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VILLAGE OF GREENPORT
COUNTY OF SUFFOLK STATE OF NEW YORK

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PLANNING BOARD
REGULAR/WORK SESSION

-----x

Third Street Firehouse
Greenport, New York

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

B E F O R E :

- 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 AURICHIO - CLERK TO THE BOARD

1 Work/Regular 11-7-19

2 CHAIRMAN FOOTE: Good afternoon.

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

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

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

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

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

24 CHAIRMAN FOOTE: We're sorry to see
25 Kristina go. And welcome, Amanda, you don't

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2 know what you're getting into.

3 Now we're in the work session.

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

7 Do I have a second?

8 MR. COTUGNO: Second.

9 CHAIRMAN FOOTE: All those in
10 favor?

11 MS. HAMMES: Aye.

12 MR. KYRK: Aye.

13 MS. DOUGHERTY-JOHNSON: Aye.

14 MR. COTUGNO: Aye.

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

17 Item number 2, is a motion --

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

20 MS. LINGG: Correct.

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

23 That's gonna be specifically for
24 123 Sterling and at 4:00 p.m.

25 Now, at this time, I'd like to ask

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2 the Board and the Building Department, were
3 we, were weren't initially planning to
4 schedule a November 23 meeting.

5 Why was that on this agenda?

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

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

11 CHAIRMAN FOOTE: Okay.

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

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

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

21 CHAIRMAN FOOTE: Well, I --

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

25 CHAIRMAN FOOTE: Right.

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2 MS. HAMMES: So I suspect that
3 won't be as long as a public hearing.

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

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

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

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

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

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

21 May I have a second on that
22 motion?

23 MR. COTUGNO: Second.

24 CHAIRMAN FOOTE: All those in
25 favor?

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2 MS. HAMMES: Aye.

3 MR. KYRK: Aye.

4 MS. DOUGHERTY-JOHNSON: Aye.

5 MR. COTUGNO: Aye.

6 CHAIRMAN FOOTE: Motion carries.

7 Next item is a motion to schedule
8 the combined Planning Board regular meeting
9 4:00 p.m. on December 5.

10 Do I have a second for that
11 motion?

12 MR. COTUGNO: Second.

13 CHAIRMAN FOOTE: All those in
14 favor?

15 MS. HAMMES: Aye.

16 MR. KYRK: Aye.

17 MS. DOUGHERTY-JOHNSON: Aye.

18 MR. COTUGNO: Aye.

19 CHAIRMAN FOOTE: Item number 4 is
20 604 First Street, this is a motion to accept
21 the findings and determinations for Beachy
22 Blond LLC located at 604 First Street.

23 Have all the Board members had an
24 opportunity to review those findings and
25 determinations?

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2 MS. HAMMES: I'm abstaining.

3 CHAIRMAN FOOTE: Okay.

4 Anybody have any question on this?

5 (No response.)

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

8 Do I have a second?

9 MR. COTUGNO: Second.

10 CHAIRMAN FOOTE: All those in
11 favor?

12 MR. KYRK: Aye.

13 MS. DOUGHERTY-JOHNSON: Aye.

14 MR. COTUGNO: Aye.

15 CHAIRMAN FOOTE: Motion carries.

16 The next item is in regards to 326
17 Front Street.

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

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

25 Is there anybody at this time that

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2 wants to speak further on behalf of the
3 applicant on this?

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

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

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

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

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2 the parking.

3 CHAIRMAN FOOTE: Okay.

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

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

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

19 MS. HAMMES: I have a couple of
20 related points. I agree with you, as you
21 know, that's kind of my view and I, frankly,
22 wouldn't be comfortable commenting on it
23 without a public hearing. I believe the ZBA
24 has had a public hearing on it, and I
25 actually was there for part of that; but I

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2 don't know that other Board members were, and
3 I don't know how they would feel commenting
4 on something without having heard from the
5 public on it.

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

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

19 On the point about deferring this
20 to the ZBA, I do believe, and you guys can
21 correct me if I'm wrong, but I looked at the
22 code and I think the question, if we made
23 determination of parking requirement, I
24 believe the determination on the pilot
25 payment or payment in lieu of parking is a

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2 Planning Board decision, not a ZBA decision;
3 so the ZBA can grant them, I believe, the
4 variance, but if they don't, then it would
5 be up to us whether or not it would require
6 them to do the payment; is that correct?

7 MR. PALLAS: Yes, but the order of
8 that is the opposite.

9 If ZBA were to grant the variance,
10 then you can't then go ask them for money at
11 that the point. The concept would be, the
12 payment in lieu would then reduce the
13 necessity for the variance, reduce it in
14 terms of how many spaces the variance would
15 need or eliminate it all together. I don't
16 remember, I think this one would reduce the
17 variance, if I remember correctly. I think
18 there is a maximum of 20 that you could buy
19 in the code in lieu of a variance.

20 That decision would have to --
21 There's two opportunities to make that
22 decision. You can make it up front, or if
23 the Zoning Board of Appeals does not grant
24 the variance, they can come back to this
25 Board to pay, then they go back to ZBA for

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2 whatever remaining variance would be left if
3 the Zoning Board crafted it that way, that
4 would be the process.

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

9 MR. PALLAS: Yes.

10 MS. HAMMES: Is the parking --

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

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

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

21 CHAIRMAN FOOTE: I think there is a
22 little bit of ping pong that we ought to try
23 to avoid though because the message I got
24 from the Zoning Board was that they'd like to
25 know what our views are, did we have a view

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2 on the height and the parking; and we're, you
3 know, I was under the impression that we're
4 really just, you know, it was out of our
5 jurisdiction per se. We were letting Zoning
6 handle it because it required a zoning
7 variance.

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

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

21 I just need a little guidance here
22 in terms --

23 MR. CONNOLLY: I don't think there
24 is a stalemate at the Zoning Board. I think
25 they're just asking for the Planning Board's

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2 input on how the variances might affect the
3 health, safety and welfare of the Village.

4 CHAIRMAN FOOTE: Okay.

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

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

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

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

17 MR. CONNOLLY: In New York State --

18 CHAIRMAN FOOTE: -- public hearing.

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

22 MS. HAMMES: But if we give that
23 input, presumably, I mean, what happens when
24 it comes back to us? How much leeway are we
25 really gonna have to revisit it?

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2 MR. CONNOLLY: It would just be,
3 they're just asking specifically for the
4 issuance of the variances.

5 MS. HAMMES: Okay.

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

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

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

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

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

25 MS. DOUGHERTY-JOHNSON: That's what

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2 I remember too.

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

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

11 MR. PALLAS: Over 35 feet --

12 CHAIRMAN FOOTE: -- three stories.

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

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

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

22 MS. HAMMES: So then would the next
23 steps be for us, we could do it on the 14th
24 if it doesn't run too long for us to have a
25 discussion with the Board and craft a reply?

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2 CHAIRMAN FOOTE: I don't think we
3 should mix it with the 14th meeting, I think
4 we should do that separately. It's going be
5 a large crowd here for that alone.

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

8 CHAIRMAN FOOTE: Again, we don't
9 need to get public comments on that, it will
10 --

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

14 CHAIRMAN FOOTE: If we have enough
15 time leftover, I suppose we can add it to the
16 end of that meeting. I think we should make
17 sure we have a certain amount of time for the
18 123 Sterling.

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

22 MS. HAMMES: Just we're all on the
23 same page, that will just be a discussion
24 here among us, it won't be a public hearing,
25 so there will be a discussion recalling what

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2 was presented to us previously along with
3 whatever you provide us and we'll perhaps get
4 points we think we should send back to the
5 ZBA.

6 CHAIRMAN FOOTE: Right.

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

11 CHAIRMAN FOOTE: Very good.

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

14 Okay.

15 Item 6, pre-submission conference
16 for the application of the Miller Family
17 2012 Irrevocable Trust, represented by
18 attorney Patricia C. Moore.

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

25 It's located at Suffolk County Tax

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1 map 1001-6-8-18.1.

2
3 Is there anybody that would like
4 to speak?

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

7 MS. MOORE: Good evening.

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

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

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

22 The two rooms that we're talking
23 about are one room that is on the second
24 floor that had been part of their private,
25 one of the rooms that they retained

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2 privately. And then the bedroom that is
3 part of an annex had been, had been a
4 separate pre-existing cottage and over some
5 issues with the Building Department, it
6 ultimately became, the kitchen was removed,
7 and now it's a bedroom suite. So that room
8 and one on the second floor, which is a
9 relatively small room would be added to the
10 number of the already-existing three-bedroom
11 B&B.

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

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

18 MR. PALLAS: You're not doing --

19 MS. MOORE: It's just site plan.

20 MR. PALLAS: -- just site plan.

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

24 MR. PALLAS: Right.

25 MS. HAMMES: So was it increased to

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2 five subject to site plan approval or would
3 they just normally have to come because she's
4 increasing it?

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

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

10 MS. MOORE: The original law has --
11 the only method of review was site plan
12 review, that's what the original B&B had.
13 When the legislation changed from three to
14 five, the only modification to the code was
15 the number of rooms, so the process remained
16 what was the original process in place; so
17 we're here to complete the, essentially
18 amendment or it's technically, I guess, an
19 amendment to the original site plan because
20 we are adding two rooms and then after we get
21 the site plan approval then those rooms are
22 existing, they already have COs, they're
23 ready to be occupied. It's just a matter of
24 going through the final process.

25 CHAIRMAN FOOTE: Has the planner or

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2 the Building Department reviewed this for
3 compliance with the building code?

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

7 CHAIRMAN FOOTE: Is does.

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

10 MR. PALLAS: It's not required.

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

13 MS. MILLER: Yes.

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

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

21 MR. PALLAS: Yes.

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

25 MR. PALLAS: Not that I'm aware of,

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2 but we will review it for that. I don't
3 believe it's required that in this case.

4 MR. COTUGNO: Should definitely
5 have smoke detectors.

6 MS. MOORE: Yes.

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

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

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

20 (No response.)

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

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

25 CHAIRMAN FOOTE: Okay.

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2 So at this time, with the Board's
3 permission, I'd like to schedule a public
4 hearing for December 5.

5 Do I have a second on that?

6 MR. COTUGNO: Second.

7 CHAIRMAN FOOTE: Okay.

8 All those in favor?

9 MS. HAMMES: Aye.

10 MR. KYRK: Aye.

11 MS. DOUGHERTY-JOHNSON: Aye.

12 MR. COTUGNO: Aye.

13 MS. MILLER: Thank you.

14 CHAIRMAN FOOTE: You're welcome.

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

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

23 This property is located in the
24 R-2 One- and two-Family District. This
25 property not in the Historic District.

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2 It's located at Suffolk County Tax
3 Map 1001-4-1-6.

4 Good evening.

5 MR. OLINKIEWICZ: Good evening.

6 How are you?

7 James Olinkiewicz, 415 Kaplan
8 Avenue, Greenport.

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

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

18 CHAIRMAN FOOTE: Is this gonna be
19 going for rental?

20 MR. OLINKIEWICZ: Yes.

21 MS. DOUGHERTY-JOHNSON: Year-round?

22 MR. OLINKIEWICZ: Year-round
23 rentals, yes.

24 MS. DOUGHERTY-JOHNSON: It seems
25 like a lot of parking, I know sometimes --

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2 MR. OLINKIEWICZ: Well, I can tell
3 you from the size of the parking, the reason
4 why the parking lot is that big is because I
5 also own 411 Kaplan right next door, which
6 has two rental properties that park there.
7 That was pre-existing when I bought it, so we
8 didn't have any parking requirement, so we're
9 gonna add extra parking in the back of 415 to
10 help accommodate some of the parking for 411
11 Kaplan and take some of the extra stress
12 off of the street and have off-street parking
13 for some of the other tenants.

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

16 MR. OLINKIEWICZ: It's pretty much
17 built property line to property line to
18 property line. There is no real parking for
19 it at all. There's only two parking spots in
20 the rear that get access from another
21 property I own at 510 Madison Avenue that
22 when we came here to make the two apartments
23 at Kaplan, it was accepted to have an
24 easement to come across, so they had parking
25 in the back.

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2 But you have a two bedroom
3 apartment in the back 411 Kaplan and a
4 three-bedroom in the front and a husband,
5 wife and 16-year-old kid in the front or
6 17-year-old now, so there's three cars there
7 and there's one or two in the back apartment
8 with a husband, wife and little baby, so
9 there's five spots that are needed. It's
10 not enough. And that's the pre-existing
11 grandfathered building, that we were doing;
12 so I'm trying to help the Village by
13 accommodating more parking on this piece
14 that I'm purchasing.

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

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

23 It's within five feet of the
24 property line. It could never be developed
25 into another rental property as a house, but

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2 keeping it five feet off the property line,
3 you're still able to build a garage on any
4 Village lot.

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

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

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

14 MR. OLINKIEWICZ: I do not have a
15 plan.

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

18 MR. OLINKIEWICZ: Okay.

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

21 MR. OLINKIEWICZ: Okay.

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

25 MR. OLINKIEWICZ: Then it could be

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2 in the future because at that time, I don't
3 need to come to the Planning Board to build a
4 garage on my property. It doesn't have to be
5 reviewed, so that's how come it says future
6 garage, I didn't feel --

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

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

12 MR. PALLAS: Three.

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

15 MR. OLINKIEWICZ: Correct.

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

19 MR. OLINKIEWICZ: Correct.

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

22 MR. OLINKIEWICZ: Correct.

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

25 MR. OLINKIEWICZ: Correct.

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2 CHAIRMAN FOOTE: Supposed to have
3 three. Why --

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

6 MR. OLINKIEWICZ: Right.

7 MS. HAMMES: Right?

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

10 CHAIRMAN FOOTE: Kaplan Market
11 Building.

12 MS. HAMMES: Kaplan Market
13 Building.

14 Before your time.

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

18 MR. OLINKIEWICZ: Correct.

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

21 MR. OLINKIEWICZ: That's a
22 possibility.

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

25 MR. OLINKIEWICZ: Bathtub actually

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2 is more dangerous for your insurance than a
3 shower is; so when you take that into
4 account, you can't have elderly because they
5 have problems getting in and out of the
6 bathtub.

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

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

17 MR. COTUGNO: I've just seen them
18 in every house I've ever been in for the last
19 66 years.

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

22 In fact, there is a ratio that
23 requires and I'd ask you to ask our
24 consultant. This didn't go through the
25 consultant yet, right?

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2 MR. PALLAS: We have not routinely
3 sent residential projects to the consultant.

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

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

12 MR. COTUGNO: We have a consultant.

13 MR. OLINKIEWICZ: And calculate
14 that.

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

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

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

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2 MR. OLINKIEWICZ: Need a variance
3 for?

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

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

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

11 We can speak about that after the
12 meeting.

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

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

18 CHAIRMAN FOOTE: But it does comply
19 with the setbacks?

20 MR. PALLAS: It does comply with
21 setbacks.

22 CHAIRMAN FOOTE: And percentage of
23 the lot, obviously.

24 MR. OLINKIEWICZ: I'm unsure on
25 what Paul is talking about because I thought

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2 if the lot was over fifty feet wide, you
3 didn't have to go -- I thought it was a
4 stipulation the Village code.

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

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

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

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

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

20 (No response.)

21 So let's schedule it. Gosh, I
22 think the fifth is already filling up pretty
23 well; but we can try for the fifth. How
24 about that, put it on the docket for the
25 fifth and see what happens.

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2 MR. COTUGNO: The first thing to do
3 is figure out if it needs a variance.

4 Would we have to refer it to the
5 Zoning Board?

6 MR. PALLAS: The practice has been
7 when you folks make that statement that it's
8 going to the Zoning Board, you don't schedule
9 it, but this in a house, so you've also done
10 it the other way.

11 Again, I will let you know --

12 CHAIRMAN FOOTE: I'm all for
13 keeping things as efficient as possible as
14 long as it doesn't cut off our ability to
15 review it. So I don't mind scheduling it for
16 the fifth and --

17 Why don't we do that?

18 MR. COTUGNO: Do we have to vote on
19 it.

20 CHAIRMAN FOOTE: I'm not sure. We
21 can vote on it if you want.

22 MR. COTUGNO: Second.

23 CHAIRMAN FOOTE: All in favor?

24 MS. HAMMES: Aye.

25 MR. KYRK: Aye.

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2 MS. DOUGHERTY-JOHNSON: Aye.

3 MR. COTUGNO: Aye.

4 CHAIRMAN FOOTE: Next item, 471

5 Main Street. A pre-submission conference for
6 the application of Emily Demarchelier,
7 represented by Architect Robert I. Brown.

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

12 The property is located in the CR
13 Commercial Retail District.

14 This property is also located in
15 the Historic District.

16 Suffolk County Tax map number
17 1001-4-7-21.

18 MR. BROWN: Good afternoon. Robert
19 Brown, Architect for Demarchelier.

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

24 The plan is pretty straight
25 forward. If you have any questions, I'm

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2 happy to address them and Ms. Demarchelier
3 is here as well if I can't answer.

4 MR. COTUGNO: What is the existing
5 conditions, is it just one big open space?

6 MR. BROWN: Yes.

7 MR. COTUGNO: So the bathroom is
8 not there?

9 MR. BROWN: The bathroom is there,
10 yes.

11 MR. COTUGNO: That big handicap
12 bathroom is there?

13 MR. BROWN: Yes, it there.

14 CHAIRMAN FOOTE: So I noticed there
15 were two bathrooms, is the second bathroom on
16 the second floor?

17 MS. HAMMES: No, the second
18 bathroom is the Sterling Saki bathroom,
19 right?

20 MR. BROWN: Yes.

21 CHAIRMAN FOOTE: You only have one
22 bathroom.

23 MR. BROWN: One bathroom, yes.

24 CHAIRMAN FOOTE: Is that compliant
25 with the code to be just one bathroom for the

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2 restaurant? Yes.

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

5 MR. BROWN: Yes.

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

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

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

15 MR. PALLAS: I'd have to check.

16 MR. COTUGNO: Can you check with
17 our consultant?

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

22 A lot of these applications came
23 in at the last minute, so he's a little bit
24 overwhelmed with applications, and we were
25 missing some documents until today, I think.

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2 You will have, I expect you receive will
3 comments well in advance of any hearing will
4 be scheduled.

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

9 MS. DEMARCHELIER: Wine and liquor.

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

12 MR. BROWN: Yes, it is.

13 CHAIRMAN FOOTE: Do we have an
14 issue then with sprinklers or is that already
15 --

16 MR. BROWN: It is sprinklered.

17 CHAIRMAN FOOTE: And how are we
18 dealing garbage removal?

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

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

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

25 MALE SPEAKER: We have a shared

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2 garbage area on the property.

3 CHAIRMAN FOOTE: With the other
4 tenant?

5 MALE SPEAKER: Yes.

6 CHAIRMAN FOOTE: Is that sterling
7 Saki?

8 MALE SPEAKER: Yes.

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

11 MALE SPEAKER: Yes.

12 MS. HAMMES: Is parking an issue at
13 all?

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

21 MR. BROWN: If I could, there was
22 an original structure on there prior to the
23 1971 which, I believe, precludes us from
24 parking requirements. When this building was
25 constructed parking was provided in the back

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2 of the building.

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

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

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

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

19 MR. PALLAS: Yes.

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

25 MS. DEMARCHELIER: Sure.

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2 CHAIRMAN FOOTE: Announce yourself,
3 please.

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

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

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

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

19 MS. DEMARCHELIER: Year-round, yes.

20 CHAIRMAN FOOTE: Any thoughts on
21 live music?

22 MS. DEMARCHELIER: I have, in our
23 lease, we do have approval for acoustic; but
24 it's mostly going to be just recorded music.
25 Just have acoustic for perhaps if there is a

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2 special occasion, like Mothers' Day or
3 something like that.

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

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

9 MR. PALLAS: Yes.

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

12 MS. DEMARCHELIER: The building is
13 accessible.

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

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

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

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

25 MR. BROWN: I will make sure that's

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2 the case; but I believe that a Building
3 Department, but that should be --

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

10 CHAIRMAN FOOTE: The rear door does
11 swing out.

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

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

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

21 The applicant proposes interior
22 renovations to accommodate the new use of
23 medical office for the property located at
24 230 Main Street.

25 This property is located in the

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

4 Suffolk County Tax Map number
5 1001-4-10-10-1.

6 MR. BROWN: Robert Brown, Architect
7 for Northwell.

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

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

13 MR. BROWN: No.

14 MS. HAMMES: Really?

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

17 MS. HAMMES: Okay.

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

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

24 MR. BROWN: It will be unused for
25 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

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2 this past Sundays, I did see the amount of
3 parking happening on the street and that was
4 blocked up; and we're not operating, there is
5 now reason to restrict from my point of view.

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

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

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

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

16 MS. HAMMES: Assuming you'll have
17 signs.

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

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

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

1 Work/Regular 11-7-19

2 community; so we are looking at five
3 employees to start, max would be eight.

4 Maximum providers at one time would be two.

5 CHAIRMAN FOOTE: I'm sorry.

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

8 MR. KYRK: Would these be
9 specialists or GE?

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

12 MR. KYRK: So 15 or 12 minute
13 appointments?

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

16 MS. LOEB: Sure.

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

21 There's ample parking.

22 MS. HAMMES: For both providers or
23 in total?

24 MS. LOEB: Per provider.

25 MR. KYRK: So that's eight people

1 Work/Regular 11-7-19

2 needing access, whether they walk there, take
3 a bus or drive a car, ride a bike?

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

7 MS. LOEB: Correct. Absolutely.

8 MR. KYRK: Just overall traffic.

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

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

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

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

22 CHAIRMAN FOOTE: It was included?

23 MR. BROWN: In the application.

24 It's a smaller sheet.

25 MR. COTUGNO: Maybe that's why I

1 Work/Regular 11-7-19

2 didn't see it.

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

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

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

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

11 I thought it was included in the
12 application.

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

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

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

20 MS. DOUGHERTY-JOHNSON: Right.

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

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

25 MS. HAMMES: Is this a permitted

1 Work/Regular 11-7-19

2 use in that building?

3 MR. PALLAS: Yes.

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

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

10 MR. BROWN: Far more than ten
11 spaces.

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

14 MR. PALLAS: It just says five per
15 physician.

16 MR. BROWN: There are 18 space
17 currently.

18 CHAIRMAN FOOTE: Anybody else have
19 anything to add?

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

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

25 CHAIRMAN FOOTE: I'd like to --

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2 unless there's objection, I'd like to
3 schedule the public hearing.

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

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

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

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

14 MS. HAMMES: The 19th.

15 MS. LINGG: The 19th, there is a
16 Historic Preservation Commission meeting at
17 5:00 p.m.

18 MS. HAMMES: Can we do it on the
19 18th?

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

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

24 MS. HAMMES: Or we could do it a 6
25 o'clock on the 19th, but I don't know how

1 Work/Regular 11-7-19

2 long the Historic Board meeting --

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

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

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

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

11 CHAIRMAN FOOTE: Item number 10,
12 111 Main Street, pre-submission conference
13 for the application of PWIB Claudio's
14 Management represented by Robert I. Brown.

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

18 This property is located in the
19 Waterfront Commercial District. This
20 property is also located in the Historic
21 District.

22 Suffolk County Tax Map number
23 1001-5-4 lots 25, 38.1 and 39.

24 MR. BROWN: Rob Brown, Architect
25 for Claudio's.

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2 With your permission, I have
3 revised sets for the Board that are a couple
4 of minor edits and clarifications just to
5 bring you up to date.

6 Can I distribute those?

7 (Mr. Brown distributes paperwork
8 to the Board.)

9 I can go over what the changes.

10 MR. COTUGNO: So what are they?

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

14 MS. HAMMES: Exterior wall.

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

17 MS. HAMMES: I got it.

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

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

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

24 MR. BROWN: Yes.

25 CHAIRMAN FOOTE: Is that it for A1?

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2 MR. BROWN: No.

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

6 MR. COTUGNO: Okay.

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

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

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

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

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

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

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

25 MR. BROWN: It's all just painting

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2 on the pavement.

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

7 MR. BROWN: No.

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

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

14 MR. BROWN: Okay.

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

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

23 MR. BROWN: Not --

24 MS. HAMMES: -- something like what
25 they have out on the Clam Bar or --

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2 MR. BROWN: No. This would be just
3 the kind, almost residential awning that
4 projects out and --

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

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

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

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

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

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

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

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

25 MR. BROWN: Yes, accessory kitchen.

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2 They can't keep up with the demand on the
3 Clam Bar.

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

7 MS. HAMMES: Are you losing any
8 parking?

9 MR. BROWN: No.

10 We're keeping exactly the same
11 amount of parking?

12 MS. HAMMES: Except for the
13 motorcycles --

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

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

18 MR. BROWN: Yes, it is their
19 property.

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

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

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2 MR. BROWN: I couldn't speak for
3 that.

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

7 MR. MATSUOKA: At the stop sign.

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

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

14 MR. BROWN: It's concrete block --

15 CHAIRMAN FOOTE: Where is it on the
16 site plan?

17 Robert, can you come over here.

18 (Mr. Brown goes to the podium.)

19 Install the exterior
20 refrigeration, these are exterior
21 refrigeration units.

22 Where are your refrigeration units
23 currently?

24 MR. BROWN: I believe Mr. Matsuoka
25 can answer that.

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2 CHAIRMAN FOOTE: Do you want to
3 come over here as well?

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

7 MR. MATSUOKA: Hello.

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

11 MS. HAMMES: Okay. Thank you.

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

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

16 MR. MATSUOKA: Sure.

17 So originally, there were
18 seventeen walk-ins on the property when we
19 took it over last year; so we have
20 eliminated more than half of those because
21 they're so pretty and old. Many of them
22 were on the waterfront here which we
23 removed, and the idea is to move them back
24 here to hide them in the back of the
25 property out of view.

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2 CHAIRMAN FOOTE: Okay.

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

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

17 CHAIRMAN FOOTE: White plastic or
18 metal.

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

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

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2 pleasing.

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

5 MR. MATSUOKA: Everything is --

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

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

14 CHAIRMAN FOOTE: Right.

15 I mean particularly for the
16 visibility of the --

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

20 MR. BROWN: Yes.

21 MS. HAMMES: What is the noise
22 value or how much noise do these
23 refrigerators produce because you're moving
24 them closer to other properties? That one of
25 my questions because I know there are some

1 Work/Regular 11-7-19

2 residential units on the second floors of
3 some of these properties.

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

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

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

16 CHAIRMAN FOOTE: That would be a
17 good idea.

18 MR. PALLAS: Sorry to interrupt
19 again.

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

22 MR. MATSUOKA: Torra Matsouka,
23 M-A-T-S-U-O-K-A.

24 MR. LOFFREDO: Stephen with a P,
25 Loffredo, L-O-F-F-R-E-D-O.

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2 MR. KYRK: Could you please
3 identify where the stop sign is for me?

4 MR. BROWN: At the northeast
5 corner.

6 No, southeast corner of the
7 structure.

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

11 One question I had was, there was
12 an application that was submitted about a
13 year ago, maybe a little less than that, and
14 one of the things it was promoting was
15 creating more green space for the area.

16 Is that still in the plans? I
17 noticed there is a little section here
18 called artificial turf. Is it the same
19 amount of green space as previously
20 proposed?

21 MR. BROWN: No.

22 That has been reduced for
23 financial reasons.

24 CHAIRMAN FOOTE: Explain that,
25 please.

1 Work/Regular 11-7-19

2 MR. BROWN: The cost of landscaping
3 was --

4 MR. MATSUOKA: If I may.

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

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

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

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

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

22 MR. BROWN: Yes, of course.

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

25 MS. HAMMES: You're adding about

1 Work/Regular 11-7-19

2 200 seats. This is added seating, Claudio's
3 restaurant veranda 144, Clam Bar 52.

4 MR. MATSUOKA: Correct.

5 That's the suggestion.

6 MS. HAMMES: But no additional
7 parking?

8 MR. MATSUOKA: No.

9 We have 100 parking spots.

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

13 MR. BROWN: Certainly I can.

14 MR. COTUGNO: Are there parking
15 requirements, Paul?

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

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

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

23 MR. COTUGNO: Of course.

24 MS. HAMMES: If we think it's an
25 over intensification of use, given parking

1 Work/Regular 11-7-19

2 constraints and others, I mean that's the
3 thing we can consider.

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

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

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

11 MR. BROWN: Well, there were a
12 total of 12 seats, we're proposing a total of
13 11, but one of them is handicap which was not
14 provided previously.

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

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

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

20 CHAIRMAN FOOTE: It's a serious
21 issue obviously, and the fact that we're
22 seeing a proposal to expand and create more
23 people, more customers and therefore
24 presumably more noise is something we have
25 to, you know, weigh in, it's just part of the

1 Work/Regular 11-7-19

2 process that we're going through here.

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

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

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

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

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

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

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2 correct?

3 MR. BROWN: Sixteen seats, yes.

4 MS. HAMMES: Is that what it is,
5 16?

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

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

12 The Wharf, seven days, 11:30 to
13 9:00 p.m., and the bar at the Wharf 9:00
14 p.m. to 2:00 a.m.

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

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

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

22 MR. BROWN: Seven days.

23 CHAIRMAN FOOTE: Was the source of
24 the noise complaints related mostly to the
25 bar activity after 9:00 p.m.?

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2 MR. LOFFREDO: As we understand it,
3 yes.

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

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

18 MR. LOFFREDO: Yes, it is.

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

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

24 MR. LOFFREDO: No.

25 MS. DOUGHERTY-JOHNSON: The picnic

1 Work/Regular 11-7-19

2 tables at Crabby Jerry's, are those like wait
3 service, people sit there and get waited on
4 or --

5 MR. LOFFREDO: No.

6 MR. BROWN: No.

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

10 MS. DOUGHERTY-JOHNSON: Same as the
11 rest --

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

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

17 MR. LOFFREDO: All year round.

18 CHAIRMAN FOOTE: Anybody else have
19 anything?

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

23 MS. HAMMES: The veranda seating,
24 presumably, you're not gonna have that open
25 in November.

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2 MR. MATSUOKA: It might be a little
3 chilly outside, but the interior will be nice
4 and cozy.

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

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

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

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

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

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

23 CHAIRMAN FOOTE: Anybody else have
24 anything at this time?

25 Well, we can schedule a public

1 Work/Regular 11-7-19

2 hearing on this.

3 MR. COTUGNO: Wait for Historic?

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

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

9 CHAIRMAN FOOTE: We can condition
10 it --

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

13 CHAIRMAN FOOTE: We will.

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

20 CHAIRMAN FOOTE: Right.

21 MR. BROWN: Can you give me a
22 deadline?

23 CHAIRMAN FOOTE: Actually, we can
24 make that point, let's just keep this
25 pre-submission open for another time until we

1 Work/Regular 11-7-19

2 get all the revisions made and have a chance
3 to review it have further discussion and then
4 schedule the public hearing for it, so we can
5 continue our pre-submission on --

6 MS. LINGG: On the fifth?

7 CHAIRMAN FOOTE: Yes.

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

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

12 MR. COTUGNO: That's not even good.

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

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

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

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

22 MR. BROWN: Okay.

23 CHAIRMAN FOOTE: Thank you very
24 much.

25 MR. BROWN: Thank you.

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2 MR. PALLAS: One more item, if we
3 get an application for Historic, we'll
4 advance it to Historic.

5 MS. HAMMES: I think that's fine.

6 CHAIRMAN FOOTE: Sure.

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

9 MR. PALLAS: Sure.

10 CHAIRMAN FOOTE: Wait for revised
11 plans before we submit.

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

14 CHAIRMAN FOOTE: Next item is item
15 12, 300 Main street, public hearing regarding
16 a site plan approval for Sterling Square LLC,
17 represented by Robert I. Brown.

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

24 The property is located in the
25 Commercial Retail District. The property is

1 Work/Regular 11-7-19

2 also located in the Historic District.

3 It's located at Suffolk County Tax
4 Map 10001-4-7-29.1.

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

7 MR. BROWN: Robert Brown, Architect
8 again.

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

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

19 MS. HELFRICH: Ingrid Helfrich, 168
20 Bay Avenue.

21 I live behind American Beech, and
22 I have been through several iterations of
23 restaurants and clubs and such; and I have
24 to say that American Beech has been the best
25 neighbor I have had so far. They're quiet.

1 Work/Regular 11-7-19

2 They keep their backyard dumpster area
3 clean. Their clientele is not the type that
4 comes out drunk out of the restaurant and
5 urinates in my bushes.

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

11 Thank you.

12 CHAIRMAN FOOTE: Anybody else like
13 to comment?

14 (No response.)

15 Does anybody else have any further
16 discussion?

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

19 MR. PALLAS: Yes.

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

25 MR. BROWN: Retail, yes.

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2 CHAIRMAN FOOTE: And the Building
3 Department previously confirmed or you
4 confirmed that there was already a sprinkler
5 system installed on the third floor space,
6 right?

7 MR. BROWN: There is, yes.

8 CHAIRMAN FOOTE: And you guys have
9 confirmed that?

10 MR. PALLAS: Yes.

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

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

15 So there are the two apartments in
16 there now?

17 MR. BROWN: Yes.

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

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

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

25 MR. BROWN: Three room.

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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

1 Work/Regular 11-7-19

2 hearing regarding a site plan approval for
3 Layyah, represented by Owner Imram Qasim
4 Khan.

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

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

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

14 Good afternoon.

15 Do you have anything further to
16 add regarding this application?

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

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

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

24 I'm here as president of Tifereth
25 Israel House of Worship across the street

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2 from Mr. Khan's place of business.

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

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

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

12 Thank you very much.

13 CHAIRMAN FOOTE: Thank you.

14 Would anybody else like to speak
15 regarding this application?

16 (No response.)

17 Anybody from the Board have
18 anything further to add?

19 (No response.)

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

1 Work/Regular 11-7-19

2 into the approval anyway.

3 Do I have a second?

4 MR. COTUGNO: Second.

5 CHAIRMAN FOOTE: All those in
6 favor?

7 MR. KYRK: Aye.

8 MS. DOUGHERTY-JOHNSON: Aye.

9 CHAIRMAN FOOTE: Aye.

10 MS. HAMMES: Aye.

11 The application is approved.

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

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

16 CHAIRMAN FOOTE: Certainly.

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

21 I apologize in advance for being a
22 nerd on detail, but concerning the Sterling
23 Avenue which is next week, in the various
24 applications and announcements, it's defined
25 as amendments to a stipulation, and I don't

1 Work/Regular 11-7-19

2 believe the Planning Board has the authority
3 to amend a court mandated stipulation, so
4 this is really a new application.

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

8 CHAIRMAN FOOTE: If I said that, I
9 misspoke.

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

17 Thanks.

18 CHAIRMAN FOOTE: I now move to
19 adjourn.

20 Do I have a second?

21 MR. COTUGNO: Second.

22 CHAIRMAN FOOTE: All those in
23 favor?

24 MS. HAMMES: Aye.

25 MR. KYRK: Aye.

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MS. DOUGHERTY-JOHNSON: Aye.

MR. COTUGNO: Aye.

CHAIRMAN FOOTE: Meeting adjourned.

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

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C E R T I F I C A T E

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

STEPHANIE O'KEEFFE