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VILLAGE OF GREENPORT
COUNTY OF SUFFOLK STATE OF NEW YORK

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PLANNING BOARD
WORK SESSION

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Third Street Firehouse
Greenport, New York

March 28, 2019
4:03 p.m.

B E F O R E:

- MARY GIVEN - CHAIRWOMAN
- BRADLEY BURNS - MEMBER
- NOAH THOMAS - MEMBER (absent)
- WALTER FOOTE - MEMBER
- JOHN COTUNGO - MEMBER (absent)

- PAUL PALLAS - VILLAGE ADMINISTRATOR
- ROBERT CONNOLLY - PLANNING BOARD ATTORNEY
- KRISTINA LINGG - CLERK TO THE BOARD

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2 CHAIRWOMAN GIVEN: We're going to open
3 the March 28, 2019 Planning Board Regular
4 Session meeting.

5 It is 4:03 p.m.

6 Item Number 1, Motion to accept the
7 minutes of the February 28, 2019 and
8 March 7, 2019 Planning Board meetings.

9 Do I have a second?

10 MR. BURNS: Second.

11 CHAIRWOMAN GIVEN: All those in favor?

12 MR. FOOTE: Aye.

13 MR. BURNS: Aye.

14 CHAIRWOMAN GIVEN: Motion carried.

15 Item Number 2, Motion to accept the
16 minutes of the December 6, 2018 and
17 February 7, 2019 Planning Board meetings.

18 Do I have a second?

19 MR. FOOTE: Second.

20 CHAIRWOMAN GIVEN: All those in favor?

21 MR. FOOTE: Aye.

22 MR. BURNS: Aye.

23 CHAIRWOMAN GIVEN: Motion carried.

24 Item Number 3, Motion to schedule the
25 Planning Board Work Session meeting for

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1
2 April 25, 2019.

3 Do I have a second?

4 MR. FOOTE: Second.

5 CHAIRWOMAN GIVEN: All those in favor?

6 MR. FOOTE: Aye.

7 MR. BURNS: Aye.

8 CHAIRWOMAN GIVEN: Motion carried.

9 Item Number 4, Motion to schedule the
10 Planning Board Regular Session for 4:00 p.m.
11 on May 2, 2019.

12 Do I have a second?

13 MR. FOOTE: Second.

14 CHAIRWOMAN GIVEN: All in favor?

15 MR. FOOTE: Aye.

16 MR. BURNS: Aye.

17 CHAIRWOMAN GIVEN: Motion carried.

18 We are not going to do 5 and 6 this
19 evening.

20 We're moving right to 8 Front Street.
21 Review of a sign application for Vines &
22 Branches, LLC., represented by owner, Rita
23 Winkler.

24 I do not see her.

25 The applicant proposes an overhead sign

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2 for the property located at 8 Front Street.

3 The property is in the Commercial
4 Retail District. This property is not
5 located in the Historic District.

6 It's designated Suffolk County Tax Map
7 number 1001-6-10-24.

8 Again, I do not see here, so I'm going
9 to table this?

10 MR. CONNOLLY: Yes.

11 You have to discuss it with the
12 applicant in --

13 CHAIRWOMAN GIVEN: So I make a Motion
14 that we table this until our April 25 Work
15 Session.

16 Do I have a second?

17 MR. BURNS: Second.

18 CHAIRWOMAN GIVEN: All those in favor?

19 MR. FOOTE: Aye.

20 MR. BURNS: Aye.

21 CHAIRWOMAN GIVEN: Motion carried.

22 I'm going to skip to Item 10.

23 Review of a sign application for
24 Ellen's on Front d/b/a Werts East, LLC,
25 represented by Owner, Jennie Werts.

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2 The applicant proposes an overhead sign
3 for the property located at 38 Front Street.

4 The property is in the Commercial
5 Retail District. This property is not
6 located in the Historic District.

7 It is designated Suffolk County Tax Map
8 number 1001-4.-10-31.

9 Jennie, if you could come up to the
10 podium and state your name and address for
11 the record.

12 MS. WERTS: Jennie Werts. My address,
13 home address?

14 CHAIRWOMAN GIVEN: Yeah.

15 MS. WERTS: 50 Sylvin Drive, East
16 Marion, New York 11939.

17 CHAIRMAN GIVEN: Do you wish to say
18 anything to the Board about what you're
19 proposing or do you have any comments?

20 MS. WERTS: It's quite simple and
21 straight forward, you know, just coming out
22 to the street. I put the dimensions there,
23 so the sign itself is 15.7 inches in
24 diameter. It's a circular sign, white. It
25 will be double sided. Ellen's on Front will

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2 be written on both sides, like I said.

3 Ellen's in script, On Front will be in block
4 lettering. And it will be in, like, a shade
5 of green.

6 That's it.

7 CHAIRWOMAN GIVEN: The one thing on
8 this application is she's proposing one sign
9 lit.

10 MS. WERTS: I kind of took that out, an
11 I'm just going --

12 CHAIRWOMAN GIVEN: So you're going with
13 --

14 MS. WERTS: The second option, yes.

15 CHAIRMAN GIVEN: You all see that,
16 right?

17 Those dimensions meet code?

18 MR. PALLAS: Yes.

19 CHAIRMAN GIVEN: Does the Board have
20 any questions for the applicant?

21 It's the old Salamanders.

22 MR. FOOTE: Right.

23 No.

24 MR. BURNS: No.

25 CHAIRMAN GIVEN: It's pretty straight

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2 forward. The dimensions meet code.

3 MR. BURNS: Right.

4 CHAIRWOMAN GIVEN: So if the Board
5 wishes, we could vote on this this evening.
6 It's straight forward, it's basic, so we can
7 move on this.

8 Is everyone in agreement?

9 MR. FOOTE: Yes.

10 MR. BURNS: Yes.

11 CHAIRWOMAN GIVEN: So I make a
12 motion --

13 Will I be just accepting or accepting
14 and approving?

15 MR. CONNOLLY: Just make a motion to
16 approve.

17 CHAIRWOMAN GIVEN: I make a motion to
18 approve the application from Jennie Werts
19 for Ellen's on Front for a sign as
20 submitted.

21 Do I have a second?

22 MR. FOOTE: Second.

23 CHAIRWOMAN GIVEN: All those in favor?

24 MR. FOOTE: Aye.

25 MR. BURNS: Aye.

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2 CHAIRWOMAN GIVEN: Motion carried.

3 MS. WERTS: Thank you.

4 CHAIRMAN GIVEN: We are at Item 8, 48
5 Front Street.

6 A pre-submission conference for a site
7 plan approval for 48 Front Street LLC,
8 Greenhill Kitchen, represented by Architect,
9 Robert I. Brown.

10 The applicant is proposing a live
11 performance space on the second floor.

12 The property is located in the
13 Commercial Retail District. This property
14 is not located in the Historic District.

15 It's designated Suffolk County Tax Map
16 number 1001-4.-10-32.

17 Hi, Rob.

18 MR. BROWN: Good afternoon.

19 Rob Brown, Architect.

20 Are we going to be able to proceed?

21 CHAIRMAN GIVEN: You're going to talk
22 right now and tell us what you're doing.

23 MR. BROWN: Okay.

24 Very simply, the application is just
25 for use of the second floor as a live

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2 entertainment space.

3 No changes to the structure at all.

4 CHAIRMAN GIVEN: Okay.

5 MR. CONNOLLY: What we're going to do
6 is, because you recused yourself from this
7 application, we're going to ask members
8 Cotugno and Thomas to review the video of
9 this proceeding over the week; and next week
10 they'll vote on setting it down for a public
11 hearing.

12 CHAIRMAN GIVEN: Did you hear that?

13 MR. BROWN: I'm not sure I understand.

14 MR. CONNOLLY: There's not enough
15 members --

16 MR. BROWN: No. That I understand.

17 MR. CONNOLLY: So instead of delaying
18 your pre-submission conference, we're going
19 to ask the members who are not here to view
20 the video recording of it during the week
21 before next week's meeting, so they can vote
22 on setting it down for a public hearing.

23 MR. BROWN: You won't be able the
24 schedule the public hearing until --

25 MR. CONNOLLY: Until next week.

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2 MR. BROWN: Until next week. So you're
3 putting --

4 MR. CONNOLLY: That's typically what
5 they do at a pre-submission conference.

6 MR. BROWN: Okay.

7 MR. BURNS: What is the nature of the
8 music?

9 MR. BROWN: Live --

10 I think I would ask the owner to
11 explain that.

12 MR. MUELLER: Live music --

13 CHAIRWOMAN GIVEN: Come to the podium,
14 please.

15 MR. MUELLER: Live music, we --

16 CHAIRWOMAN GIVEN: Your name and
17 address.

18 MR. MUELLER: Christoph Mueller. I'm
19 the owner of Greenhill Kitchen.

20 We want to present live music
21 predominantly from local artists, usually
22 it's country music, blues, rock and roll.

23 We have done these last year for
24 background music for the restaurant, and
25 found great interest in the community for

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1
2 these kinds of presentations.

3 MR. BURNS: Can we talk about the sound
4 restrictions?

5 MR. CONNOLLY: We would do that at the
6 public hearing.

7 They have to conform with the Village
8 code.

9 MR. MUELLER: Sound restrictions, we
10 had -- last year we had many little events
11 with live bands and the facility proves that
12 it has very good capability of keeping the
13 sound from the street.

14 We never had any complaints or any
15 violations for sound the times we done this.

16 MR. FOOTE: You never had any
17 complaints at all?

18 MR. MUELLER: We had one violation
19 which was a technical violation because we
20 had worked with the group of people, I
21 forgot even --

22 MR. FOOTE: Sofar Sounds.

23 MR. MUELLER: Yeah, Sofar Sounds.
24 Usually, they make like concerts in private
25 homes, libraries, in small places, where

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2 they schedule the concert and tell their
3 audience, which is kind of club or
4 something, they tell them approximately
5 where it is but not exactly until the last
6 minute, then people come.

7 Technical violation, these people, they
8 sold tickets to their club members; so we
9 had a violation for that; but otherwise,
10 there's no complaints.

11 MR. FOOTE: Is the music being
12 performed indoors on the second floor?

13 MR. MUELLER: Yes.

14 MR. FOOTE: I know on the second floor,
15 there is kind of an indoor/outdoor space
16 along the First Street side, I think,
17 there's a little balcony.

18 MR. MUELLER: Yes.

19 MR. FOOTE: So where did you -- how do
20 you contain the noise inside the building
21 and not let it spill out?

22 MR. MUELLER: When we have loud music,
23 we close the doors.

24 Just to give you an example, we had --
25 one night, indoors we had a rock band

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2 playing, and outdoors we had, on the terrace
3 you mentioned, we had a guitarist playing.
4 They did not interfere with each other. So
5 these doors are very tight.

6 MR. FOOTE: Are you going to continue
7 to have music performed outdoors as well?

8 MR. MUELLER: If we have the music
9 venue, probably not; but for dinner service
10 outdoors which we did last year, we
11 sometimes had the guitar player sitting out
12 there.

13 MR. FOOTE: Is there a requirement if
14 there is outdoor music for them to get
15 approval as well?

16 MR. PALLAS: I don't think it's on this
17 current application.

18 Yeah, if they were going to include
19 that, it would have to be either included in
20 this application or at some future date a
21 separate application if it's a regular
22 thing.

23 There is a provision in the code which
24 would allow up to six events, separate
25 events by special permit. That would not

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2 come here because if it's only -- they're
3 allowed six per year, if they wanted more
4 than that in this case on a regular basis,
5 they would need Planning Board approval.

6 MR. FOOTE: Does the Village code have
7 a decibel level it can --

8 MR. PALLAS: Yes, there is a decibel
9 level. I can't quote it, but there is one.

10 MR. FOOTE: The plans that they're
11 submitting are going to be in compliance
12 with that, right; it's going to be in
13 accordance with Village code, right?

14 MR. BROWN: Yes.

15 MR. FOOTE: I also noticed that the --
16 so when you -- the submitted environmental
17 assessment form, it seems to answer
18 questions based upon the original
19 application, which included not just
20 proposing the live music venue but also the
21 kitchen extension.

22 Is that correct?

23 MR. BROWN: That's not part of this --

24 MR. MUELLER: We are -- it's not part
25 of this, we withdrew that kitchen extension.

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1
2 MR. FOOTE: My question is, if that's
3 how it was filled out, it seems like we may
4 need to get it, a modified assessment form
5 submitted because the questions, I think
6 some of the questions that were answered
7 would be answered differently based upon the
8 fact that it's not --

9 MR. BROWN: We'll get a revised version
10 in tomorrow.

11 MR. FOOTE: Thank you.

12 MR. BURNS: That's it.

13 CHAIRMAN GIVEN: Now we're moving
14 forward, you're gonna take it from here or
15 someone else,

16 I'm recused from this.

17 MR. CONNOLLY: Somebody else needs to
18 make a motion the table this to next week to
19 set it for public hearing if members Cotugno
20 --

21 CHAIRMAN GIVEN: You can't make a
22 motion to vote because you don't have a
23 quorum to pass the motion.

24 MR. FOOTE: That's true.

25 MR. CONNOLLY: So we'll just close the

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2 pre-submission conference and move to the
3 next item.

4 CHAIRMAN GIVEN: Which is the very next
5 one.

6 MR. PALLAS: If I may offer some
7 perspective, you would like to put it on as
8 an agenda item, and it would go forward on
9 the agenda assuming the others have the
10 opportunity view it, they would have to
11 state that next week that they have seen it.

12 CHAIRMAN GIVEN: Yes.

13 MR. CONNOLLY: Yes.

14 MR. PALLAS: Thank you.

15 CHAIRWOMAN GIVEN: You're clear on
16 that?

17 MR. BROWN: Yes.

18 MR. FOOTE: Thank you.

19 CHAIRWOMAN GIVEN: Item Number 9, not 9
20 actually because we changed the number.

21 Continuation of a pre-submission
22 conference for a site plan approval for ASCM
23 Property LLC, Deep Water Grill, represented
24 by Architect, Robert I. Brown.

25 The applicant is proposing minor

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2 interior renovations as well as awning
3 replacement.

4 The property is located in the
5 Waterfront Commercial District. This
6 property is not located in the Historic
7 District.

8 It is designated Suffolk County Tax Map
9 number 1001-5.-4-19.

10 Again, I have recused myself from this.

11 MR. BROWN: This is, again, I think is
12 very simple and straight forward
13 application. It's -- I'm not even sure if
14 the interior kitchen renovations are
15 appropriate for this Board or not, but
16 essentially for all intents and purposes for
17 somebody seeing the property from outside,
18 it's just a matter of replacing the existing
19 awnings on the second floor and in the front
20 of the building.

21 MR. FOOTE: With awnings of a
22 comparable size?

23 MR. BROWN: The exact same frame.

24 MR. FOOTE: Exact same frame.

25 MR. BROWN: Now, there's one thing I'm

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2 not sure about is the potential name change.

3 I believe that was indicated on the
4 application, it should have been.

5 MR. FOOTE: What's the new name?

6 MR. BROWN: Anker, A-N-K-E-R.

7 MR. FOOTE: Typo. Just kidding.

8 MR. BROWN: It's German for Anchor.

9 MR. FOOTE: Okay.

10 MR. BURNS: I'm fine.

11 MR. CONNOLLY: So we'll have to follow
12 the same procedure for the prior application
13 because there's not enough members here to
14 --

15 MR. BROWN: Understood.

16 MR. FOOTE: Thank you.

17 MR. PALLAS: For the record, the new
18 name is noted on the plans.

19 CHAIRWOMAN GIVEN: On the plans but not
20 on the application. I don't have it on the
21 application.

22 MR. BROWN: I'm not sure where it would
23 go on the application.

24 MR. PALLAS: There is no real spot on
25 the application, so the plans do show it.

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MR. BROWN: Thank you.

CHAIRWOMAN GIVEN: Thanks, Rob.

The last item is a motion to adjourn at
4:21.

Do I have a second?

MR. FOOTE: Second.

CHAIRWOMAN GIVEN: All in favor?

MR. FOOTE: Aye.

MR. BROWN: Aye.

CHAIRWOMAN GIVEN: Motion carried.

Meeting is adjourned.

Thank you all.

(Time noted: 4:21 p.m.)

CHAIRMAN GIVEN: [12] 5/16
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CHAIRWOMAN GIVEN: [28]
MR. BROWN: [21]
MR. BURNS: [15] 2/9 2/12
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MR. CONNOLLY: [12] 4/9
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MR. FOOTE: [34]
MR. MUELLER: [11] 10/11
10/14 10/17 11/8 11/17 11/22
12/12 12/17 12/21 13/7 14/23
MR. PALLAS: [7] 6/17 13/15
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MS. WERTS: [6] 5/11 5/14
5/19 6/9 6/13 8/2

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1001-4.-10-32 [1] 8/16
1001-5.-4-19 [1] 17/9
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Branches [1] 3/22
Brown [3] 8/9 8/19 16/24
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BURNS [1] 1/13

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carried [7] 2/14 2/23 3/8 3/17
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entertainment [1] 9/2
environmental [1] 14/16
essentially [1] 17/16
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