VILLAGE OF GREENPORT
COUNTY OF SUFFOLK STATE OF NEW YORK

PLANNING BOARD
WORK SESSION

Third Street Firehouse
Greenport, New York

March 28, 2019
4:03 p.m.

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

It is 4:03 p.m.

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

Do I have a second?

MR. BURNS: Second.

CHAIRWOMAN GIVEN: All those in favor?

MR. FOOTE: Aye.

MR. BURNS: Aye.

CHAIRWOMAN GIVEN: Motion carried.

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

Do I have a second?

MR. FOOTE: Second.

CHAIRWOMAN GIVEN: All those in favor?

MR. FOOTE: Aye.

MR. BURNS: Aye.

CHAIRWOMAN GIVEN: Motion carried.

Item Number 3, Motion to schedule the Planning Board Work Session meeting for
April 25, 2019.

Do I have a second?

MR. FOOTE: Second.

CHAIRWOMAN GIVEN: All those in favor?

MR. FOOTE: Aye.

MR. BURNS: Aye.

CHAIRWOMAN GIVEN: Motion carried.

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

Do I have a second?

MR. FOOTE: Second.

CHAIRWOMAN GIVEN: All in favor?

MR. FOOTE: Aye.

MR. BURNS: Aye.

CHAIRWOMAN GIVEN: Motion carried.

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

We're moving right to 8 Front Street.

Review of a sign application for Vines & Branches, LLC., represented by owner, Rita Winkler.

I do not see her.

The applicant proposes an overhead sign.
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for the property located at 8 Front Street.

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

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

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

MR. CONNOLLY: Yes.

You have to discuss it with the applicant in --

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

Do I have a second?

MR. BURNS: Second.

CHAIRWOMAN GIVEN: All those in favor?

MR. FOOTE: Aye.

MR. BURNS: Aye.

CHAIRWOMAN GIVEN: Motion carried.

I'm going to skip to Item 10.

Review of a sign application for Ellen's on Front d/b/a Werts East, LLC, represented by Owner, Jennie Werts.
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The applicant proposes an overhead sign for the property located at 38 Front Street. The property is in the Commercial Retail District. This property is not located in the Historic District.

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

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

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

CHAIRWOMAN GIVEN: Yeah.

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

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

MS. WERTS: It's quite simple and straight forward, you know, just coming out to the street. I put the dimensions there, so the sign itself is 15.7 inches in diameter. It's a circular sign, white. It will be double sided. Ellen's on Front will
be written on both sides, like I said.
Ellen's in script, On Front will be in block lettering. And it will be in, like, a shade of green.

That's it.

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

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

CHAIRWOMAN GIVEN: So you're going with --

MS. WERTS: The second option, yes.

CHAIRMAN GIVEN: You all see that, right?

Those dimensions meet code?

MR. PALLAS: Yes.

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

It's the old Salamanders.

MR. FOOTE: Right.

No.

MR. BURNS: No.

CHAIRMAN GIVEN: It's pretty straight
forward. The dimensions meet code.

MR. BURNS: Right.

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

Is everyone in agreement?

MR. FOOTE: Yes.

MR. BURNS: Yes.

CHAIRWOMAN GIVEN: So I make a motion --

Will I be just accepting or accepting and approving?

MR. CONNOLLY: Just make a motion to approve.

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

Do I have a second?

MR. FOOTE: Second.

CHAIRWOMAN GIVEN: All those in favor?

MR. FOOTE: Aye.

MR. BURNS: Aye.
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CHAIRWOMAN GIVEN: Motion carried.

MS. WERTS: Thank you.

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

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

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

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

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

Hi, Rob.

MR. BROWN: Good afternoon.

Rob Brown, Architect.

Are we going to be able to proceed?

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

MR. BROWN: Okay.

Very simply, the application is just for use of the second floor as a live
entertainment space.

No changes to the structure at all.

CHAIRMAN GIVEN: Okay.

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

CHAIRMAN GIVEN: Did you hear that?

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

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

MR. BROWN: No. That I understand.

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

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

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

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

MR. BROWN: Okay.

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

MR. BROWN: Live --

I think I would ask the owner to explain that.

MR. MUELLER: Live music --

CHAIRWOMAN GIVEN: Come to the podium, please.

MR. MUELLER: Live music, we --

CHAIRWOMAN GIVEN: Your name and address.

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

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

We have done these last year for background music for the restaurant, and found great interest in the community for
MR. BURNS: Can we talk about the sound restrictions?

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

They have to conform with the Village code.

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

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

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

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

MR. FOOTE: Sofar Sounds.

MR. MUELLER: Yeah, Sofar Sounds.

Usually, they make like concerts in private homes, libraries, in small places, where
they schedule the concert and tell their
audience, which is kind of club or
something, they tell them approximately
where it is but not exactly until the last
minute, then people come.

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

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

MR. MUELLER: Yes.

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

MR. MUELLER: Yes.

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

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

Just to give you an example, we had --
one night, indoors we had a rock band
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playing, and outdoors we had, on the terrace you mentioned, we had a guitarist playing. They did not interfere with each other. So these doors are very tight.

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

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

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

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

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

There is a provision in the code which would allow up to six events, separate events by special permit. That would not
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come here because if it's only -- they're
allowed six per year, if they wanted more
than that in this case on a regular basis,
they would need Planning Board approval.

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

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

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

MR. BROWN: Yes.

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

Is that correct?

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

MR. MUELLER: We are -- it's not part
of this, we withdrew that kitchen extension.
MR. FOOTE: My question is, if that's how it was filled out, it seems like we may need to get it, a modified assessment form submitted because the questions, I think some of the questions that were answered would be answered differently based upon the fact that it's not --

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

MR. FOOTE: Thank you.

MR. BURNS: That's it.

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

I'm recused from this.

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

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

MR. FOOTE: That's true.

MR. CONNOLLY: So we'll just close the
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pre-submission conference and move to the next item.

CHAIRMAN GIVEN: Which is the very next one.

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

CHAIRMAN GIVEN: Yes.

MR. CONNOLLY: Yes.

MR. PALLAS: Thank you.

CHAIRWOMAN GIVEN: You're clear on that?

MR. BROWN: Yes.

MR. FOOTE: Thank you.

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

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

The applicant is proposing minor
interior renovations as well as awning replacement.

The property is located in the Waterfront Commercial District. This property is not located in the Historic District.

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

Again, I have recused myself from this.

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

MR. FOOTE: With awnings of a comparable size?

MR. BROWN: The exact same frame.

MR. FOOTE: Exact same frame.

MR. BROWN: Now, there's one thing I'm
not sure about is the potential name change.

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

MR. FOOTE: What's the new name?
MR. BROWN: Anker, A-N-K-E-R.
MR. FOOTE: Typo. Just kidding.
MR. BROWN: It's German for Anchor.
MR. FOOTE: Okay.
MR. BURNS: I'm fine.
MR. CONNOLLY: So we'll have to follow the same procedure for the prior application because there's not enough members here to --

MR. BROWN: Understood.
MR. FOOTE: Thank you.
MR. PALLAS: For the record, the new name is noted on the plans.
CHAIRWOMAN GIVEN: On the plans but not on the application. I don't have it on the application.
MR. BROWN: I'm not sure where it would go on the application.
MR. PALLAS: There is no real spot on the application, so the plans do show it.
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.)
CERTIFICATE

STATE OF NEW YORK  )
COUNTY OF SUFFOLK ) ss:

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 March 28, 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 28th day of March, 2019.

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STEPHANIE O'KEEFFE
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