fifth is already filling up pretty
well; but we can try for the fifth. How
about that, put it on the docket for the
fifth and see what happens.
Mr. Cotugno: The first thing to do is figure out if it needs a variance. Would we have to refer it to the Zoning Board?

Mr. Pallas: The practice has been when you folks make that statement that it's going to the Zoning Board, you don't schedule it, but this in a house, so you've also done it the other way.

Again, I will let you know --

Chairman Foote: I'm all for keeping things as efficient as possible as long as it doesn't cut off our ability to review it. So I don't mind scheduling it for the fifth and --

Why don't we do that?

Mr. Cotugno: Do we have to vote on it.

Chairman Foote: I'm not sure. We can vote on it if you want.

Mr. Cotugno: Second.

Chairman Foote: All in favor?

Ms. Hammes: Aye.

Mr. Kyrk: Aye.
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MS. DOUGHERTY-JOHNSON: Aye.

MR. COTUGNO: Aye.

CHAIRMAN FOOTE: Next item, 471 Main Street. A pre-submission conference for the application of Emily Demarchelier, represented by Architect Robert I. Brown.

The applicant proposes interior renovations to accommodate the new use of a cafe and bar for the property located at 471 Main Street.

The property is located in the CR Commercial Retail District.

This property is also located in the Historic District.

Suffolk County Tax map number 1001-4-7-21.


The proposal is for a French bistro in what has been a gallery next to the saki restaurant at the commercial end of Main Street, 471 Main.

The plan is pretty straight forward. If you have any questions, I'm
happy to address them and Ms. Demarchelier

is here as well if I can't answer.

MR. COTUGNO: What is the existing

conditions, is it just one big open space?

MR. BROWN: Yes.

MR. COTUGNO: So the bathroom is

not there?

MR. BROWN: The bathroom is there,
yes.

MR. COTUGNO: That big handicap

bathroom is there?

MR. BROWN: Yes, it there.

CHAIRMAN FOOTE: So I noticed there

were two bathrooms, is the second bathroom on

the second floor?

MS. HAMMES: No, the second

bathroom is the Sterling Saki bathroom,

right?

MR. BROWN: Yes.

CHAIRMAN FOOTE: You only have one

bathroom.

MR. BROWN: One bathroom, yes.

CHAIRMAN FOOTE: Is that compliant

with the code to be just one bathroom for the
restaruant? Yes.

MR. COTUGNO: Aren't they gonna serve alcohol there?

MR. BROWN: Yes.

MR. COTUGNO: You should definitely check that. I think you need two bathrooms when there's alcohol being served and the number of seats.

MS. DOUGHERTY-JOHNSON: Sterling Saki only has one.

CHAIRMAN FOOTE: I think it was a restaurant before, this was an antique store or something now.

MR. PALLAS: I'd have to check.

MR. COTUGNO: Can you check with our consultant?

MR. PALLAS: Yes. I would want comment. We are awaiting comments from the consultant on this. We have not received them as of yet.

A lot of these applications came in at the last minute, so he's a little bit overwhelmed with applications, and we were missing some documents until today, I think.
You will have, I expect you receive will comments well in advance of any hearing will be scheduled.

MS. DOUGHERTY-JOHNSON: I appreciated the menu being included. There's gonna be just a wine bar or is it gonna be liquor?

MS. DEMARCHELIER: Wine and liquor.

CHAIRMAN FOOTE: Is the second floor of that building residential?

MR. BROWN: Yes, it is.

CHAIRMAN FOOTE: Do we have an issue then with sprinklers or is that already --

MR. BROWN: It is sprinklered.

CHAIRMAN FOOTE: And how are we dealing garbage removal?

MR. BROWN: No difference from the way it is now.

CHAIRMAN FOOTE: There's not a restaurant there now.

MR. COTUGNO: It's a big difference between a restaurant and an antique store.

MALE SPEAKER: We have a shared
garbage area on the property.

CHAIRMAN FOOTE: With the other tenant?

MALE SPEAKER: Yes.

CHAIRMAN FOOTE: Is that sterling Saki?

MALE SPEAKER: Yes.

CHAIRMAN FOOTE: And it's sufficient to handle two restaurants?

MALE SPEAKER: Yes.

MS. HAMMES: Is parking an issue at all?

MR. PALLAS: To be honest, I didn't even think about the parking. This is an existing structure, but the change of use may involve some additional parking requirements. I'm just gonna have to double check the file for the original building against code and see what was granted back then.

MR. BROWN: If I could, there was an original structure on there prior to the 1971 which, I believe, precludes us from parking requirements. When this building was constructed parking was provided in the back.
of the building.

    MR. PALLAS: I can confirm there
was a building that far back. I would
investigate to make sure in light of the
question, that doesn't trigger anything. I
don't believe it does, but I just want to be
certain.

    CHAIRMAN FOOTE: In other words,
even though this existing structure is built
after the grandfather provision, it would be
excluded because the prior building was
grandfathered?

    MR. PALLAS: The way the code is
structured, if the property had been
developed prior to, then it is exempt.

    MS. HAMMES: It was a garage or
something before, right?

    MR. PALLAS: Yes.

    CHAIRMAN FOOTE: Has there been a
discussion or a thought on the hours of
operation for the business? Maybe one of the
providers would like to -- you can go up and
speak.

    MS. DEMARCHELIER: Sure.
CHAIRMAN FOOTE: Announce yourself, please.

MS. DEMARCHELIER: Emily Demarchelier. I live at 10 Sleepy Hollow Road on Shelter Island.

The hours of operation that I'm thinking of is being opened for lunch and dinner so from 11:00 a.m. to probably 11:00 p.m.

You know, I don't know, I'm familiar with Greenport, but we don't want to push it too late. We're not looking to be a nightclub. It's a small French Bistro. You know, people come enjoy good food and good wine.

MS. DOUGHERTY-JOHNSON: Are you planning to be opened year-round?

MS. DEMARCHELIER: Year-round, yes.

CHAIRMAN FOOTE: Any thoughts on live music?

MS. DEMARCHELIER: I have, in our lease, we do have approval for acoustic; but it's mostly going to be just recorded music. Just have acoustic for perhaps if there is a
special occasion, like Mothers' Day or something like that.

CHAIRMAN FOOTE: Have you guys looked at handicap access to make sure it's compliant?

MS. HAMMES: Well, it's gone to the consultant, right?

MR. PALLAS: Yes.

MS. HAMMES: They would do everything on all of that?

MS. DEMARCHELIER: The building is accessible.

CHAIRMAN FOOTE: I think we're going to need to postpone on our pre-submission. We have to continue to look, we have to get our report back from the planner.

Your comments at this time, thank you for giving this information.

Does anybody else have anything they want to ask at this time?

MR. COTUGNO: At the very least, the exit door should swing out, not in.

MR. BROWN: I will make sure that's
the case; but I believe that a Building
Department, but that should be --

MR. COTUGNO: You're showing them
swinging in. Exit doors, especially in a
restaurant should swing out, especially in
the front. There's room for it. The front
doors is recessed, it's the perfect place for
them to swing out.

CHAIRMAN FOOTE: The rear door does
swing out.

MR. BROWN: Yes, the rear door does
swing out.

CHAIRMAN FOOTE: Why don't we
schedule to continue with this pre-submission
for the fifth of December.

Item number 9, 230 Main Street,
pre-submission conference for the
application of Northwell Health Services
represented by Architect Robert Brown.

The applicant proposes interior
renovations to accommodate the new use of
medical office for the property located at
230 Main Street.

This property is located in the
Commercial Retail District. This property is also located in the Historic district.

Suffolk County Tax Map number 1001-4-10-10-1.


This is entirely an interior renovation; there's no exterior work whatsoever.

MS. HAMMES: You're not gonna take the drive-in window out?

MR. BROWN: No.

MS. HAMMES: Really?

MR. BROWN: Just gonna close it up from inside.

MS. HAMMES: Okay.

MR. BROWN: You know, it's possible that something might be done with it in the future, but Northwell is hoping to expedite this as quickly as possible.

MS. HAMMES: What's gonna be on the second floor?

MR. BROWN: It will be unused for now.
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MS. HAMMES: Is it going to be urgent care or regular --

MR. BROWN: Just regular office hours.

CHAIRMAN FOOTE: Do you know the hours of operation?

MS. LOEB: Amy Loeb from Peconic Bay Medical Center.

Good evening. Amy Loeb, Peconic Bay Medical Center, Mattituck as of just two months ago, actually.

8:00 to 6:00 would be the long range for hours of operation, Monday through Friday.

MR. COTUGNO: Seven days a week?

MS. LOEB: Monday through Friday.

MR. COTUGNO: Missed that.

MS. HAMMES: How are you going to deal with the parking lot on the weekends?

MS. LINGG: We'd be happy to discuss that.

MR. COTUGNO: Let's discuss.

MR. BROWN: So I mean we definitely have to consider, I actually drove through...
this past Sundays, I did see the amount of parking happening on the street and that was blocked up; and we're not operating, there is now reason to restrict from my point of view.

MS. HAMMES: I'm sorry, I couldn't hear.

MS. LOEB: There's no reason to restrict parking from my point of view if we're not operating.

MS. HAMMES: So it won't be chained up and people can park there on the weekends, correct?

MS. LOEB: It's not going to be chained up, correct.

MS. HAMMES: Assuming you'll have signs.

MS. LOEB: We would have to, yes, we would have to provide parking for our staff and patients.

MR. COTUGNO: Do you know how many staff members you're gonna have there and doctors and --

MS. LOEB: Sure. You know, we're basing the staffing on the needs of the

Flynn Stenography & Transcription Service
(631) 727-1107
community; so we are looking at five
employees to start, max would be eight.
Maximum providers at one time would be two.

CHAIRMAN FOOTE: I'm sorry.

MS. LOEB: Maximum number of
providers would be two.

MR. KYRK: Would these be
specialists or GE?

MS. LOEB: Certainly, primary care
and some specialists, yes.

MR. KYRK: So 15 or 12 minute
appointments?

I'm just thinking of the churn of
the cars in the area.

MS. LOEB: Sure.

So we at Peconic, as you probably
know, operate many medical offices; so we
will see three to four patients per hour,
based on our experience.

There's ample parking.

MS. HAMMES: For both providers or
in total?

MS. LOEB: Per provider.

MR. KYRK: So that's eight people
needing access, whether they walk there, take
a bus or drive a car, ride a bike?

CHAIRMAN FOOTE: They're gonna have
sufficient parking, the parking is gonna more
than enough.

MS. LOEB: Correct. Absolutely.

MR. KYRK: Just overall traffic.

I mean, to me it always make sense
to have a doctor's offices on the edge of
town as opposed to the middle of it but.

MR. BROWN: One good thing about
the existing condition of the property is the
fact that the entrance to property is on Main
Street, but exit for the property is on
Carpenter Street, so you don't have in out
happening at one location on Main Street.

MR. COTUGNO: Rob, can you get a
copy of the site plan when you come back?

MR. BROWN: I believe there was a
survey included.

CHAIRMAN FOOTE: It was included?

MR. BROWN: In the application.

It's a smaller sheet.

MR. COTUGNO: Maybe that's why I
didn't see it.

MS. HAMMES: I don't think I have it.

MR. BROWN: If you don't have it, I'll make sure you get it.

MR. COTUGNO: Yeah, I don't have it.

MR. BROWN: Okay. I'll make sure you get it.

I thought it was included in the application.

MR. PALLAS: We have a few. They're small enough, we e-mail them to you all.

MS. DOUGHERTY-JOHNSON: This is in the Historic District.

MS. HAMMES: They're not doing any outside alterations.

MS. DOUGHERTY-JOHNSON: Right.

MS. HAMMES: Other than boarding up the drive-through.

MR. BROWN: And there will be signage and that will follow.

MS. HAMMES: Is this a permitted
use in that building?

MR. PALLAS: Yes.

MR. COTUGNO: Is the parking requirements different for a medical office than for a bank?

MR. PALLAS: I just double checked and it's five per physician. I'm sure there is more than that there, so.

MR. BROWN: Far more than ten spaces.

CHAIRMAN FOOTE: It doesn't say the number of staff.

MR. PALLAS: It just says five per physician.

MR. BROWN: There are 18 space currently.

CHAIRMAN FOOTE: Anybody else have anything to add?

MR. COTUGNO: This too is a change of use, so it would have the meet handicap requirements.

MR. BROWN: Yes, it is designed for that.

CHAIRMAN FOOTE: I'd like to --
unless there's objection, I'd like to
schedule the public hearing.

MS. DOUGHERTY-JOHNSON: I'm good
with that.

CHAIRMAN FOOTE: I think we should
move it to the next date, not the fifth,
we're really --

MS. LINGG: December 26 is the day
after Christmas.

CHAIRMAN FOOTE: The day after
Christmas. Can we try the come with a
different date?

MS. HAMMES: The 19th.

MS. LINGG: The 19th, there is a
Historic Preservation Commission meeting at
5:00 p.m.

MS. HAMMES: Can we do it on the
18th?

MS. LINGG: You would have to
double check with the fire department.

CHAIRMAN FOOTE: Let's schedule it
tentatively for the 18th then.

MS. HAMMES: Or we could do it a 6
o'clock on the 19th, but I don't know how
long the Historic Board meeting --

MS. LINGG: There would a Board of Trustees meeting at 7:00 as well.

CHAIRMAN FOOTE: Let's try to get the 18th.

MS. LINGG: The 18th, okay. I'll confirm that tomorrow.

MS. HAMMES: Thank you very much and we appreciate your time.

CHAIRMAN FOOTE: Item number 10, 111 Main Street, pre-submission conference for the application of PWIB Claudio's Management represented by Robert I. Brown.

The applicant proposes interior and exterior renovations for the property located at 111 Main Street.

This property is located in the Waterfront Commercial District. This property is also located in the Historic District.

Suffolk County Tax Map number 1001-5-4 lots 25, 38.1 and 39.

MR. BROWN: Rob Brown, Architect for Claudio's.
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With your permission, I have revised sets for the Board that are a couple of minor edits and clarifications just to bring you up to date.

Can I distribute those?

(Mr. Brown distributes paperwork to the Board.)

I can go over what the changes.

MR. COTUGNO: So what are they?

MR. BROWN: On drawing A1 we've added an exterior door on the west wall of the main restaurant.

MS. HAMMES: Exterior wall.

MR. BROWN: Exterior wall. If you would like, I can point it out.

MS. HAMMES: I got it.

I thought you added the wall, I'm very confused.

MR. BROWN: Adding a door there and it's clear on the --

MS. HAMMES: Right here where it says kitchen renovations?

MR. BROWN: Yes.

CHAIRMAN FOOTE: Is that it for A1?
MR. BROWN: No.

We're revising the fence and picnic table layout in front of Crabby Jerry's.

MR. COTUGNO: Okay.

MR. BROWN: To provide additional storage area behind the fence.

And we moved slightly the pedestrian walkway to the west of the restaurant.

There was an error in the drawing. The original drawing showed the walkway going through the accessory building and the parking lot.

MS. DOUGHERTY-JOHNSON: What is the walkway made of?

MR. BROWN: It's just painting on the pavement.

MS. DOUGHERTY-JOHNSON: So it's like a crosswalk.

MR. COTUGNO: How about other walkways where you're replacing them, what is that material going to be?

MR. BROWN: It's all just painting.
on the pavement.

MR. COTUGNO: I thought I saw on the other plan, it said rebuild walkways, rebuild. It doesn't say paint, it says rebuild to Crabby Jerry's.

MR. BROWN: No.

Those walkways are the walkways along the edge of the dock.

CHAIRMAN FOOTE: So, Robert, why don't you just give us an overall summary of what the changes are. That would be very helpful.

MR. BROWN: Okay.

The main issues are, first and foremost, outdoor seating for the restaurant which would be protected by a retractable awning and umbrellas, and that includes a couple of exterior doors on the south elevation of the building.

MS. HAMMES: The whole thing is not gonna be covered though, is it or --

MR. BROWN: Not --

MS. HAMMES: -- something like what they have out on the Clam Bar or --
MR. BROWN: No. This would be just the kind, almost residential awning that projects out and --

MS. HAMMES: It comes in and out, that's what I was wondering. Okay.

MR. KYRK: Is there any increase in the number of seats?

MR. BROWN: Yes. That's documented on the plans.

MR. KYRK: How much is it, can tell us?

MR. BROWN: I'm sorry, I don't have the --

MS. DOUGHERTY-JOHNSON: Well, the Clam Bar is 52.

MR. BROWN: Yeah, we're adding seats at the Clam Bar, and what was pizza shop behind the Clam Bar is going to be converted into a prep kitchen for the Clam Bar.

MS. DOUGHERTY-JOHNSON: So the existing kitchen is gonna remain the same, so it's gonna be a kitchen and --

MR. BROWN: Yes, accessory kitchen.
They can't keep up with the demand on the Clam Bar.

And the retail shop next to the east wall on Main Street, the east wall of the restaurant is going be a pizza parlor.

MS. HAMMES: Are you losing any parking?

MR. BROWN: No.

We're keeping exactly the same amount of parking?

MS. HAMMES: Except for the motorcycles --

MR. BROWN: The motorcycle have been moved already to in front of Preston's.

MS. DOUGHERTY-JOHNSON: And that is Claudio's property, right?

MR. BROWN: Yes, it is their property.

MS. HAMMES: Lily, you need to speak up.

MS. DOUGHERTY-JOHNSON: I'm sorry, I was just saying, it's just cars. I also am not sure that as well. I don't think it's kept for just Claudio's, all of this.
MR. BROWN: I couldn't speak for that.

MS. HAMMES: Where does Claudio's property start; where it says new pedestrian walkway?

MR. MATSUOKA: At the stop sign.

MS. HAMMES: The stop sign is not on my drawing, so that's not helping me, but okay.

CHAIRMAN FOOTE: This, what's it called, the sietta (phonetic) building where the refrigerator --

MR. BROWN: It's concrete block --

CHAIRMAN FOOTE: Where is it on the site plan?

Robert, can you come over here.

(Mr. Brown goes to the podium.)

Install the exterior refrigeration, these are exterior refrigeration units.

Where are your refrigeration units currently?

MR. BROWN: I believe Mr. Matsuoka can answer that.
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CHAIRMAN FOOTE: Do you want to come over here as well?

(Mr. Brown as well as the applicants stood at podium and spoke about drawings.)

MR. MATSUOKA: Hello.

To answer your question quickly, the stop sign on Main Street here (indicating).

MS. HAMMES: Okay. Thank you.

MR. MATSUOKA: So there is an existing refrigeration --

MR. PALLAS: You're gonna need to speak up for the transcriptionist to hear.

MR. MATSUOKA: Sure.

So originally, there were seventeen walk-ins on the property when we took it over last year; so we have eliminated more than half of those because they're so pretty and old. Many of them were on the waterfront here which we removed, and the idea is to move them back here to hide them in the back of the property out of view.
CHAIRMAN FOOTE: Okay.

So what would be facing them because I am concerned, and I appreciate that you're removing them from the more visible area to presumably a less visible area; but is there, has there been thought in terms of just kind of disguising them as best as possible so there is a frame around them so you don't have to look at them?

MR. MATSUOKA: Yeah. There's a couple different coverings that we can use like foe vine, you know, foe greenery on the outside. Historically there would be either white plastic or metal, such as the ones that are currently existing.

CHAIRMAN FOOTE: White plastic or metal.

MR. MATSUOKA: Yeah, they're not the prettiest.

MR. LOFFREDO: I think Robert just mentioned too that we could produce a white picket fence that would be keeping in character with the property which would hide the walk-in boxes if that's more esthetically
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pleasing.

CHAIRMAN FOOTE: Now, is this in
the Historic Preservation --

MR. MATSUOKA: Everything is --

CHAIRMAN FOOTE: Maybe should, you
know, get their input on that because it's
really --

MR. BROWN: We are preparing a
proposal, an application to the Historic
District for the doors that are going into
the restaurant because that does affect the
structure.

CHAIRMAN FOOTE: Right.
I mean particularly for the
visibility of the --

MR. COTUGNO: You need to go to
them for everything, right, the veranda,
doesn't that have to go before them?

MR. BROWN: Yes.

MS. HAMMES: What is the noise
value or how much noise do these
refrigerators produce because you're moving
them closer to other properties? That one of
my questions because I know there are some
residential units on the second floors of some of these properties.

MR. MATSUOKA: Not a lot of noise. I can get you specific -- there will be less units on the property than currently exist.

MS. HAMMES: Understood, but if they're here and they're much closer to where people may be sleeping and --

MR. LOFFREDO: True. The acoustic applications that are available to muffle those are pretty easily obtained, so we can actually sheath the outside of the compressors in order to reduce sound that way.

CHAIRMAN FOOTE: That would be a good idea.

MR. PALLAS: Sorry to interrupt again.

Can you give your full name to the transcriptionist, please.


MR. LOFFREDO: Stephen with a P, Loffredo, L-O-F-F-R-E-D-O.
MR. KYRK: Could you please identify where the stop sign is for me?

MR. BROWN: At the northeast corner.

No, southeast corner of the structure.

CHAIRMAN FOOTE: Thank you, guys. We'll have a few more questions, but you can go back.

One question I had was, there was an application that was submitted about a year ago, maybe a little less than that, and one of the things it was promoting was creating more green space for the area. Is that still in the plans? I noticed there is a little section here called artificial turf. Is it the same amount of green space as previously proposed?

MR. BROWN: No.

That has been reduced for financial reasons.

CHAIRMAN FOOTE: Explain that, please.
MR. BROWN: The cost of landscaping was --

MR. MATSUOKA: If I may.

Part of that was because we reduced parking. A lot of the green scaping areas were in areas that were parking spots.

CHAIRMAN FOOTE: Now, there were also discussions earlier about, I thought a more robust ambitious renovation including the second floor. I don't see that as part of the plans.

Is that something that you're not planning to do?

MR. LOFFREDO: At this point in time after analyzing the cost involved, we don't think it's justified to do that.

MR. COTUGNO: So you have on site work, general landscaping and lighting. I guess at some point, you're gonna give us more details on the lighting and landscaping?

MR. BROWN: Yes, of course.

MR. COTUGNO: I don't have no indication.

MS. HAMMES: You're adding about
200 seats. This is added seating, Claudio's restaurant veranda 144, Clam Bar 52.

MR. MATSUOKA: Correct.
That's the suggestion.

MS. HAMMES: But no additional parking?

MR. MATSUOKA: No.
We have 100 parking spots.

CHAIRMAN FOOTE: Would you be able to add elevations for the other structures on this site plan?

MR. BROWN: Certainly I can.

MR. COTUGNO: Are there parking requirements, Paul?

MR. PALLAS: They pre-existed, so by code, there aren't any.

MR. COTUGNO: You can just keep adding seats and adding seats and adding seats?

MS. HAMMES: We can consider that as part of our analysis.

MR. COTUGNO: Of course.

MS. HAMMES: If we think it's an over intensification of use, given parking
constraints and others, I mean that's the thing we can consider.

MR. KYRK: I see here that you're renovating restrooms and you're eliminating two, I would imagine, single seat restrooms.

MR. BROWN: Yeah. They may be double seats.

MR. KYRK: So are you adding the men's room --

MR. BROWN: Well, there were a total of 12 seats, we're proposing a total of 11, but one of them is handicap which was not provided previously.

CHAIRMAN FOOTE: Were there noise complaints lodged against Claudio's?

MR. BROWN: I can't speak to that.

MR. MATSUOKA: There may have been a few noise complaints.

CHAIRMAN FOOTE: It's a serious issue obviously, and the fact that we're seeing a proposal to expand and create more people, more customers and therefore presumably more noise is something we have to, you know, weigh in, it's just part of the
process that we're going through here.

MR. KYRK: It really travels over
the water. You can hear it in East Marion,
you can hear on 202 Sixth Street.

MR. MATSUOKA: So the work that we
performed this past winter helped eliminate a
lot of the prior noise issues that happened.

This winter, we plan on adding
more to that to help further limit noise
escaping from the property.

Last year, we implemented a new
retractable canopy. The walls of that
canopy failed this year; so those walls have
been returned to the manufacturer and new
walls are being installed next season which
should significantly help with noise.

I would just like the comment for
the record, not all noise created in the
Village originates at Claudio's.

MS. HAMMES: Let's go back to the
number of seats. I mean you've got on here,
which is helpful, the number for the veranda
and Crabby Jerry's, but I believe you're also
adding seats for the pizzeria as well,
correct?

MR. BROWN: Sixteen seats, yes.

MS. HAMMES: Is that what it is, 16?

CHAIRMAN FOOTE: What are the current hours of operation for each restaurant?

MR. BROWN: The main restaurant, Monday through Friday, 11:30 to 10:00 p.m., Saturday and Sunday 11:30 to 11:00 p.m.

The Wharf, seven days, 11:30 to 9:00 p.m., and the bar at the Wharf 9:00 p.m. to 2:00 a.m.

Crabby Jerry's, 11:30 a.m. to 9:00 p.m.

And I can fax, e-mail this to the Village for distribution.

CHAIRMAN FOOTE: Crabby Jerry's, that's 9:00 p.m. even on Saturday and Sunday or does it go to 11:00 p.m.?

MR. BROWN: Seven days.

CHAIRMAN FOOTE: Was the source of the noise complaints related mostly to the bar activity after 9:00 p.m.?
MR. LOFFREDO: As we understand it, yes.

To point out the additional seating on the Wharf really assists us during lunch and dinner service. The seating actually is cleared at night on Fridays and Saturdays when the Wharf bar is open later; so to some degree, the additional seating is not something that impacts what happens during the time where it may have been perceived that it was louder or nosier.

CHAIRMAN FOOTE: The outdoor seating that's being added to the restaurant, that's subject to the same hours as the restaurant itself?

MR. LOFFREDO: Yes, it is.

And the same menu there which is more of a fine dining menu than a more casual menu.

MS. HAMMES: And you wouldn't intend to be having live music there?

MR. LOFFREDO: No.

MS. DOUGHERTY-JOHNSON: The picnic
tables at Crabby Jerry's, are those like wait
service, people sit there and get waited on
or --

MR. LOFFREDO: No.

MR. BROWN: No.

MR. LOFFREDO: It's consistent with
the service at Crabby Jerry's which is how
it's always been, walk up and --

MS. DOUGHERTY-Johnson: Same as the
rest --

MR. LOFFREDO: Yeah, it was just to
provide some additional seating.

MS. HAMMES: Is the pizza place
intended to be open all year round or just
during the season?

MR. LOFFREDO: All year round.

CHAIRMAN FOOTE: Anybody else have
anything?

MR. MATSUOKA: That's a good point
to, the main restaurant will also be opened
year-round.

MS. HAMMES: The veranda seating,
presumably, you're not gonna have that open
in November.
MR. MATSUOKA: It might be a little chilly outside, but the interior will be nice and cozy.

MR. BROWN: There might be people willing to sit out there.

MR. COTUGNO: It would be helpful to show the existing seating too. I know you guys give tabulations of the proposed seating, but side by side would be nice to see the existing.

MR. BROWN: I can just drop that in, that's from previous application that had been approved, but I'll just add it in.

MS. HAMMES: So this still has to go to the consultant, right?

MR. PALLAS: Consultant, again, has it. We're just waiting for comments. It's all part of the bunch of applications that were sent on the same day.

We were missing some paperwork, we'll get comments for you when he has them.

CHAIRMAN FOOTE: Anybody else have anything at this time?

Well, we can schedule a public
hearing on this.

MR. COTUGNO: Wait for Historic?

CHAIRMAN FOOTE: We can do it pending Historic review right?

MS. HAMMES: I think we have to leave it open if anything changes from Historic.

CHAIRMAN FOOTE: We can condition it --

MS. HAMMES: -- we may have to hold it up anyway.

CHAIRMAN FOOTE: We will.

MR. PALLAS: I want to point out, you asked for a significant amount of material from the architect and owners. I make it clear to them that that needs to be in enough time to review it prior to the hearing.

CHAIRMAN FOOTE: Right.

MR. BROWN: Can you give me a deadline?

CHAIRMAN FOOTE: Actually, we can make that point, let's just keep this pre-submission open for another time until we...
get all the revisions made and have a chance
to review it have further discussion and then
schedule the public hearing for it, so we can
continue our pre-submission on --

MS. LINGG: On the fifth?

CHAIRMAN FOOTE: Yes.

MR. BROWN: With that, is there a
deadline for additional information?

MS. HAMMES: We need at least two
days before the fifth.

MR. COTUGNO: That's not even good.

MR. PALLAS: I need it a little
sooner than that.

MS. HAMMES: I personally need it
two days before.

MR. BROWN: I'll make sure you have
it two days before.

MR. PALLAS: The 18th or the 19th
of this month, the following week is
Thanksgiving, so earlier than later, please.

MR. BROWN: Okay.

CHAIRMAN FOOTE: Thank you very
much.

MR. BROWN: Thank you.
MR. PALLAS: One more item, if we get an application for Historic, we'll advance it to Historic.

MS. HAMMES: I think that's fine.

CHAIRMAN FOOTE: Sure.

MS. HAMMES: Can we get a copy of that application as well?

MR. PALLAS: Sure.

CHAIRMAN FOOTE: Wait for revised plans before we submit.

MR. PALLAS: Yes. If any of those revisions require Historic, yes, of course.

CHAIRMAN FOOTE: Next item is item 12, 300 Main street, public hearing regarding a site plan approval for Sterling Square LLC, represented by Robert I. Brown.

The applicant is proposing interior and exterior renovations to accommodate the conversion of the first floor from retail to assembly and the second and third floors from residential apartments to commercial hotel units.

The property is located in the Commercial Retail District. The property is
also located in the Historic District.

It's located at Suffolk County Tax

Map 10001-4-7-29.1.

Would anybody from the public like
to speak on this matter?

MR. BROWN: Robert Brown, Architect

again.

I think we had a pretty good
discussion last time about what was
intended. If there are any additional
question, I'd be happy to try to answer
them.

CHAIRMAN FOOTE: I think at this
time, we gonna wait for the, this is the
public hearing, so does anybody from the
public want the speak, have a comment on
this?

MS. HELFRICH: Ingrid Helfrich, 168
Bay Avenue.

I live behind American Beech, and
I have been through several iterations of
restaurants and clubs and such; and I have
to say that American Beech has been the best
neighbor I have had so far. They're quiet.
They keep their backyard dumpster area clean. Their clientele is not the type that comes out drunk out of the restaurant and urinates in my bushes.

I'm very happy, and I have no objections to them expanding. I feel that they have good stewardship of the property, and I would rather have them there than take a chance with someone else.

Thank you.

CHAIRMAN FOOTE: Anybody else like to comment?

(No response.)

Does anybody else have any further discussion?

MS. HAMMES: The Historic Board approved it, right?

MR. PALLAS: Yes.

CHAIRMAN FOOTE: And I think the two issues that we wanted to clarify can be assured that was part of the plan was the old lobby space is no longer going to serve as assembly, it's gonna be strictly retail?

MR. BROWN: Retail, yes.
CHAIRMAN FOOTE: And the Building Department previously confirmed or you confirmed that there was already a sprinkler system installed on the third floor space, right?

MR. BROWN: There is, yes.

CHAIRMAN FOOTE: And you guys have confirmed that?

MR. PALLAS: Yes.

CHAIRMAN FOOTE: Do we have any other comments at this time?

MR. KYRK: I apologize because I wasn't here at the previous meeting.

So there are the two apartments in there now?

MR. BROWN: Yes.

MR. KYRK: And there they are two-bedroom apartments, two, two-bedroom apartments?

MR. BROWN: Oh, gosh. Trying to recall. I think they're both one bedroom.

MR. KYRK: Okay. And they're going to have how many rooms?

MR. BROWN: Three room.
MR. KYRK: Three rooms. Thank you.

CHAIRMAN FOOTE: Anybody else?

(No response.)

Okay. Thank you.

At this point, I think we can close this public hearing.

Are you guys prepared to take a vote on it?

MR. COTUGNO: Yes.

CHAIRMAN FOOTE: I move that we approve this application as presented.

Do I have a second?

MR. COTUGNO: Second.

CHAIRMAN FOOTE: All those in favor?

MS. HAMMES: Aye.

MR. KYRK: Aye.

MS. DOUGHERTY-JOHNSON: Aye.

MR. COTUGNO: Aye.

CHAIRMAN FOOTE: Motion carries.

MR. BROWN: Thank you very much.

CHAIRMAN FOOTE: You're welcome.

This is the last item of the evening. It's 331 Front Street. Public
hearing regarding a site plan approval for Layyah, represented by Owner Imram Qasim Khan.

The applicant is proposing interior renovations to accommodate the addition of a commercial kitchen, as well as outdoor seating.

The property is located in the CR Commercial Retail District. The property is not located in the Historic District.

It's located at Suffolk County Tax Map 1001-6-22017.

Good afternoon.

Do you have anything further to add regarding this application?

MR. KHAN: Only just what we have in the application.

CHAIRMAN FOOTE: Is there anybody from the public that like to speak up?

MS. ROSENSTREICH: Susan Rosenstreich, 645 Little Peconic Bay Road, Cutchogue.

I'm here as president of Tifereth Israel House of Worship across the street
from Mr. Khan's place of business.

We have no problem with the site, expansion of the site; our concern is simply regarding the possible consumption of liquor in that area, that outside area. I don't know if Mr. Khan intends to serve --

MR. KHAN: There's not going to be any beer or liquor or anything.

MS. ROSENSTREICH: Thank you. That addresses our concerns.

Thank you very much.

CHAIRMAN FOOTE: Thank you.

Would anybody else like to speak regarding this application?

(No response.)

Anybody from the Board have anything further to add?

(No response.)

I think that last comment from the public was very helpful, and I would like to propose approving the application subject to that stipulation that there is no outdoor consumption of alcohol. It's probably, by law, not permitted anyway, but we can put it
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into the approval anyway.

Do I have a second?

MR. COTUGNO:  Second.

CHAIRMAN FOOTE:  All those in favor?

MR. KYRK:  Aye.

MS. DOUGHERTY-JOHNSON:  Aye.

CHAIRMAN FOOTE:  Aye.

MS. HAMMES:  Aye.

The application is approved.

CHAIRMAN FOOTE:  So I now make a motion to adjourn --

MR. MOORE:  Before you adjourn, can I make a technical point before you adjourn?

CHAIRMAN FOOTE:  Certainly.

MR. MOORE:  My name is Doug Moore, formally 26 years at 145 Sterling Street and formally 7 years chair of the Zoning Board of Appeals.

I apologize in advance for being a nerd on detail, but concerning the Sterling Avenue which is next week, in the various applications and announcements, it's defined as amendments to a stipulation, and I don't
believe the Planning Board has the authority
to amend a court mandated stipulation, so
this is really a new application.

I believe also, you incorrectly
referred to next week as a public hearing,
it's a pre-submission conference --

CHAIRMAN FOOTE: If I said that, I
misspoke.

MR. MOORE: And as has been the
practice of the Planning Board, we still
appreciate that you will take, entertain
public comments during that time, that's
always been helpful. Past planning Boards
would not let the public speak and waited to
the very end, so I appreciate that.

Thanks.

CHAIRMAN FOOTE: I now move to
adjourn.

Do I have a second?

MR. COTUGNO: Second.

CHAIRMAN FOOTE: All those in
favor?

MS. HAMMES: Aye.

MR. KYRK: Aye.
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MS. DOUGHERTY-JOHNSON: Aye.

MR. COTUGNO: Aye.

CHAIRMAN FOOTE: Meeting adjourned.

(Time noted: 6:21 p.m.)
CERTIFICATE

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

I, STEPHANIE O'KEEFFE, a Reporter and Notary Public within and for the State of New York, do hereby certify that the within is a true and accurate transcript of the proceedings taken on November 7, 2019.

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 7th day of November, 2019.

___________________
STEPHANIE O'KEEFFE

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