VILLAGE OF GREENPORT
COUNTY OF SUFFOLK STATE OF NEW YORK

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PLANNING BOARD
REGULAR SESSION

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Third Street Firehouse
Greenport, New York

September 7, 2017
4:00 p.m.

Before:
DEVIN McMAHON - CHAIR (Absent)
MARY GIVEN - ACTING CHAIRWOMAN
NOAH THOMAS - MEMBER
JOHN COTUGNO - MEMBER
BRADLEY BURNS - MEMBER

ROBERT CONNELLY - ATTORNEY
KRISTINA LINGG: BUILDING CLERK
GLYNIS BERRY: PLANNING BOARD CONSULTANT
Item No. 1 - 19 Front Street   PG 3 - 54
Motion to accept the use evaluation
application and signage application
of Evan Hoffman. The applicant is
proposing to open a Jet Ski Tour
business at Preston's Marina,
located at 102 Main Street. This
property is located in the
Waterfront Commercial District.
This property is also located in
the Historic District.
SCTM #: 1001-5-3-12.1

Item No. 2 - 222 Manor Place   PG 54 - 61
Discussion and possible motion on a
formal recommendation to the ZBA
for the application of 222 Manor
Place, LLC.

Item No. 3    PG 61
Motion to adjourn.
ACTING CHAIRWOMAN GIVEN: We are going to commence the Village Planning Board September 7th Meeting at 4:00.

Item No. 1 - 102 Main Street.

Discussion and possible motion on the use evaluation application and signage application of Evan Hoffman. The applicant is proposing to open a Jet Ski Tour business at Preston's Marina, located at 102 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 1001-5-3-12.1.

Does anyone wish to speak -- sure take the podium. State your name and address for the record, please. Thank you.

MR. BERSON: My name is David Berson. 508 Sterling Place, Greenport, New York 11944.

Since 1999 I have been operating Glory at Preston's Dock. The only solar
chased electric power boat certified by
the Coast Guard of America. You all know
who I am.

I wrote an opinion piece in
today's Suffolk Times, that I suggest you
all read, where I marshalled some
arguments to why I am against this.

It is a very complex issue for
me. Firstly, I want to take off the
table is that I am not against it because
I am worried about the competition.
Glory has its own niche and always had it
own niche because it is environmentally
friendly.

It is a complicated project for
me as well because my partner is Andrew
Rowson, who is also my landlord. And it
creates a lot of stress for me to even be
here and try to ameliorate all the
conflicts with my friendships and my
business relationships. But I feel
strongly enough about this to want to
engage this.

The arguments I marshalled in the
Suffolk Times have to do strictly with pollution and noise. Whether it is pollution in the water or whether it is noise pollution. And also the fact that an eco tour on a jet ski is the ultimate oxymoron. Because any time you are going to be taking a jet ski into places where birds and mammals and creatures have been living a very solitary life, you are interrupting all of that and that is important. Not to talk about the copepods and the plankton and the impact that it will have and does have.

It is all written information available anywhere. On the small plankton and algae that sustain our oyster businesses now in the bay as well as making Peconic Bay considered by the Nature Conservancy one of the ten most beautiful places in the world.

I want to refer the committee here to the LWRP, if I can, Chapter 139. Now I know the LWRP has not been assigned on but I also know that the
Planning Board uses it as a guidelines for adjudicating and/or referencing how to proceed with the waterfront. On coastal area in Section K is something here that is written -- Section K says, protect surfaces and groundwater from direct and indirect discharge of pollutants.

So my experience is, knowing that corner over there and knowing what is recommended for filling up jet skis, IE, that they are placed on the hard or on the land before they are filled up. My experience with watching previous people that have been in that corner is that nobody does and that unless there is a plan in place to prevent oil or gas spill, which is inevitable given the rush of the current and bouncing around. Which all of you know about and if you don't all you have to do is walk down there on a calm day and see what transpires down there that we are facing more potential end yet more gas and oil
in the water.

Now, that's fine if that is what we want. But I think before we allow that or before we allow anybody to come in with a plan like this, if this is the way they are going to fill up their boats, IEEE: in the water, that we need to have a plan in effect so that there is a boom there and a plan that will remediate any gas spill that happens in the water. Now, if we don't care about the gas in the water, then that is fine. I accept that completely. But if we do care about it then we should have a remediation plan in effect. We should also be able to consult the DEC and the EPA about their position about remediation and what it is they may require for this kind of thing.

I know the previous businesses were there and I have lived through two other previous businesses. I have had no objection to them. When there was the kite boarding there. He was very, very
careful. Joe, who is here, and when the jet boot guy was there I wasn't paying as much attention as I should have been, but now I am paying attention. Because everybody wants in the front door and -- let me get to this that in a minute.

What we want to do, according to Section K, is protect the surface and ground water from direct and indirect discharge and pollutants. Okay. Section M is eliminate non-water dependant handling of petroleum hazardous materials from the waterfront. This is very clearly written in the LWRP which was written and put out by you folks. So all I am doing is just repeating what is already in the record about what it is that we want.

Some people have already said to me, well what are you trying to shut down an entrepreneur? No. I am an entrepreneur myself. I came out here and started this small business. It is not about that. It is about following the
I also want to get into the fact that this gentleman is from East Hampton. I have no problem with East Hampton but the reason that he can't run this operation in East Hampton -- where we all know there is more discretionary money and more people, is because in 2004 Governor Pataki signed into law saying that every municipality in New York State can ban jet skis within 1500 feet of the shore line. Now this is a law passed by a republican government in 2004. East Hampton is not welcoming to him, nor is Sag Harbor nor Shelter Island.

The fact Greenport is at the bottom of the list just urks me to no end. We are not the last place where people can come and run businesses that are not allowed anyplace else.

Now, I'm business friendly. I have my own personal business. I am a small business man. So this is not about
people's right to run businesses, but we need to run businesses responsibly. And we need to look at the reasoning as to why other communities will not allow this business to be there.

The further thing is that this allows us to have a conversation finally -- not just in Greenport, but specifically in Greenport for the harbor. Since we can have the right I think we should bring in the Village Board and have a discussion about what it is we see as the stewards of Peconic Bay. Do we want to let Peconic Bay, which is already under siege, turn into another sewer? Do we want Peconic Bay to be preserved for our children and grandchildren? Do we want Peconic Bay to be our legacy for eastern Long Island now that people are growing more oysters out here. Now that there is more Peconic Bay scallops. Now that the blue claws are coming back. Now that the fishermen are increasing. Do we want to jeopardize this so one
person who can’t run his business anywhere else on eastern Long Island that says that it is his right that he be allowed to run his business here?

Now let him run his business at the dock. That is fine. I want to make sure that all of us are very conscious of the choice that we are making if you allow that to happen. Either we accept our responsibility as being stewards of Peconic Bay or we say, you know what, business trumps all and the heck with Peconic Bay. It has survived for so long it will survive for another hundred or a thousand years.

So my point is: This is a bad idea. This is a bad place for it. And we should definitely not allow this to happen unless this gentleman here is able to follow the rules that are prescribed by your own committee and make sure that a sufficient amount of remediation is in place. Not after the fact, but prior to the fact. And that includes the kind of
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dock facility that he is going to build
that will allow this to happen. That is
all I'm saying. I am asking you to
follow the rules that you yourselves
enforce. Okay? So I thank you very much
for your time. I appreciate it.

MR. HOFFMAN: Can I go up to
answer his questions?

ACTING CHAIRWOMAN GIVENS: Yes.

Please state your name and address for
the record.

MR. HOFFMAN: Hi. How are you
doing? My name is Evan Hoffman.
Business of Sea Breeze Jet Skis Tourism,
LLC.

I want to go on what he said
about that law. It was not passed on
that date. The law was passed in 1988 by
Governor Pataki. The reason why was
because stand up jet skis started coming
out at that time and people were not able
to stand up at a slower speed than idol
and they started falling over. So
Governor Pataki passed a law because
going in idol in a stand up jet ski was
-- you were dragging yourself in the
water and people were falling over. So
you had to go faster miles an hour than
five miles an hour. And when everybody
kept falling over that's when he passed
the law.

Also regard fueling up, I am not
fueling -- if he was at the last meeting.
I am not fueling up at -- anything with
gas containers or using a launch and to
haul them out of the water by trailer.
They are being driven over to a gas dock
at Shelter Island were other jet skis and
other vessels are and they are also
registered as a boat of New York State.

And there is no pollution. They
are running cleaner now than any other
boats that are out there on the market.
There is three mufflers and there is a
catalyst that has to be changed every ten
hours. That is a $125 part.

They are allowed on every
national lake in the United States now
because they are four stroke and they are ultra low emissions. So they burn cleaner than any other boat that is out there. They are not two stroke any more. They are all four stroke. There is no fumes. There is no clouds of smoke coming out of them. And they are whisper quite.

Anybody that has done any research or that has written anything that is new, that is 2017 knows that you barely could hear -- you can't even hear it run. They are whisper quite. There is no fumes coming out of them.

The 1500 foot rule is you have to stay 1500 feet off the shore when you are operating a PWC. You can't ride 500 feet along the shore line where there is a swimming area. So the law states, Albany's law of New York State is 1500 feet you have to stay off the shoreline. So that means you have to stay in the channel when going around Shelter Island. Also, I am not going to any coves or
anywhere there is any egress birds or any type of animals that are endangered wildlife. I am also -- on very calm days, on special days I will be going out to Gardiners Island and keeping 1500 feet off of Gardiners Island and also keeping off of the ruins 1500 feet off that island. Also you are not -- around here the ruins are old.

I have seen pictures also on the Internet of other companies that are out here going very close to the ruins. It is against the law. And I will be following the law by staying 1500 feet off of the ruins and Gardiners Island and every other area.

We will be leaving Preston's dock going in idol to the light buoys. And then when the ferries that have parked on both sides that are letting cars out that is when we are going to leave. And they follow me in a single file line. They stay 500 feet away from the instructor. That's me. And keep the same distance
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between each other so there is no accidents. And also there is a fifteen minute safety course. And also when we get to the next ferry that is on the other side between Shelter Island and Sag Harbor I will also explain that I will be putting my hands up and letting them know to go to idol and that is at four miles an hour off the throttle and they have to wait until both ferries are parked on both sides. And then we will proceed through the channel and we are staying in the channel markers.

And also jet skis that are the PWC are allowed in Sag Harbor. There is no ban in Sag Harbor. There is no ban in Greenport. The only ban is in Montauk. Okay. And Three Mile Harbor and Aquaponic. And the law is if you power, you tow out by a boat -- that is what Uihlein's Marina does in Montauk. They tow all their jet skis out of Montauk Harbor and they bring them out of the harbor and they bring them outside the
harbor and they anchor their boats with their jet skis to let people bring their Wave Runners out. They go from buoy to buoy and they stay within a certain distance.

I am doing tours only. They are staying with me in a group so nobody can get lost, loses their bearing. Nobody breaks down. They are always going to be -- I am always going to be checking on them and turning around looking behind me and making sure that everybody is still okay and still keeping up.

But that is the rule. You can paddle -- be towed out. I talked to Ed Michaels from East Hampton Town. If that was an issue I would be ticketed, multiple tickets. I have been jet skiing for fifteen years now. And I have been launching and I have been paddling out of Clearwater Beach. That is where I am from. I have not received one ticket.

I met with Ed Michaels. I had a meeting with him. He says he has no
problem with me using the marina at Clearwater or using the facilities and leaving out of the harbor. Ed Michaels is fine with it 100%. I also talked with your Harbor Master that is in the grey building over in Mitchell Park. I talked to him. He said he was going to send an e-mail to the Board and explain to them that he is fine with everything. I had a 20 minute meeting with him and he said he will talk to everybody that he needs to and get a hold of -- and let them know that he is fine with everything.

And the town attorney just wanted to make sure that I have on the bottom of the insurance certificate that he is co-insured. That the Town of Greenport is co-insured at the bottom of my insurance certificate. And also I have Preston's Dock co-insured at the bottom of my insurance certificate. So if there is -- if someone trips Preston's is not liable. It goes under my insurance.

The gentleman from The Glory
should do some research, Google regarding the ultra low emissions and they are allowed in every national park and lake. And if that was the case regarding pollution they would not allow them in every national park and lake in the United States now.

Thank you. And if anybody else needs to come up I'll answer any more questions.

MR. BERSON: Yes. I would like to respond to that.

First of all, I am glad that you clarified that it was 1988 that Governor Pataki passed the law. You see, I didn't know that it was that long ago. So as early as 1988 the government gave municipalities permission. It is true what the gentleman says about the two strokes versus four strokes, but I have done my research and here is the reality: The two strokes would give on 10 gallons of gasoline and oil, mixed together, they would lose about three gallons, 33 and
1/2% into the water for each trip. It is true because of the lobbying for places like the Nature Conservancy that two strokes were finally outlawed and that mission controls were finally instituted. It is also true that now four stroke jet skis only drop of gallon and a quarter for a ten gallon trip. And I have done my research.

Also let's talk about noise. Noise travels -- or sound I should say four time faster in the water than it does in the air. So what we are talking about is mitigating the noise in the air. But let's think about the fish. Let's think about the economic well being of Peconic bay. Fish have already been shown -- and why do we care about fish? Ask the commercial fisherman. Ask the fly fisherman out here. All of whom are against this by the way. Why do we care about the fish? Because the fish hemorrhage when they get exposed to large sound, loud sounds in the water. Also
because sound travels four times faster in the water. It also travels four times a greater distance.

Every argument this gentleman makes leads me to only one question: Why? If you are from East Hampton why are you not operating out of East Hampton? Why, if Sag Harbor allows you to do this, you are not operating out of Sag Harbor?

And who, by the way, is the Harbor Master of Greenport? I know of no person who is the Harbor Master. I know of people who work in Mitchell Park. But could you give me the name of the Harbor Master?

MR. HOFFMAN: I spoke to the Harbor Master.

MR. BERSON: Who and what is his or her name?

MR. HOFFMAN: He has e-mailed the Board.

MR. BERSON: Can anybody on the Board give me the name of Harbor Master,
who at one time was Jeff Rubeau, but no longer is? Is there a Harbor Master in the Village? I don't mean to sound pretentious. But given the fact that I make my living on the water I should know. If I don't know there is a Harbor Master then I am not doing my job making my living on the water. I feel very bad that I don't know that there is a Harbor Master. Please correct me.

ACTING CHAIRWOMAN GIVEN: No, I believe we do not have a Harbor Master.

MR. BERSON: So the idea, right away, saying that he spoke to a Harbor Master leads me to believe that anything else this gentleman is saying is suspect for the voracity of what he is saying.

That is all I am saying. I have no beef with this guy. I don't know who he is. Although I will say -- I'll say no more about that.

But I will say is the following: That we need to figure out what our responsibility is to the community of
Greenport and not to individual businesses that come here with their ideas. This was not the first choice, trust me. This was not the first choice.

It was my first choice because this is where I live. This is not his first choice. That is what I am saying. Whatever decision the Planning Board comes to is fine. As long as you understand what it is that you are deciding on. Okay?

And I do suggest that we bring this up at the Village Board meeting. I am dead set against this completely and there are many people who care about the waterfront and the Peconic Bay who are dead set against it. If you want to have the Harbor Master of Sag Harbor or Three Mile Harbor come here and vouch for you that is great. Evan, if you want to have the Harbor Master of Greenport come here and vouch for you, I would like to know who he is. I would like to know who the Harbor Master is.
MR. HOFFMAN: I was on the video yesterday walking into the building, so.

MR. BERSON: So your story is immediately changing. There is no Harbor Master. Is there a man wearing a tag -- I don't want to get into that. This is not a personal argument. I am --

ACTING CHAIRWOMAN GIVEN: There is no cross talking.

MR. BERSON: That's right. This is the point to -- if I can't believe one thing you say why should I believe anything you say? There is no Harbor Master. For you to come up before this Planning Board and say that you got the Harbor Master --

ACTING CHAIRWOMAN GIVEN: We established that.

MR. BERSON: Pardon me?

ACTING CHAIRWOMAN GIVEN: We established that. We established that there is not a Harbor Master.

MR. BERSON: So that is all I have to say in response. I suggest --
and it is true what Evan says, there is
an incredible amount of information on
the Internet. And all you have to do is
Google it. I am not clear at all on what
he says about the national parks, which
had outlawed jet skis, have rescinded
that. So if you want to do your job, you
should find out this information or I
will find it out for you and present it
at the next meeting. Thank you.

ACTING CHAIRWOMAN GIVEN: Thank
you, David.

Yes. Please state your name and
address for the record. Thank you.

MR. FLOTTERON: My name is Joe
Flotteron. I live at 619 Carpenter
Street here in the Village.

I came here only to listen but
because it is heating up I have a lot of
information that I feel is probably
important to all of you.

I have a company out here called
Peconic Water Sports. We all live out in
the Village. We have one in Southold, in
Sag Harbor and one in Southampton. We run two jet ski and tour operations, a fleet of the nine charger boats.

I actually started out renting the dock space in question five years ago, right next to Captain Dave. I didn't catch any resistance from Captain Dave. I ran one of two charter boats that season before moving out of that dock space.

I got, you know, fifty e-mails, calls messages, texts or whatever after the Suffolk Times article came out about this last week. So I came down to check it out and see what is going on. I don't think there is anybody on Long Island that has as much information about this as me. Not only from running this business but from running it from this specific space in question.

The biggest issue I have with this -- and I spoke to the police about this. Not because that I reached out to them but one of the them reached out to
me this earlier this week -- is safety.
This plan is riddled with holes. It is a bad idea.

Is there a part of me that is trying to protect my business and worried about competition? Of course. It is a small town. It is a short season. I know the numbers on my business. I know it doesn't work if I split it, you know, if I split it in two. Even if I broke off 20% I know it stops working. So there is an element of that but there is also an element that running these types of businesses in New York State is very difficult. There is a lot you have to do in terms of operational security, insurance, liability. Making sure that everything is run right.

And it is not about building a system of tasks that can be done safely once. Can you ride a jet ski from East Hampton to Greenport, fuel up your jet skis on Shelter Island? I don't know if you are allowed to go into the harbor
with jet skis or not. My understanding always was we are not. So our skis stay out of the harbors in Shelter Island. I didn't want to bring that up as fact, but it is one more thing to consider. But can you repeat that process? Put fuel in the jet skis, take people out on tours and get away with it once, a dozen times, dozens and dozens of time? Yes. It can be done a thousand times safely without an error. I don't think so.

I lived on that dock in a 25 foot boat the first season. I lived in a 25 foot Regal. I didn't have a place to live. That is how I got the company started. I moved off of that dock after the first year because as soon as we started to grow it is not safe to run this type of business there. I was captain and, you know, had captains running our boats and it was already not safe.

When you put a person who rented a jet ski on the jet ski, that first five
minutes in the water where they are figuring it out -- you are next to a dock where you have every single boat that goes through the harbor sending rollers in there. I am not talking about fishing boats. I am talking about 80 foot Perishing that throw nine feet of water going 50 miles an hour. Real rollers and it is reflecting off the wall. I don't see how you can possibly be putting customers in the water there. And that is my major concern. You have people there, there is rollers bouncing around and as soon as this guy hurts or kills somebody that impacts my business. That impact my ability to get insurance in Suffolk County. That impacts the reputation of these type of businesses that we got here first that we built and built it safely and we did it right.

And, you know everything about this plan from waking up in the morning and riding across in any and all conditions. There is 20 flat days of
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summer. There is 20 okay days and there
is 20 horrifically bad days. And going
across to fill these skis with fuel.
That is going to take an hour and a half
each time. What happens when it is busy
or the sun is setting. Do you go out
with low fuel? You have to start making
hard choices. What happens when somebody
breaks down? I have nine charter boats
to pull off of all of the east end of
Long Island to pull people back. We send
people to the ruins, to Gardiners Island.
When somebody goes out there I have to be
available to go out there and get them.

Having a guide out there doesn't
help. Are you going to anchor the jet
ski? Jet skis can't carry anchors. It
is going to rattle around the engine
compartment and go through the
fiberglass. So do you abandon the jet
ski that broke down? Are you going to
tow it back? When you tow a jet ski you
can't go faster than five miles an hour
or you will sink it. So are you going
tow it all the way back from the other side of Shelter Island without a boat?

All of these contingencies need to be in place. And I haven't even started to get into what happens when you hurt somebody in a place like that, not just the jet ski breaking down.

Dave's concerns about pollution kind of intersect with my well being but he missed on some major points. When you are busy you have to change the oil on these jet skis. Where are these jet skis getting serviced? Gas is bad in the water. We do our best to avoid it. You know you fill it on the water gas station where we are based. It is not like what Dave is talking about.

What is way worse for the water is used motor oil. Those jet skis, if they are busy, are going to need oil changes once a week. Where are they going to get changed? Are they going to get changed on the dock? What if it is busy? What if it is blowing from the
south and it is blowing straight into the marina and the jet ski is rocking? How do you do an oil change without spilling in those circumstances? You can't.

Even our first season at the end of the season -- I crossed paths with Dave and probably the only time had him mad at me was because I had the same fueling issues that he had. And I started fueling with fuel cans on the dock because I didn't have a choice and I wanted to stay in business. It is not legal. It is not what I should have been doing. And that is why after the first year I moved.

So all of these issues that come up I have faced and I have dealt with first hand. All of those issues lead me to leave that dock after the first year and seek out a marina space that allows growing safely. That really is why I am adamantly opposed to this being here. Because I don't need this. My business is a mile and a half down the road. It
is not like this is providing a new service that is going to revitalize Greenport. I have already been here five years. It doesn't change anything for the Village as far as putting it on the map or anything like that. All it does is it put a risky liability operation on my doorstep. And whatever mistakes or success he has -- if he screws up that comes back on me. That impacts me. It impacts my family that work with me. It impacts the people that work for me.

We all live here. We are in the Village. We pay taxes. We are part of this community. We are not coming in from somewhere else.

I don't know if I need to say anything else. I don't know if you guys have any questions you want to ask me about any of this stiff and how it works. Hopefully the concerns I am raising makes sense to you guys. And you understand that there is a reason why, you know -- we are successful. We have done very
well. We have three of them now. It is
going good. There is a reason why we
left that spot and there is a reason why
there has been nobody else there. There
is a reason why the last guy there, who
was there -- and very nice guy, very
friendly. Really wanted the best for him
and worked with him and sent him business
as best we can. Again, didn't work out
in that spot. There were major issues
for the fly board guy getting people in
and out of that spot. You are dealing
with the rolls. You are dealing with the
boat traffic. Dealing with 50 cigarette
boats coming in and out of Claudio's.
And putting people on a jet ski and
catering to people that don't know what
they are doing having them coming in and
out of there is never going to work in
the long run. It is going to be
dangerous and, you know --

Do you have insurance? I don't
know who is underwriting him. There are
only two companies left that underwrite
in New York State. I would watch out for what the liability limits are. And I would make sure you are looking for more than 2 million for everything. And I would be concerned about every piece of property that Greenport owns. You may be listed as additionally insured but as soon as somebody hits one of your docks and breaks their leg or whatever happens it is going to be your problem.

So all that stuff you should think about as everybody makes their decision.

Does anybody have any questions?

ACTING CHAIRWOMAN GIVEN: Does anybody have any questions for this young man? No?

Thank you.

MR. HOFFMAN: May I go back up?

ACTING CHAIRWOMAN GIVEN: You may.

MR. HOFFMAN: To answer the question about sound, I mean that is a very ridiculous thing to say because we
have loud race boats leaving Greenport constantly all the time. New jet skis don't make any noise. Like I said, they are whisper quite.

MR. BERSON: Saying --

ACTING CHAIRWOMAN GIVEN: Sir.

MR. HOFFMAN: They are 2017s.

They are brand new.

Also I don't have -- I have Seatow that is a certified company for towing. If anybody breaks down, Seatow is there out of Montauk or out of another area. Wherever they are at the time. I have Three Mile Harbor, if I have an issue with a break down on a brand new machine -- anything can happen, new or old. But I have Seatow coverage on all the jet skis that is a certified towing company. And I can't see any more of a safer person coming to tow one of the jet skis and take them.

Also, I have been in the Coast Guard Auxiliary for 11 years. I am crew qualified. I have all of the
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certifications, CPR. I have done
survival training, survival testing,
survival swim. I have a lot of
certifications.

If you were at the least meeting
you would have heard about gas up and
other questions like that. You missed
the last meeting. So you missed a lot of
the questions that I was asked by the
Board and I don't want to go back and
answer all of those questions again.

So people fill up over at Shelter
Island all the time. There is no ban on
Shelter Island for PWCs that are
registered as boats. So there is no
problem with that.

It almost sounds like you are
just worried about a little competition.
We have multiple restaurants around
Greenport and I don't see as much -- I
have never been to a meeting like this on
someone trying to put another restaurant
but if we compare, you know, your
business compared to mine that has a very
small group of people. It is more of a privately, you know, run thing. It is very small. I am not opening a large restaurant and taking -- putting one restaurant next to another restaurant and taking away business from somebody else.

Like I said, everybody is going to be, you know, getting a fifteen minute tutorial on safety and we also have the Breathalyzer because you are on a dock where people drink. If somebody seems impaired or anything wrong with them, they will be given the Breathalyzer. Everybody is going through the Breathalyzer to make sure everybody is not under the influence of alcohol. And I think that is the most safest thing you can do.

That is pretty much it with the questions. But Seatow is my company. They are going to tow in any emergency, in any break down of the jet ski.

To answer your question about oil changes. The jet skis will be pulled
down by trailer and they will be brought over to Ron at East End Jet Ski over at Mariners Cove. And the oil changes can be done in one day, on Sunday. I know them very well for the last 18 years. He works on Sunday. He can do oil changes on Sunday or Monday or a day that has bad weather and have them back in the water the next day.

The newer skis don't need oil changes like the older skis do. The new synthetic oil, that is 10W40, they go up to 50 hours on one oil change now, on the 2017 Ultras Kawasaki.

ACTING CHAIRWOMAN GIVEN: Anybody else?

MR. BERSON: Yeah. I got to have the last word. I don't know what it is like to be in the Coast Guard Auxiliary. I have a 200 ton captain's license, Evan. As far as I am concerned I don't know anything about you. I know that 15 minutes is what Andy Warhol says is what we all get for our time in fame. But I
certainly don't know how 15 minutes is going to make it easy for your passengers, your quarry, your customers to get out of that dock. And we haven't even gone into what the physical structure will look like there.

Again, all I need to say is I appeal to the Planning Board that this is an opportunity for us to have a conversation about how we want to protect Peconic Bay. And I thank you.

ACTING CHAIRWOMAN GIVEN: Thank you. Okay.

MS. ALLEN: Chatty Allen, Third Street.

Sitting here listening to a lot of stuff that is being said. I have had 50 people e-mail me and text me about this. Where are they? No one showed up to speak about this. There are three people here that I see speaking.

I am for this. There is a lot of the things that are being raised. To me, you can go and rent a jet ski. You don't
get any instructions. Me, who has -- I mean I was a life boat life guard. I know I can handle myself in the water. I can go and rent a jet ski. And I can take it and go anywhere. I don't know what I'm doing. I don't understand why there is such a backlash against someone who is going to be with people. There is more damage being done in the waters by inexperienced people on the water by themselves. How many boating accident do you we have because people have been drinking?

To say that it is going to be ruining the bays and the wildlife and everything else. You are singling out one person. Because the other gentleman says he rents jet skis. Well, what are those jet skis doing to the same water? What are all these boats that come in all summer long. What are they doing? Where are they going? So to say no because it going to hurt this, it is going to hurt that. To me that not logical. That you
cannot say, you know, he can't have jet skis because it might hurt things but somebody who has no idea what they are doing can go rent a jet ski and go anywhere. That might not know what areas they are not allowed to go into.

I haven't taken boating safety since I since a little kid. I don't know what is protected or what is not protected on the water. So I would never think to go out on my own on the water unless I am with someone that knows what they are doing.

So basically what I have been hearing today is: No, we don't want him doing it. First off, they are basically calling him a liar. Saying that his credentials are not right and his information is not correct. I don't agree with that. I don't like when that is put on other people. You give someone the benefit of the doubt, you know. Don't call people out like that. But it basically to me they don't want them
going out of there. There was a lot of back and forth online about this. Like I said, if there is such an uproar that nobody in Greenport wants this, where are the people speaking out against it? You have two people that have spoken out against this this evening. So I think you need to take personal out of it. Take your Village part of it out and look at all of the facts. You can't say -- they are saying there is a ban on jet skis. There is not. People are out there on jet skis all the time. People are going in areas they are not supposed to be going in.

This is someone with two jet skis that at the last meeting that I was at addressed every single question you put to him. And he followed up with what he was supposed to do. That's how the decision should be made not because -- I understand that if they are saying on one hand -- but to me all of it is not valid. Some of it, yes is valid and maybe should
be addressed. Basically what I heard while sitting there was, no, they are too noisy. They are going to spill fuel and oil. They are going to get oil in the water. They are going to be doing this and doing that. That was already addressed. That is not how it is being done. That comes of out of the equation. You are not talking fuel and oil that is going to be spilled working on the docks.

As far as going into the places where they shouldn't. That is not where the tour is going. Maybe he came in one weekend. Maybe he has been coming out here. I don't know. I don't know who he is. Never seen him before last week's meeting. A lot of people come to Greenport and fall in love with it. They want to do what they love to do. This is just another person who found something they love. There is a lot of things that go on in Greenport that I object to. One of them is --

ACTING CHAIRWOMAN GIVEN: Let's
stick to this.

MS. ALLEN: Well, I am saying. That is how I stick with it.

There is things that people don't like --

ACTING CHAIRWOMAN GIVEN: This is what --

MS. ALLEN: You have to use --

ACTING CHAIRWOMAN GIVEN: This is what we are addressing right now.

MS. ALLEN: This is how I stick with it. That there are things that get approved or get denied and this is just another one of those things.

ACTING CHAIRWOMAN GIVEN: I think we are supposed to speak on this application. We are supposed to just address this application. Am I right?

MR. PALLAS: Yes.

MS. ALLEN: That is what I am addressing, this application. To me this is being singled out because of what they want to do.

ACTING CHAIRWOMAN GIVEN: Thank
you.

MS. ALLEN: You know, that is the bottom line. I can see a lot. And I'm really disappointed.

MR. BERSON: Can I say something?

ACTING CHAIRWOMAN GIVEN: Yes.

MR. BERSON: Chatty and I are friends on Facebook. Chatty, I will tell you something to be honest with you. I didn't know there was a meeting today, Chatty, until this afternoon.

MS. ALLEN: They are publicized.

MR. BERSON: And then -- but Chatty, those of us who work six days a week don't always read things.

Second of all, I thought the meeting was at 7:00 at night. So I can understand the 4:00 meeting for working people 4:00 have difficulty to get to. I had difficulty to get to this.

You are absolutely right, Chatty. I should have never made it personal.

You are absolutely right when you said that some --
ACTING CHAIRWOMAN GIVEN: You have to address the issue. Now you are addressing Chatty.

MR. BERSON: Okay.

MR. GRAY: I was at the last meeting and you guys said there was a Harbor Master and you guys said his name was Kent.

ACTING CHAIRWOMAN GIVEN: That is not true.

MR. CONNOLLY: The Village Code says --

MR. GRAY: You said it was Kent something.

ACTING CHAIRWOMAN GIVEN: No. This gentleman said it was Kent. He named Kent McCarthy, I believe. I did not -- we did not. He brought that name up.

MR. GRAY: You said the two things that you guys would need was to talk to the Harbor Master and for the -- you guys said to the Village Attorney. We did that. We went pretty much
everyone around here and talked to a guy that said he was going to e-mail the Board to have it approved.

ACTING CHAIRWOMAN GIVEN: Which did not happen. Am I correct? Did anyone get an e-mail from the Harbor Master?

MR. PALLAS: If I may, we don't have a designated Harbor Master. I believe who I spoke with was the supervisor of the dock hands. That is not a Harbor Master.

ACTING CHAIRWOMAN GIVEN: Right. Did you receive an e-mail in regards to this application from this so-called person?

MR. PALLAS: I did but it was not -- it was just advising me that they stopped in. It was not -- he is not in a position to recommend or not recommend.

ACTING CHAIRWOMAN GIVEN: Okay.

MR. PALLAS: That is it.

ACTING CHAIRWOMAN GIVEN: Okay.

Thank you.
So we have done all that. Also because he said that he fueled up and dropped gas I don't think that should be -- I mean he has been looking into this for the last three years. This is not an -- oh, we are just going to try and start this up.

ACTING CHAIRWOMAN GIVEN: Who is he?

MR. GRAY: Evan. When he came to Greenport three years ago he fell in love with it. He has a business out east that has done well. But this is his passion. This is not something he is trying to do to build a fleet. This is something that he would love for people to experience. Not just for himself but for the community. This is not just for money, money, money. This is a passion that this man has. He has gone far and beyond to do research on every little last thing. I just hope you don't take their mistakes from what he is trying to do.

ACTING CHAIRWOMAN GIVEN: Did he
state his name? You need to state your
full name and address, please.

MR. GRAY: David Gray.
Charleston, South Carolina.

ACTING CHAIRWOMAN GIVEN: Anyone else that wishes to speak on this application?

MR. HOFFMAN: I just wanted to go up one more time.

ACTING CHAIRWOMAN GIVEN: Sure.

MR. HOFFMAN: So I was hoping it was going to be approved today so I can be in the water for this weekend. We only have three weeks left. It might not be that much business but the community might be able to see what is going on for next year and have an idea. It is going to cost money for insurance and dockage. And if I don't make it back, I don't make it back. But to be seen for the last three weeks until the end of September and then be back in early April and be here for the rest of the season.

I am really just trying to be
here for the last three weeks of the season, whatever we have left of it. I know it is very quiet today. Everyone works and I am sure Saturday and Sunday are going to be the two days that -- whoever hasn't finished pulling their boat out at the end of the season, Labor Day, is going to show up this weekend. I am trying to get the last out of the summer.

ACTING CHAIRWOMAN GIVEN: You said that already.

MR. HOFFMAN: I did get insurance for everything and all approval. Just trying to get seen for the last three weeks and wrap it up.

ACTING CHAIRWOMAN GIVEN: You said that last week.

MR. HOFFMAN: Go down to Florida for the winter and come back early April.

ACTING CHAIRWOMAN GIVEN: You said that.

MR. HOFFMAN: And that -- just you know, enjoy life. Thank you.
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ACTING CHAIRWOMAN GIVEN: Thank you.

MEMBER BURNS: There is a lot of information we have received today and I just simply feel that I want it to rest with me and think about it. And maybe take with people about it before I make a decision.

ACTING CHAIRWOMAN GIVEN: I feel that way as well.

MEMBER COTUGNO: Yes.

MEMBER BURNS: If we need to table it.

ACTING CHAIRWOMAN GIVEN: I am on board with that. I make a motion to table discussion on 102 Main Street until September 28, 2017, Planning Board meeting.

Do I have a second?

MEMBER BURNS: Second.

ACTING CHAIRWOMAN GIVEN: All in favor?

MEMBER THOMAS: Aye.

MEMBER COTUGNO: Aye.
MEMBER BURNS: Aye.

ACTING CHAIRWOMAN GIVEN: Motion passed. We have tabled it until the end of September.


ACTING CHAIRWOMAN GIVEN: Thank you all for being here.

We are going to move on to item number 2.

Discussion and possible motion on a formal recommendation to the ZBA for the application of 222 Manor Place, LLC regarding a request for a parking variance.

Suffolk County Tax Map number: 1001-2-241.

I do not believe there is anyone here to speak on this application.

MR. CONNOLLY: I spoke with the Village Attorney and he said the same thing as I have. That really the parking issue that is before the Zoning Board is not really right to be before the Zoning Board.
Board. It is really solely within the purview of the Planning Board. And the Village Code provides a solution for the issue and that is the payment in lieu. So that really should be in the site plan application, not in front of the Zoning Board for a variance.

Mr. Prokop and myself were talking before and that is the opinion that we both came to. That the parking issue should be dealt with on this Board. Not the Zoning Board. If this Board should somehow see fit they should apply for a variance then we at that point would send the parking variance to the Zoning Board.

Right now I believe the Zoning Board has the application for the pre-existing non-conforming use and the parking variance. If you feel the parking issue --

ACTING CHAIRWOMAN GIVEN: That is our domain.

MR. CONNOLLY: Right. That is
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correct.

MEMBER BURNS: That is what this document said.

MR. CONNOLLY: That is in reference to the --

ACTING CHAIRWOMAN GIVEN: So which of these --

MR. CONNOLLY: Well it is for the Board to decide.

ACTING CHAIRWOMAN GIVEN: I understand that. Can you give us clarity on that?

MR. CONNOLLY: Okay. I prepared a memo for this Planning Board's which --

ACTING CHAIRWOMAN GIVEN: Okay.

MR. CONNOLLY: So that is to be sent to the Zoning Board if you are not comfortable in passing a resolution today. That would require of the -- yeah -- paying a fee.

ACTING CHAIRWOMAN GIVEN: So that would prevent them granting the variance for parking?

MR. CONNOLLY: The resolution
would, yes.

ACTING CHAIRWOMAN GIVEN: The resolution would?

MR. CONNOLLY: Yes. That would take the issue away from the Zoning Board.

ACTING CHAIRWOMAN GIVEN: But this won't?

MR. CONNOLLY: Right.

ACTING CHAIRWOMAN GIVEN: Okay.

This document does not deem that we approve the site plan.

MR. CONNOLLY: Right.

ACTING CHAIRWOMAN GIVEN: Right.

MR. CONNOLLY: I will need to add a provision in.

ACTING CHAIRWOMAN GIVEN: Okay.

So you are making a motion that we adopt it?

MEMBER BURNS: To the ZBA.

ACTING CHAIRWOMAN GIVEN: I make a motion --

MR. PALLAS: Before you vote be very clear on what you are voting to
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approve. There are two options. There
is the letter or the -- or the final
determinations.

ACTING CHAIRWOMAN GIVEN: Yes.

MR. PALLAS: If you are only
doing the letter.

ACTING CHAIRWOMAN GIVEN: You
mean the memo?

MR. PALLAS: The memo. You want
to make sure --

My determination takes -- it is
delineated. Takes the variance for
parking off the table entirely. They
will no longer be requesting a variance
of the Zoning Board at that point.

MEMBER COTUGNO: Right. And if
they go before the Zoning Board they --

ACTING CHAIRWOMAN GIVEN: They
can approve the variance.

MEMBER COTUGNO: They can approve
the variance and then we don't get the
money.

MR. PALLAS: That is a
possibility. If you don't do the final
determination that is a possibility.

            ACTING CHAIRWOMAN GIVEN: Even

thought the parking lot remains.

            MR. CONNOLLY: It is within the
            Zoning Code. So anything within the
            Zoning Code can be appealed to the Zoning
            Board of Appeals.

            ACTING CHAIRWOMAN GIVEN: Okay.

            So then you made a motion to

            approve the fine and the final

            determination is second to that. Right?

            MEMBER COTUGNO: Yeah.

            ACTING CHAIRWOMAN GIVEN: And then

            we are taking the vote. With the part
            that you are going to put a paragraph in
            that it doesn't deem that we approved the
            final condition.

            MR. CONNOLLY: Right.

            ACTING CHAIRWOMAN GIVEN: Right?

            That is where we are?

            MEMBER COTUGNO: Yes.

            ACTING CHAIRWOMAN GIVEN: Okay.

            So again, all in favor?

            MEMBER THOMAS: Aye.
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MEMBER COTUGNO: Aye.
MEMBER BURNS: Aye.

ACTING CHAIRWOMAN GIVEN: Motion passed.

AUDIENCE MEMBER: Excuse me. Is there some reason that those findings and determinations are not made public by before you decide this?

MR. CONNOLLY: It is a resolution like any other resolution. It doesn't need to be read into the record. It is going to be on file with the Village Clerk.

AUDIENCE MEMBER: Carry on then.

ACTING CHAIRWOMAN GIVEN: Would you like me to read this?

AUDIENCE MEMBER: It is too late now.

ACTING CHAIRWOMAN GIVEN: I didn't say motion passed, did I? In any event, would you like to hear it?

AUDIENCE MEMBER: Not now.

ACTING CHAIRWOMAN GIVEN: Item number three: Motion to adjourn at
4:55.

MEMBER COTUGNO: Second.

ACTING CHAIRWOMAN GIVEN: All in favor?

MEMBER THOMAS: Aye.
MEMBER COTUGNO: Aye.
MEMBER BURNS: Aye.

ACTING CHAIRWOMAN GIVEN: Motion passed.
STATE OF NEW YORK
COUNTY OF SUFFOLK

I, Barbara D. Schultz, a Notary
Public within and for the State of New York, do hereby certify:

That the within proceedings is a true and accurate record of the stenographic notes taken by me.

I further certify that I am not related to any of the parties to this action by blood or marriage; and that I am not in any way interested in the outcome of this matter.

IN WITNESS WHEREOF, I have hereunto set my hand.

__________________________
Barbara D. Schultz