

VILLAGE OF GREENPORT

COUNTY OF SUFFOLK : STATE OF NEW YORK

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PLANNING BOARD

REGULAR SESSION

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Via GoToMeeting

June 25th, 2020  
5:00 p.m.

Before:

WALTER FOOTE - Chairman

PATRICIA HAMMES - Member

JOHN COTUGNO - Member

LILY DOUGHERTY-JOHNSON - Member

REED KYRK - Member

JOSEPH PROKOP - Village Attorney

ROBERT CONNOLLY - Planning Board Attorney

PAUL J. PALLAS - Village Administrator

1 (The meeting is called to order at  
2 4:00 PM).

3 CHAIRMAN FOOTE: Good afternoon.  
4 It's June 25th, 4:00 PM.

5 Item 1 is a motion to accept and  
6 approve the Planning Board minutes from May 20th.  
7 Do I have a second?

8 MEMBER HAMMES: Second.

9 CHAIRPERSON FOOTE: All those in  
10 favor?

11 (Chorus of ayes).

12 Minutes are so approved.

13 CHAIRPERSON FOOTE: Item 2 is a  
14 motion to schedule the Planning Board -- what is  
15 going to be a joint work and regular session -- to  
16 4:00 PM on July 30, 2020.

17 Do I have a second?

18 MEMBER HAMMES: Second.

19 CHAIRPERSON FOOTE: All those  
20 approving?

21 (Chorus of ayes).

22 So approved.

23 Item Number 3: 621 Main Street.  
24 This is a motion (Audio glitch) to amend the  
25 previous SEQRA determination made on May 20th,

1 2020, from Type 1 to Unlisted based on the  
2 recommendation of the Planning Board consultant.

3 All those in favor of amending  
4 that?

5 (Chorus of Ayes).

6 So amended.

7 Item 4 --

8 ADMINISTRATOR PALLAS: Mr. Chair,  
9 Is there a -- are you requesting a coordinated  
10 review as well?

11 CHAIRPERSON FOOTE: Yes. If you  
12 feel other agencies could be involved, then we do  
13 request a coordinated review.

14 ADMINISTRATOR PALLAS: I will  
15 initiate that.

16 CHAIRPERSON FOOTE: Okay.

17 Item 4: 214 Front Street. This is  
18 a public hearing regarding the site plan and  
19 approval for the application at 214 Front street,  
20 LLC, represented by Charles Squire and Gail  
21 Barlow.

22 The applicant proposes a change of  
23 occupancy from Group M, retail, to Group B,  
24 business. This property is located in the C-R  
25 retail commercial district and is not located in

1 the Historic District. It's Suffolk County Tax  
2 Map Number 1001-4-9-21.

3 Would anybody like to speak on  
4 behalf of this applicant or on behalf of the  
5 public?

6 Going once?

7 MR. SQUIRE: Hi, Charles Squire.  
8 We're leasing the space. It's a small branding  
9 agency of myself and my wife.

10 We live in Orient Old Town.

11 CHAIRPERSON FOOTE: Does anyone  
12 have anything to add to this? We had our  
13 pre-conference hearing on this. I think we are  
14 all familiar with what you intend to do, and just,  
15 on my own behalf, I think it's a very nice  
16 development for the village.

17 So at this time --

18 MEMBER COTUGNO: My only issue, as  
19 it was last time, is the number of occupants and  
20 the number of exits. I assume the village  
21 building department will take care of all those  
22 things, but I just feel kind of funny approving  
23 something I know doesn't meet the New York State  
24 Building Code, and it definitely doesn't meet  
25 handicapped requirements for a change of use.

1 Perhaps you can get a variance for the  
2 handicapped, but I don't know.

3 So I'm just saying I really want  
4 this stuff to be enforced.

5 MR. BROKAW: I'm the building  
6 owner. May I address the Board?

7 CHAIRPERSON FOOTE: You may.  
8 Please tell us who you are.

9 MR. BROKAW: My name is Bennett  
10 Brokaw, B-R-O-K-A-W.

11 We have all the paperwork in to  
12 start the compliance work as far as the  
13 handicapped access, which will come through the  
14 rear of the building, which will go right to the  
15 handicapped spot that's behind the building.

16 We are also ready to go with our  
17 compliant handicapped bathroom. The building -- I  
18 guess it's Greg Morris has the application with  
19 all of that proposed work. It's all in  
20 compliance.

21 MEMBER COTUGNO: Yeah, I didn't see  
22 plans that showed that. I don't know if they were  
23 changed since the ones that were given to the  
24 Planning Board several weeks ago, or whenever that  
25 was.

1                   But also, how about the doors? Are  
2 you going to swing the doors outward like they  
3 should be in an office building, rather than  
4 inward?

5                   MR. BROKAW: Yes, that's correct.

6                   MEMBER COTUGNO: All right. Again,  
7 that wasn't indicated on the plans. I don't know  
8 that --

9                   MR. BROKAW: No, no. If you check  
10 with Greg Morris, you'll see all of that was done  
11 by our engineer. Everything is according the New  
12 York State Code for the compliance.

13                   MEMBER COTUGNO: Okay. That sounds  
14 great. I'm not aware of that. I will just trust  
15 everyone else involved.

16                   MR. BROKAW: No, no, no, no. We  
17 went through all the guidelines, we hired an  
18 engineer, we did all the requirements that the  
19 ordinance people requested. And it's -- it's all  
20 in there. It's all according to the State Code.

21                   MEMBER COTUGNO: It sounds like it.

22                   CHAIRPERSON FOOTE: Okay. So at  
23 this point, does anybody else have any other  
24 comments?

25                   (Negative response).

1                   If not, then I move to close the  
2 public hearing.

3                   MEMBER COTUGNO:   Second.

4                   CHAIRPERSON FOOTE:   All those --  
5 okay.  At this time, I move to approve the  
6 application on the condition that it meets with  
7 ADA compliance as applicable.

8                   Do I have a second -- excuse me.

9 Do I have a vote of approval?

10                   (Chorus of ayes).

11                   So approved.

12                   Okay.  Item 5:  111 Main Street.

13 This is the continued public hearing regarding the  
14 site plan approval for the application of PWIB  
15 Claudio Real Estate, LLC, represented by architect  
16 Robert Brown.

17                   The applicant proposes interior and  
18 exterior renovations for the property located at  
19 111 Main Street.

20                   This property is located at the  
21 waterfront commercial district.  This property is  
22 also located in the Historic District.  It's  
23 Suffolk County Tax Map Number 1001-5-4-25,38.1 and  
24 39.

25                   Is there anybody on behalf of the

1 applicant that wants to kick this off?

2 MR. LOFREDO: Yes, I'd be happy to.  
3 This is Steven Lofredo, representing PWIB  
4 Claudio's Management LLC and Season's Hospitality,  
5 and Robert is also on today as well.

6 MR. BROWN: Good evening.

7 MR. LOFREDO: So I probably will  
8 let Rob speak first for addressing the various  
9 modifications to the plans that were requested  
10 since our last hearing. Then I can address the  
11 parking and acoustical work that was being done on  
12 the property as well.

13 Rob, do you want to go ahead and  
14 talk the -- about what you've submitted?

15 MR. BROWN: Sure. I don't know how  
16 much detail you want me to go into. Drawings A-1  
17 and A-2, which are the site plan, A-2 being the  
18 landscape, acoustics, and lighting plan. A-1  
19 being the primary site plan. They were revised  
20 based on the report done by KPC Planning  
21 Associates that we received at the last meeting --  
22 just prior to the last meeting.

23 And I also submitted a letter of  
24 response to address -- one, to reiterate any  
25 changes that we made, and two, to address any

1 issues that we felt were not addressable at this  
2 time.

3                   We could go through it, but you  
4 know, we added some landscaping, as suggested by  
5 KPC. We clarified some details in terms of  
6 planters and so forth, parking, and some of the  
7 site work. Some of their information that they  
8 requested, I felt, was not really addressable.  
9 They wanted five-foot contours on the  
10 topographical information. And aside from just a  
11 small corner in the northeast part of the property  
12 that's above five feet, the rest of the property  
13 is flat and below five feet. The entire property  
14 is in the flood zone. I believe the elevation is  
15 seven flood zone (phonetic), I believe.

16                   And the -- we provided the  
17 information as best we could to explain what's  
18 going on. As you all know, this property has been  
19 what it is for a very long time. The work that  
20 we're doing is really, you know, bits and pieces  
21 and trying to bring the property up to a higher  
22 standard, aesthetically and functionally.

23                   And if you have any questions, I'll  
24 be happy to address them.

25                   MR. DESESA: This is Brian,

1 attorney for the applicant. Before we get to  
2 that, I think we should just update the Board as  
3 to what we were able to obtain in terms of parking  
4 agreements and how we are satisfying a somewhat  
5 increased parking demand here.

6 So with that, Steven, if you can  
7 update the Board as to where we're at with that  
8 and how we've addressed the parking and to what  
9 number and degree?

10 MR. LOFREDO: So we're thrilled  
11 that through my partner's efforts we were able to  
12 pick up where we had left off previously with the  
13 school, and have secured an agreement which, I  
14 believe, was sent to the Board.

15 And I believe David Gamberg  
16 (phonetic) is actually signing the agreement and  
17 walking it over to Claudio's as we speak. So the  
18 agreement, if it hasn't been executed, should be  
19 executed within minutes.

20 The agreement allows us to take a  
21 significant number of parking spaces at the school  
22 every day from July 1 through August 31. We'll be  
23 paying a fee to the school monthly, which I think  
24 is great for the school, providing a significant  
25 number of spaces, first and foremost, to security

1 members of the Claudio's staff which varies daily  
2 but could be anywhere from 35 to 45 people on a  
3 given day, depending on whether it's a weekday or  
4 a weekend which will immediately make those spaces  
5 on our property directly available to not only  
6 visitors to Greenport but (audio glitch) property.

7           Additional Daniel spaces at the  
8 school will be also be supplied to anybody who  
9 needs to park in the village. So we're sort of  
10 immediately addressing not only the issues with  
11 our own property and the increased seating  
12 capacity, but we're also helping out with parking  
13 needs for the village.

14           You know, I do want to commend the  
15 village on getting the extra seating on Front  
16 Street done, and I think that's been great for all  
17 the merchants in the village. Now, of course, we  
18 need the additional parking to help support that,  
19 and I think this helps there as well, if not only  
20 for Claudio's. So we have got that as well.

21           MR. DESESA: Let me just touch on  
22 that. Just to be specific for the Board.

23           So the application, based on your  
24 review -- the review of the village, was that the  
25 increased activity would provide -- would need to

1 provide 46 parking spaces --

2 MR. LOFREDO: Exactly.

3 MR. DESESA: We were able to  
4 obtain, in the agreement -- which you have an  
5 unsigned copy of which we will supplement and ask  
6 for a condition of any approval this Board may  
7 deem appropriate today -- for 100 spaces at the  
8 school. So we were able to obtain 100 spaces,  
9 which, you know, is double what we're increasing  
10 here. So it would serve both our client's  
11 interest and Claudio's restaurant as well as the  
12 rest of the village. It's not restricted only to  
13 Claudio's parking. While Claudio's and the group  
14 put the agreement together and is funding it in  
15 terms of paying monetarily for it, it's available,  
16 you know, without charge for anyone visiting the  
17 village, or as Steven has -- well, can tell you,  
18 but he's discussed with other business owners on  
19 Main Street, you know, in an effort to also  
20 suggest that they have their employees park at the  
21 school as well, which would free up additional  
22 spaces not just here, but in the downtown area as  
23 well.

24 MR. LOFREDO: Brian is absolutely,  
25 100 percent correct. And I think we're also going

1 to have an attendant there from 10:00 AM to  
2 8:00 PM every day. So it will be attended by a  
3 security team member as well who will help, you  
4 know, guide the public towards the village and  
5 also make sure that our team members can enter the  
6 parking lot and exit the parking lot in the  
7 evening safely.

8           There's been appropriate insurance  
9 riders that have been provided as well. So the  
10 attorneys for both the school and Claudio's have  
11 worked this agreement out and made sure that it's  
12 beneficial, it's safe, and it resolves the issues  
13 of parking, which we're thrilled about. I think  
14 that probably covers the parking issue, Brian.

15           We also have pretty much completed  
16 the acoustical work that needs to be done. So I  
17 don't know if you want to touch on that as well.

18           We received all --

19           ADMINISTRATOR PALLAS: If I may  
20 interrupt for one second.

21           MR. LOFREDO: Sure.

22           ADMINISTRATOR PALLAS: Mr. Chair,  
23 we did receive comments from the planning  
24 consultant. I can wait until this part of the  
25 meeting is done or address them as appropriate

1 based on the discussion at hand. It's up to you.

2 CHAIRPERSON FOOTE: Well, let's  
3 keep continuing the presentation and then you can  
4 introduce them at that time.

5 MR. LOFREDO: So just to recap the  
6 sound issues that we wanted to discuss from last  
7 year. So all of the speakers on the waterfront  
8 have been rotated per the report's request.  
9 Actually, it's made a big difference. I was there  
10 until after midnight on Friday and Saturday of  
11 last week, and I have to say that, you know,  
12 clients prevails. It's done a great job in terms  
13 of trying to contain any background music or music  
14 that we had playing in the day and the evening.

15 We received, earlier this week, all  
16 of the acoustical baffling and padding that we  
17 ordered. So we got it ahead of schedule. And I  
18 believe it's being hung on property. I'm in New  
19 York today but I'll be back tomorrow. I believe  
20 those baffles are being hung as we speak.

21 We have purchased our own internal  
22 sound system, so any bands or live entertainment  
23 that happens on the property has to be played  
24 through our equipment and is plugged into our  
25 house system. And the restricters that we had, I

1 mentioned this in a previous meeting, did, in  
2 fact, have -- we weren't aware that we had them --  
3 are being set by a sound technician. One of the  
4 other things we're doing, which was not in the  
5 report but it's actually a requirement in terms of  
6 having out own house sound system is that we  
7 actually have to have a paid sound attendant or  
8 sound technician whenever there's a live band that  
9 we're going to be paying to be on property that  
10 actually will be handling the sound and system for  
11 any live band that plays on the property, so we're  
12 doing that as well.

13                   So all of that will be in place for  
14 this weekend, and we're excited to hopefully put a  
15 period on that chapter and make sure our neighbors  
16 are happy with us in the community.

17                   CHAIRPERSON FOOTE: So have you  
18 guys basically implemented every recommendation in  
19 the SoundSense report?

20                   MR. LOFREDO: Yeah, by the weekend,  
21 every recommendation will be in place. And the  
22 payment of the sound attendant -- a sound  
23 attendant will be there, which wasn't really in  
24 the report, but because we have our own sound  
25 system, we have to have a technician there. So

1 that's, sort of, an additional requirement, and  
2 it's a cost we'll be absorbing.

3 CHAIRPERSON FOOTE: If we could  
4 just reverse back to the parking for a second.

5 Reed, you had a comment I think you  
6 wanted to raise on assurances on how the space is  
7 being used?

8 MEMBER KYRK: I'm really pleased to  
9 see the agreement. I think it is a great start to  
10 having a rational plan for our downtown area.

11 The one thing I would ask is: We  
12 have got 30 to 50 people that are Claudio's  
13 employees that are going in on a daily basis.  
14 Some fewer amount of cars, I'm sure. Those are  
15 the only ones that we -- those are the only  
16 downtown spaces that we can kind. Is Claudio's  
17 management planning to implement this such that  
18 the employees are encouraged, required,  
19 expected --

20 MR. DESESA: They are, but Steven  
21 you can touch on that.

22 MR. LOFREDO: Yeah. It will be a  
23 requirement. And it's actually being amended in  
24 our employee handbook which all employees are  
25 issued when they're hired. So it will now be a

1 requirement that all employees park there.

2 I mean, in previous years there  
3 were some older legacy employees that primarily  
4 worked in the main house that, you know, I  
5 probably wouldn't want to walk that distance.  
6 But, you know, a lot of them have since retired.  
7 So most of the employees we have on the team won't  
8 have any physical issue with walking that seven  
9 minutes. So we're requiring all employees to park  
10 there.

11 MR. KYRK: That's what I was going  
12 to ask. You've got (audio glitch).

13 You know, are there any plans to  
14 highlight that as you're coming into town?  
15 "Claudio's parking" or is -- I read the agreement,  
16 I didn't see anything that seemed to prohibit or  
17 specifically point to that. Because otherwise,  
18 I'm thinking that people will still drive to  
19 Claudio's and, you know, may or may not find a  
20 space there.

21 I'm so excited and so happy that we  
22 have the agreement, but now I'm kind of excited  
23 about the implementation.

24 MR. LOFREDO: Fair enough. So I  
25 know that -- I know that immediately, and the

1 agreement will be in place as of July 1, we will  
2 have prominent information on our website and  
3 through social media that will alert people who  
4 are visiting Claudio's that there's additional  
5 parking at the school. There will be a little  
6 image map on the website which will show people  
7 where the school is in relation to Claudio's. And  
8 that's a first, for sure.

9 In terms of signage, at this point  
10 I can't speak to whether or not -- whether or not  
11 Torah had spoken specifically to the school board  
12 to allow us to post a sign there. It's certainly  
13 a great idea. And if we're allowed to do it, I  
14 don't think it's something that's insurmountable  
15 between now and July 1 to get done.

16 So if the school allows us to, we  
17 certainly would put a sign up saying "Claudio's  
18 Auxiliary Parking, Complimentary" and letting  
19 people park there, if they want to. And, you  
20 know, we were happy to do that.

21 MEMBER KYRK: It may actually lead  
22 to some sort of business development, you know,  
23 past third Street. There are actually people in a  
24 Greenport mood walking by.

25 I had one more question. Oh, this

1 is really finagling, but in the agreement I read,  
2 there were a lot of references to June 25. Was  
3 that --

4 MR. LOFREDO: I think there was  
5 something going on at the school on that day.

6 MR. DESESA: It's usually  
7 graduation day.

8 MR. LOFREDO: Oh, yeah.

9 MR. DESESA: It's typically  
10 graduation day for the school. So they wanted to  
11 make sure that they would have parking adequate  
12 for that day.

13 MEMBER KYRK: Right. I was just  
14 trying to be helpful to say maybe it's a typo and  
15 it meant to be July 25th, but you know, whatever.

16 MR. LOFREDO: That's something we  
17 hope will continue. And, you know, that it will  
18 be a solution that will be a win/win for everyone  
19 and that will continue.

20 MEMBER COTUGNO: In the agreement  
21 it says you have to be out by 8:00 PM, correct?

22 MR. LOFREDO: It says -- it says  
23 that we staff it until 8:00 PM, I believe.

24 MR. DESESA: We staff the attendant  
25 until 8:00 PM, we're allowed to park there beyond

1 8:00 PM. The attendant -- we agreed on the  
2 attendant for insurance liability parking that it  
3 would be staffed until 8:00 PM.

4 MEMBER COTUGNO: Okay. Because  
5 your employees work much later than that.

6 MR. LOFREDO: The ones at the  
7 waterfront would typically work there much later.

8 CHAIRPERSON FOOTE: Was there any  
9 attempt to have the term go beyond 2020?

10 MR. LOFREDO: I can't speak to that  
11 right now, but I know that it's in everyone's best  
12 interest to continue that. But I think the idea  
13 was to have this contract in place, see how the  
14 first year went, and then adjust accordingly,  
15 based on, you know, how it went and if there are  
16 any operational things that need to be addressed  
17 after this season that we could address them in a  
18 new agreement for the following summer.

19 CHAIRMAN FOOTE: Okay. But I'm  
20 just curious. Was it discussed with the school?  
21 Or was it -- you just purposely wanted to be  
22 focused on the summer?

23 MR. LOFREDO: No. The idea is that  
24 we would renew it annually.

25 MR. DESESA: There's also -- in

1 school law, I'm minorly familiar with it, there's  
2 some kind of probations on it. Burdening school  
3 properties without different resolutions, but the  
4 Board and the superintendent can act in one-year  
5 increments without having different referendums  
6 and things go forward.

7 CHAIRPERSON FOOTE: Okay. Good to  
8 know. Okay.

9 MEMBER KYRK: I guess my only  
10 comment is, you know, I'm really excited to have  
11 the additional spaces. I'm really anxious or  
12 looking forward to seeing how much people would  
13 voluntarily get, you know, a one-mile walk in. I  
14 would hope that they're willing to do that. And I  
15 think it's perfectly reasonable to visit our  
16 village, but I would be -- I'm in a perfect  
17 position with my home to sort of track that. So  
18 I'm really excited to see how it goes this summer.

19 MR. LOFREDO: Great.

20 CHAIRPERSON FOOTE: When you said  
21 earlier that the new plans created the need for up  
22 to 46 additional spaces, was that taking into  
23 account the spaces that may have been lost due to  
24 the build out?

25 MR. LOFREDO: Exactly.

1 CHAIRPERSON FOOTE: Okay.

2 MR. BROWN: If I can address that.  
3 The -- we compensated for the spaces lost. And  
4 the net is that the number of spaces that will be  
5 on the property is what -- is the number of spaces  
6 that were on the company. So there's no net loss.

7 CHAIRPERSON FOOTE: How is that  
8 possible if you took away parking spaces for the  
9 veranda?

10 MR. BROWN: By reorganizing the  
11 parking and by creating a separate dumpster area.

12 CHAIRPERSON FOOTE: I see. All  
13 right. It's not like you made the spaces smaller,  
14 is it?

15 MR. BROWN: Absolutely not.

16 MR. DESESA: (Audio glitch) where  
17 you'll have to come back to the Board to address  
18 with the Board.

19 ADMINISTRATOR PALLAS: Say that  
20 last part one more time, I lost you. Sorry.

21 MR. DESESA: If we can't get the  
22 agreement extended past 2020, you're going to have  
23 to come back to the Planning Board to address  
24 that.

25 CHAIRPERSON FOOTE: Right.

1                   Yeah. And I think just switching  
2 over to the sound system, I think that it's great  
3 that you're -- you produced this report and you're  
4 implementing it. I think that there needs to be  
5 some -- I don't know if someone from the building  
6 department needs to make sure it's implemented  
7 according to its recommendations as a condition to  
8 its approval.

9                   And we also, you know, project to  
10 have this incredible reduction in decibel  
11 readings. But the proof is in the pudding, and I  
12 think there should be a revisit on its  
13 effectiveness, you know, by the Board. And that  
14 can be done, you know, later in the summer, you  
15 know, after -- you know, I don't even know when  
16 you're music is starting to play. Are you  
17 planning to do it -- if this is approved --  
18 shortly later? You're planning to do it from July  
19 4th weekend?

20                   MR. LOFREDO: We certainly would be  
21 shooting for that. We wanted -- so the idea would  
22 be that because we couldn't -- when the report was  
23 initially done in the winter, that now that we've  
24 made all the adjustments and changes that, you  
25 know, after the first live event, we'd actually

1 have someone there from SoundSense take  
2 measurements and readings while there's a band  
3 playing so that we can fine tune it.

4 CHAIRPERSON FOOTE: Okay.

5 Paul, maybe at this time, you want  
6 to read the letter?

7 ADMINISTRATOR PALLAS: I did  
8 forward it within the last 10 or 15 minutes to  
9 from the board members. I'm sure that no one had  
10 a chance to read it, but the one that's not in the  
11 letter is related to -- is based on a discussion  
12 that I had with Mr. Collins regarding the sound.

13 The recommendation would be to --  
14 once the music does start up again, that an  
15 independent test be performed, witnessed by the  
16 village, to see that the decibel levels have been  
17 achieved as per code, and that would be paid for,  
18 obviously, by Claudio's. And again, it would be  
19 an independent test witnessed by the village.  
20 Again, that's a recommendation from the planning  
21 consultant.

22 On the parking, I'll -- I'm going  
23 to read three of them verbatim, but the parking  
24 I'm just going to paraphrase because all of them  
25 are rather lengthy and I don't want to belabor it.

1                   The parking, basically, the --  
2 well, one question I have: The number of spaces,  
3 it was stated earlier that there's 100 spaces  
4 allocated in the school. I looked through the  
5 agreement a couple of times, and I guess I didn't  
6 look at it in a lot of detail, but I didn't see a  
7 spot where it allocated a specific number. If  
8 it's there, at least it could be pointed out where  
9 in the agreement it is. If now, I mean, I know  
10 it's on the record now, but it's the  
11 recommendation from the planning consultant that  
12 there are at least 46 spaces additional. And that  
13 should be put into any approval.

14                   In addition, how the applicant is  
15 planning to -- I dropped off the call for a  
16 moment, but I don't know if it was discussed how  
17 they plan to move the customers or employees from  
18 the site, whether it's just walking, or signage,  
19 or what have you. They need to at least state  
20 that for the record how that's going to be  
21 accomplished. Again, that should be made a  
22 condition.

23                   I'm just trying to find the  
24 specifics on this. I have no comments here about  
25 parking off-site. It says, in addition to the

1 above-referenced site plans still has not provided  
2 the dimensional details associated with the  
3 parking spaces or the travel lanes provided on the  
4 site plan, as previously requested.

5 Do you want to read all the  
6 comments at once or you want the applicant to  
7 respond?

8 MR. DESESA: I can respond to  
9 those, Paul. You might have missed it, but we put  
10 the number of spaces, which is in excess of 46.  
11 We did indicate that it will be walking --  
12 employees will be walking from the parking lot  
13 and/or customers will be walking from the parking  
14 lot into the village. There's no transportation  
15 that's proposed at this time.

16 With respect to dimensions, it's a  
17 scaled site plan, but as a condition, I can have  
18 Robert add, you know, dimension lines in there.

19 MR. BROWN: Yeah, if I may. I made  
20 sure that all dimensions in new parking areas were  
21 shown in areas where the parking is the same as it  
22 was. Honestly, I didn't bother, I can certainly  
23 add dimensions, but those have been the parking  
24 spaces for God knows how long.

25 ADMINISTRATOR PALLAS: Yeah, I

1 think that's -- the recommendation is to add those  
2 dimensions, and in addition, the dimensions of the  
3 travel lanes themselves. Those are the two things  
4 that are cited here.

5 MR. BROWN: Yeah, I think in  
6 general we put in typical dimensions for the  
7 parking spaces. I'll cover it with dimensions.  
8 That's fine. No problem.

9 ADMINISTRATOR PALLAS: Mr. Chair,  
10 the next item is regarding lighting. And I'll  
11 read these verbatim:

12 A lighting plan still does not  
13 provide the information in a level of detail  
14 needed to determine compliance with the village  
15 code and impacts on adjacent properties. At a  
16 minimum, the detail of the photo metrics provided  
17 needs to clearly indicate that they are, in fact,  
18 more of the fixtures proposed as well as for the  
19 15 feet that the fixtures are proposed to be  
20 mounted. Then the photo metrics need to be  
21 overlaid onto each of proposed lighting locations  
22 in order to determine the impacts of the proposed  
23 lighting on the subject site.

24 MR. DESESA: We can -- if the Board  
25 was willing to move forward with any kind of

1 conditional approval, we could provide additional  
2 photo cell detail, subject to review by the  
3 village planner that meets his requirements.

4 ADMINISTRATOR PALLAS: Moving to  
5 the next comment:

6 Proposed walk-in freezer are  
7 proposed improvements to the subject site that  
8 require a site plan approval from the Planning  
9 Board. The applicant representative states that  
10 they are not part of this application and if this  
11 is the case, then they should be removed from the  
12 site plan currently under consideration by the  
13 Planning board and not be installed until an  
14 application for these improvements have been  
15 submitted for review and approval of Planning  
16 Board. Otherwise, adequate details of the subject  
17 walk-in freezer should be submitted in order for  
18 them to be approved as part of this application.

19 MR. DESESA: And Robert will  
20 provide the details in his report.

21 So Robert, we'll provide those  
22 dimensional details.

23 ADMINISTRATOR PALLAS: The last  
24 enumerated comment:

25 The two parallel parking spaces

1 located to the south of the Sierra Building still  
2 do not function, particularly the westernmost  
3 space. When the east space is occupied, there's  
4 no way to pull past the western space in order to  
5 be able to back into that space.

6 Although not optimal, these spaces  
7 could be re-designed to be diagonal spaces, which  
8 would then not have the same access issue.

9 MR. BROWN: I would think making  
10 them diagonal would make it harder to get out of  
11 those spaces. And I did revise those spaces to  
12 the dimensions required by KPC. So I'll do  
13 whatever they like.

14 ADMINISTRATOR PALLAS: The final  
15 comment in the letter from the planning  
16 consultant:

17 Under the heading State  
18 Environmental Quality Review Requirements:

19 The SEQRA comments provided in the  
20 last report on this application are still  
21 applicable.

22 That ends the comments.

23 MR. PROKOP: Joseph Prokop, the  
24 village attorney.

25 I -- can I ask the Chair if I can

1 make a couple of comments on behalf of the  
2 building department?

3 CHAIRMAN FOOTE: You may. Proceed.

4 MR. PROKOP: I -- Mr. Collins  
5 indicated that he has a concern about the walk-in  
6 freezers, and that the dimensions would be -- the  
7 dimensions are necessary to -- for consideration  
8 that meets the review.

9 And given the other items that were  
10 mentioned that need to be added to the plans and  
11 then reviewed by the building department and the  
12 planner, I would wonder if, you know, if you're  
13 going to be moving ahead, I would just request  
14 that with those items it be considered a  
15 preliminary site plan approval only, subject to  
16 providing the details required, particularly in  
17 the case of the walk-in freezers that, you know,  
18 they are improvements to the premises. And told  
19 this afternoon's meeting that they were not part  
20 of this application.

21 And also the lighting needs to be  
22 reviewed by the building department and the  
23 planner to see if they're in compliance.

24 CHAIRPERSON FOOTE: Okay. I have  
25 no problem incorporating that into the proposal.

1 MR. DESESA: No objection forom the  
2 applicant on, you know, providing those additional  
3 details that would be subject to building  
4 department review anyway.

5 MR. PROKOP: I guess -- thank you,  
6 to the applicant.

7 So I guess the request then is with  
8 regard to the lighting and the freezer and any  
9 other details requested by the Board that any  
10 action today is not considered a final action,  
11 with respect to those items, pending further  
12 information provided by the applicant.

13 MR. DESESA: Yeah -- I'm sorry,  
14 Joe, go ahead.

15 MR. PROKOP: No, I apologize. I  
16 was finished. Sorry. Thank you.

17 MR. DESESA: I would say that we  
18 would ask that those be -- if the Board were to  
19 move forward with a conditional approval, you  
20 know, subject to those reviews. We would not have  
21 an objection to that.

22 MR. PROKOP: Thank you.

23 CHAIRPERSON FOOTE: Okay. Any  
24 other comments?

25 (Negative response).

1                   At this time, nobody from the  
2 public has any comments?

3                   (Negative response).

4                   At this time I move to close this  
5 public hearing on this application.

6                   Do I have a second?

7                   MEMBER HAMMES: Second.

8                   CHAIRMAN FOOTE: Okay. At this  
9 time, I vote -- rather, I propose approval of the  
10 application subject to the conditions that have  
11 been discussed and articulated during the course  
12 of this meeting, including the lighting plan and  
13 the freezer being subject to further review by the  
14 planner and the building department for  
15 compliance, including the re-evaluation of the  
16 sound system inspection by the building department  
17 and/or and independent third party for checking  
18 for decibel levels, as well as a further review of  
19 it later in the summer. I propose we could even  
20 do it -- just have a check-in on it at our next  
21 meeting in July because it will be after its been  
22 implemented and we can get some early feedback.  
23 And as far as the parking aspect of the  
24 application, obviously, it would be subject to the  
25 agreement with the school being renewed. If not,

1 then it's subject to re-application, as far as the  
2 parking element of the application.

3                   Hopefully I have articulated how we  
4 all agreed to move forward.

5                   At this time, all those in favor of  
6 the application on such conditions say aye.

7                   (Chorus of ayes).

8                   The application is approved.

9                   MR. LOFREDO: Thank you.

10                  MR. BROWN: Thank you.

11                  MR. DESESA: Thank you.

12                  CHAIRPERSON FOOTE: Item 6: Motion  
13 to adjourn.

14                  Second?

15                  MEMBER COTUGNO: Second.

16                  CHAIRMAN FOOTE: Meeting is  
17 adjourned.

18                  Thank you.

19                  (Time noted: 4:46 PM).

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<b>A</b>				
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