Joint Board Meeting 123 Sterling

Third Street Firehouse

Tuesday, May 15, 2018

6:30 p.m.

Stenographer: Stephanie O'Keeffe
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MAYOR HUBBARD: I want to welcome everybody here tonight. This is a joint meeting to review proposals for 123 Sterling.

I'm George Hubbard. I'm the mayor. I've got myself and Trustee Julia Robbins from the Village Board here. Nobody from the Planning Board is here. We have three members of the ZBA here.

Really, this is just to get information out to the other board members and to the public of what's proposed down at 123 Sterling. The principals of the project are going to explain where they are, how they've gotten where they are, what they want to do with the piece of property.

We're taking no votes. There is no formal action to be done from this. It's really just information for the board members, the public and everybody that watches the tape from home. So that's kind of where we are. We're
just trying to see where this all fits in.

We will take -- the applicants will take -- not applicants. 123 Sterling, them and their attorney will take questions if you have questions afterwards. If you're doing it, please come to the podium, name and address so we can get it on camera and the transcription can get it, so there's a record of it, but it's really, it's an informal meeting, it's really just an informational meeting.

So thank you all for coming, and I'll ask you guys to come on up, and they'll explain what they've got; they'll introduce themselves and we'll talk about it.

MR. GILMARTIN: Good evening. I'm David Gilmartin with the law firm Farrell Fritz, and I'm counsel to 123 Sterling LLC.

First, I want to thank the Village for their accommodation, bringing all
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of the boards together so you can hear what we have to say.

Secondly, I want to reiterate, we have no expectations of getting any type of vote tonight.

This property in the early 2000s was subject to a significant litigation. Out of that litigation came a site plan that was agreed upon between 123 Sterling, Neighborhood Association and the Village.

The approved site plan, as we view it, is not feasible from a financial business or really design perspective. We have had some informal discussions within our team. We've looked at the property and we've tried to make some changes which we think are less intense, more conducive to a residential neighborhood and would make practical business sense for us.

So tonight we're here to show you a site plan which, again, is conceptual, it's not something that we
expect will be voted on anytime soon. We fully understand that there is a process that we're gonna have to go through to get an approval, or actually a change to the existing site plan.

That would either be, one, through a modification of the current settlement that comes out of Supreme Court; or, two, we would start anew with the process through the Village with the Zoning and Planning Boards.

With that, I would ask Richard Raskin to discuss the background and how we came to where we are tonight.

MR. RASKIN: Good evening. We're glad to see so many people are interested in the project.

If I'm not talking loud enough, please let me know. I tend to talk loud enough for rooms like this, but if I have to use the mic, I will.

We have been involved in this property since 2003, so it's about fifteen years. During that time, the
neighborhood and the Village of Greenport have changed quite a bit, and the immediate surrounding communities have changed. The changes in terms of who lives here, change in terms of the business community, change in terms of architecture, change in terms of the use of the waterfront. And I'm going through these things because although we have talked to the mayor over this period of time and the attorney for the Village, some of the neighbors here are new, some of you were not involved in these things and some of you, even if you were involved, it's been a long time since we talked about it; and we thought it was appropriate to talk about it.

Our property has basically sat idle for the last fifteen years. It is not generating significant taxes to the community, the school district. It is basically an eyesore. The only thing we're doing there is operating a small
What you're gonna see tonight is that we're gonna take the various components of the approvals that we have in hand and we're gonna try and massage them a little bit, emphasize different parts of those approvals and de-emphasize other parts of those approvals.

The property is made up of two tax lots. I guess I'm gonna go over to -- made up of two tax lots which have traditionally been developed and used as one parcel. And on top of that complication of two lots, there is actually one lot with split zoning. So there is a lot line here that puts this in one lot, this is the second lot, this lot, the back part is residential, the front part is Waterfront Commercial (indicating). So it's split, but it's traditionally been used for one use.

When we got interested in this property in 2003 -- excuse me, I forgot
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to introduce my partners. Marty Kosmynka, Benny Rose, and our architect David DiGiovanni, our attorney has introduced himself.

We got interested in the property in 2003. We went to the Village, we said, hey, this is what we would like to see there, and the answer was, stick with Waterfront Commercial, period. End of story.

We proceeded. We got an approval for a 100-boat high-and-dry storage marina. That's 100 boats in racks, three high, and a 15,000-square foot, three-story building, Waterfront Commercial uses on the first floor, artist lofts, which was a -- is a permitted use in the district for the second and third floors.

The neighbors organized, many of you are here tonight, and sued us and the Village. Their basic position, as I saw it, was, hey, this is a residential neighborhood, we don't want
to see a marina, we don't want to see
stacked boats, this is a residential
community.

They took us to court. We kept
winning in court. They kept appealing.
After several years and lots of money
that everybody spent, both the
neighbors, the Village and ourselves,
we asked the mayor at the time to
facilitate a resolution of this
confrontation, if you will.

Out of that came a negotiated
settlement, and what that was, it was a
45,000-square foot building on a
15,000-square foot footprint. So the
footprint is 15,000 square feet, three
stories, each one being 15,000 square
feet, totaling 45,000 square feet. So
large building, an outbuilding to
service the marina primarily, first
floor 15,000 square feet Waterfront
Commercial uses.

We never really decided what to do
with that, exactly how to do it. It
kind of depended upon who would come to show interest in it, but it can be used as one piece, it could be subdivided into as many as probably fourteen pieces or individual places, and they would all be Waterfront Commercial uses.

We also were approved for a marina, which those approvals come in from the DEC and from the Corps of Engineers and from the Village, that was all approved, that marina is operating and has been operating for many years now.

On the second and third stories, we had a total of seventeen residential units. Twelve were market rate. Five were smaller units reserved for people who live or work in the Village. If you take the twelve plus five, seventeen, plus if you subdivide that lower area into fourteen commercial units, you get about thirty-one units. The rest of the property was devoted to...
Okay. We got those approvals and that lawsuit was settled in 2007. Immediately after we got it, the real estate market crashed. Real estate market did not really come back until 2011. In that time, the life circumstance of the three partners changed to the point that we felt that we could not build this any longer. We either had to sell it or we had to co-venture it with someone.

We advertised. We probably had fifty, over fifty responses on it. We talked very seriously with twelve different parties. Nobody could get their head around 15,000 square feet of commercial space in a residential neighborhood, and nobody could get around the mixed uses within it either. And as a result, we haven't been able to sell it in that time.

We had people who were interested in doing -- using all or most of the
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first floor as a restaurant. We had
people who were interested in using the
entire building for a hotel. And I
must tell you, we didn't pursue these
things simply because we knew that they
would be objectionable to the
neighborhood. Again, it's a
residential neighborhood; I don't think
people wanted a lot of restructures,
people coming in and out, or a hotel.

Another facet of this approved
plan, we had twenty drive-in directly
off the street parking stalls, and
they're kind of better demonstrated on
this poster where this is the building
that was approved (indicating). It's a
rendering of the approved building.

When we were approved, we were
told, make the building look like the
fish factory that you tore down, make
it look like an industrial building,
and we did that to the best of our
ability.

You know, it did have balconies
because it was gonna be a residential building on the second and third floors, but it was to look like an industrial building. It had the -- this is what, something like what it would have looked like (indicating). And the parking on Sterling Avenue was literally directly off of the street so that you would have cars going in and out, you know, fronting in, backing out.

So what we have done, and here I'm gonna begin to talk about the new plan versus the old plan. The build which is slightly smaller in footprint but has substantially less finished space, and the reason it has less finished space is that we want to use a very significant part of the first floor for parking for the Waterfront Commercial uses because we are gonna have approximately 4,000 square feet where we would hope to get a marine supply store, a boat brokerage, one of them we
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want to reserve for a yacht club in the building. We got rid of all of that off Sterling Avenue parking and put it into the building. We kept the marina.

We kept the out building, and we took the residence and restricted units.

Let me describe the residence and restricted unit as opposed to, let's say, workforce housing or affordable housing. The restriction that we have in the agreement is that people, in order to occupy those condominiums, they would have had to have lived or worked in the Village or in the school district for two years, as opposed to affordable housing or workforce housing which sets income limits or selling limits on the units, whether they be rental or for sale.

Again, the community was anxious to have these owner occupied with the private ownership that would go with that to protect the project so to speak.
Okay, so what are we proposing?
Parking on the first floor, most of it;
Waterfront Commercial, three units,
approximately 4,000 square feet; second
and third floors, twenty-two
two-bedroom units. We're gonna take
away, we're proposing two separate
houses facing Ludlam Avenue, fronting
on Ludlam Place, excuse me. Each of
those would have two one-bedroom units
and one two-bedroom unit for a total of
six units; so one more residence and
restricted unit.

We're proposing that the resident
restriction would have to have lived or
worked in the Village for, or the
school district for one year as opposed
to two.

And we want to leave it up to the
developers and the developers will
either be in joint venture with
somebody else or an outright sale by us
to others.

We want to leave-- and I think
there are mixed opinions within the Village from what we could hear as to whether or not these should be rental or owner occupied. At the moment we would leave that up to the developers.

Okay, so we've taken parking off, we park here, we park here, and we have sufficient parking by all the standards for the marina, for the Waterfront Commercial pieces, for the residential (indicating). We have onsite parking here for four cars each unit.

And I'm going to tell you too that we are, you know, if the Village wants us to make that one building, you know, there are issues with doing multifamily housing on that street, it's not per the code, so we would need a variance for that or a modification in the stipulation.

And again, we're not sure of the best way to do that, but if they said make one building, it could be one building. If it's one parcel instead
of being fifty by a hundred or 120, approximately, they could be a hundred by 120. And we've assured access to the Village pump station which is here, across here, and there is a property that fronts on Sterling Avenue, the second house from the yacht club, the Stoman (phonetic) house, he's someone who lives in San Francisco, I think. I think he still owns the building. He has a right of way also to the back, there's a garage in the back with a door back there. And he's guaranteed access, he's kind of taken care of that.

I want to see if I covered everything I'm supposed to cover.

One of the last things we wanted to do if this is approved, given the fact that this pump station is somewhat in disrepair, we're prepared to make a $25,000 contribution to the Village to upgrade that pump station, whether it be mechanically or visually, but
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primarily we're concerned about the visualization, but the Village would ultimately use that contribution as it saw fit.

I think I covered what I want to cover. Marty.

MR. KOSMYNKA: I just want to add a little bit to it.

On the residents' restricted units, the way it's written now is we were locked into a price that we would -- we had to sell them for, which I think at the time it was --

MR. RASKIN: $175,000.

MR. KOSMYNKA: Right, but at that closing, if you were to buy it from -- we had to sell it to you and if you decided that the market rate for that unit be $350,000, you had the right to flip that back over, one, two, three, so it was kind of like a lopsided kind of deal there. Meaning the idea of it was, it will find its ground on what somebody could afford in the Village to
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buy; in other words, if they're making
X amount of dollars, they would only be
allowed to spend X amount of dollars to
buy the unit, but it is a waterfront
kind of unit, so it was kind of, it
never really was kind of correct. I
don't know if I'm making that
understood.

We were locked into a certain
number, but from that point on, as long
as they met the criteria of living and
work in the Village for two years, that
could be sold for whatever the going
rate is. And as we know right now,
Sterling Road is pretty expensive real
estate. You know, who knows what that
would be worth, so we're trying to --
that was a flawed concept from the
get-go if the idea is to try to make it
affordable for working people in the
Village.

This is a much better idea, and
we'll let the Board decide how they
want to do it either on a rental-type
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deal or what formula, but the formula
today does not work.

The second thing is, we are going
to have some boat storage there on site
to keep the marine industrial use, and
that can also, smaller boats can be
parked inside where the parking is
underneath the building, not big boats,
but boats on trailers because come
wintertime, we expect, I don't know how
many year-round residents will be in
these units, but there will be
definitely areas of parking for boats
coming out of that marina, which we do
now and there's a couple trailers on
it, there's a couple boats that have
been left there over the winter,
storage.

We're trying to keep that still
marine industrial use there.

And the biggest thing, as Richard
said, the one thing shows trucks, right
now we have head-in parking and it's a
mess down there. Everybody's got the
little marinas and I know parking is an issue. I go down that -- I've been going down that road fifteen years, we're eliminating that. We have ample amount of parking on our site to cover everything we got going on there and then some.

We're not like the folks that are doing that thing up there on Front Street that has ten parking stalls. We have plenty of parking, there's no doubt about it, and the building did shrink, you know, we took that building -- what happened was, we had big units in there, we had 3,000-square foot units. We have now shrunk that thing down to 1,200 square feet. That's why you hear the number twenty-two, it's not that we increased the building, we actually made it smaller units that are more conducive. I think a two-bedroom, two-bath is what we figured on doing there.

And then we actually changed the
look of it. We're not married to any look, but as time went on, we think we went more for a nautical look. At the time when we did this and we have pictures showing what Sharkeys (phonetic) used to look like; we have pictures of the three-story building, it was that bi-stucco look. We took that down, the Village asked us to do it, it was an eyesore.

In hindsight, maybe we should have left it up for fifteen years. I'm not quite sure because — but there's what it used to look like and people can remember the trailer with all the whiting fish that was in there and the trailer shuts down and there was a mess going on there (indicating).

We did a major cleanup, we did an environmental cleanup on that site. There were buried tanks, we spent a lot of money and cleaned it all up. We really think in our heart and soul, we are toning this thing down and we
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really are trying to, we really are
thinking we're doing the right thing.

We met with some folks in the
Village, the mayor in particular and,
you know, here we are fifteen years
later. We've got a site plan here for
a guy who wants to put a fifty-one-room
hotel. It can happen. There's no
doubt. We have guys that wanted -- the
last guy wanted to do a catering hall
permissible use, it could happen. Does
it work on Sterling Avenue? I don't
think it does. I think what we came up
with kind of works for everybody, you
know.

We got a component of affordable.
We've got a component of house. We
still keep that waterfront scaled down
with, you know, some local shops. We
heard that Whites is out, you know,
maybe that would work there, you know,
but that's where we're at today.

And I am glad you all came and we
would be open to questions at this
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point.

MR. RASKIN: Before we get to questions, I'd like our architect to go through a little bit more detail on the building and the interior of the building, exterior of the building and so on.

MR. DiGIOVANNI: As stated many times, we have two floors of residential which are basically 1,200 square feet. It's a central corridor.

MR. RASKIN: You need a microphone.

MR. DiGIOVANNI: I can talk louder, that's okay.

Basically, as stated, there's approximately 1200 square feet, two-bedroom, two-bathroom and it's central corridor with six-by-twenty balconies, a large living/dining space open to the kitchen, second bedroom that's ten by twelve and about twelve by seventeen master, and that's typical throughout.
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On the first floor this is the same footprint, this is all parking or winter boat storage, as stated (indicating). And then on the eastern portion, that's where we have the 3,900 square feet of commercial.

Located in center, we have a residential lobby, a mechanical space and then in opposite corners, we have the stairs that access all the floors.

One thing that we're proposing as well is that there will be limited access to the roof, only the eastern portion, and it would only be for residents. The elevator would go up there, the stairs would also access it for legal means of egress.

The height of the building is limited to thirty feet from the grade to the roof, and then what we have done is, if you look here on this elevation, the stairs go up a little bit higher and then they slope down, trying to keep the height as low as we can. The
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elevator itself raises higher than the roof to provide access, but it's set back from the face of the building, so from the street, you will never see that sticking up a little higher.

The two independent buildings are approximately 2,400 square feet, as Richard mentioned too, there would be three units, two one-bedrooms and a two-bedroom, and again trying to keep with the traditional look as far as the facades to fit within the neighborhood.

What we've done on the exterior of the building is, again, trying to create more of a nautical-type feel, more of a New England type of feel to the property, we set it back from the street where we're providing, you know, a landscaped area with approximately twenty-five feet to the property line and then the street is beyond that, so we have approximately thirty feet of landscaping from the street curb to the building.
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So that gives it a nicer presence. You can see that typically on this, in the northeast elevation, so that would be up here, in here (indicating). And then the southeast which is a view looking here -- I'm sorry, this way (indicating).

With the parking, you know, instead of trying to create a building on stilts, you know, we created, you know, a series of openings that are arched so they're softer and they're trimmed with, you know, crown moldings and something to give them a little bit of detail so even though it's open parking, it doesn't feel like open parking.

We tried to work with, you know, we were working, you know, natural materials, things that would match in residential quality, clapboards, stone, wainscoting on the base, keeping all neutral colors, you know, just a cable rail around the balconies, so the
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railings more or less disappear.

Again, as was mentioned, you know, this was, this is approved. This could be built tomorrow as it exists. Now, a warehouse with all the parking that goes right out into the street, you know, it's 15,000 square feet of commercial that you're gonna have trucks parked there that are gonna be backing in and out of that area all the time. I think that this is a much calmer and more appropriate solution for this lot.

MR. RASKIN: Thank you.

Do my partners have anything else to say?

Okay. If there are questions from either the board members or the neighbors, I'll be glad to hear them and I'd like to take questions and I'd take reactions also.

AUDIENCE MEMBER: Do you want me there or do you want me here?

MR. RASKIN: Just speak loudly
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enough so that everybody can hear you.

AUDIENCE MEMBER: It's a nice
looking building. It's a whole lot
nicer looking than the one that we all
wanted to build ten years ago. Ten
years ago we realized that the building
that was gonna be built, that build was
a compromise and it was a compromise
because the Village insisted that that
lot was Waterfront Commercial.

Now, does the Village still insist
that it's Waterfront Commercial or if
they're willing to approve this with
4,000 feet of Waterfront Commercial,
that's really cutting back on that
thought; so if they're doing that and
they're willing to approve a building
like this with only 4,000 feet of
Waterfront Commercial, why Waterfront
Commercial at all? Why not call a
spade a spade? It's residential
property.

And I'll ask the mayor that
question.
MR. RASKIN: I will respond to that the best I can.

What you see here, we did have some informal conversation with the Village fathers. In the end, this decision is made by the boards, as I understand it.

Even if we were to modify the stipulation, the stipulation was signed by ourselves, the Planning Board, the Zoning Board, the Village Board and the neighbors; so we were all in agreement.

Now, I'll be the first one to tell you, couple people asked me tonight, you know, how can you possibly approve all that head-in parking? How could you possibly approve some of the other aspects of what we approved? We fought for five years, hundreds of thousands of dollars, we were all exasperated.

I was gonna live there as my primary residence before I had grandchildren that live in Huntington and my wife said you can't live out
there anymore. It was a compromise, it was -- we had to get on with our lives. Time has shown that it is unmarketable. You say keep the -- get rid of all of the Waterfront Commercial. Bear in mind that under any circumstances, we do have a marina that is functioning and is, I think many of you who live on the waterfront have your own which is in a residential zone and you have the marina which is across the street. We're almost identical. We have -- accept that this is Waterfront Commercial, but we -- we're proposing a residential project with waterfront on the water (indicating) and waterfront on the water (indicating).

The best feedback we got from the Village people that we spoke to was that they wanted to keep more of a Waterfront Commercial component than just the marina, and that's what we did.

If you folks feel strongly on
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deliberate feedback, express that to
the Village. We're open to that. This
plan is not laid in concrete. It's --
the reason we invited you here was to
get some feedback and answer questions.

Any other questions?

MR. MOORE: Doug Moore, Sterling
Street. Been there twenty-five years
through this whole process including
the old fish factories.

I think the question here is more
a matter of the process. I don't think
most neighbors would object to the
development and especially the changes
that are probably considered positive,
but I think there are several ways to
go, and I think most people would be
reluctant to have just Village Board
rubber stamp the changes as not really
changes, and I think maybe it should
deserve proper review because there are
some significant changes.

The residential displacement to
Ludlam Place creates a wholly, you
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know, under code multifamily housing
that probably should be vetted out. I
don't think something like that should
just be swept under the carpet.

There are probably some questions
about competition for parking and both
trailers, especially moving doors in
the building. I was wondering where
the openings were. I would hate to see
the people backing their trailers under
those buildings.

I think a lot of that planning
process could benefit from a review
process before the boards that would
normally review them, and I don't see
that as a highly complicated and
multiyear process. I could see that
being vetted and through.

MR. RASKIN: Doug, let me respond.

We never said we didn't want -- we
never said we want any particular board
to rule on this. I assume that we're
going to either make our application to
the Planning Board who will -- the
Village is gonna tell us what to do.
We're not gonna tell the Village what
to do. They're gonna tell us what to
do.

We assume that we're gonna have to
make an application to the Planning
Board, that can be the easiest way, I
think, to approve it is if the
neighbors like what they see here.

And I'm gonna address some of the
other things you said.

This can do a modification of the
stipulation, but if that gets too
confrontational or too difficult or too
drawn out or we begin to have lawsuits,
we would probably make an application
for a whole new application because,
and I'm gonna tell you our reasoning.

Our reasoning goes something like
this. The Village boards have to take
a broader look than the individual
concerns of our immediate neighbors, so
they might think that this is a
constructive project, where some of the
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immediate neighbors may not. So, we, according to our stipulation, we have that option, but we're gonna try and follow the lead of the Village, and if the community makes it known to the Village and to us that they're open to a modification of the stipulation, we will still -- don't forget the Zoning Board has to sign off, the Planning Board has to sign off, the Village Board has to sign off because those are the people who signed the stipulation. There's no shortcuts here.

Let me address some of your points, Doug.

MR. MOORE: Can I just ask when --

MR. RASKIN: Sure.

MR. MOORE: Do you anticipate that it would be a modification court document thing and go back to the occur?

MR. RASKIN: If it's a modified stipulation, I would look to my attorney, but I suspect, don't forget
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the court approved the stipulation, so,
yes, I assume we would have to go back.

Am I--

MR. GILMARTIN: That's correct.

MR. MOORE: Don't forget that
participants in that stipulation was
community, the neighbors in the
community, you didn't mention that this
time around.

MR. RASKIN: I didn't?

MR. MOORE: You said the boards
and --

MR. RASKIN: No, I'm sorry, I
absolutely said the neighborhood.

MR. MOORE: No, you said --

MR. RASKIN: Whatever. The
neighbors are an important part of
this. We can't modify that stipulation
unless the neighborhood association
reconstituted or however it's brought
to life again, signs off on that.

There's no question about that. We
have no delusions about that.

I want to address a couple of your

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The way we arranged the indoor parking is that you come into this, you come off of -- I'm getting discombobulated now.

You come into the building off of Sterling right into here, into a big garage door here, go through the building and out here (indicating). So it's one way all the way. No backing up of cars. No backing up of trailers.

And the concept of having a few boats on trailers or small boats stored on the property, we think is a constructive thing. If it was huge community opposition to that, it's not the live all and be all, we have stored boats there now.

I want to remind everybody that the stipulation says, the stipulation doesn't allow multitiered boat storage, but it doesn't prohibit boat storage. So again, we're trying to find, to keep the old guard of the community, if you
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will, of the Village happy on using

this as a Waterfront Commercial piece,

we've included that in our plan.

We'll hear what our immediate

neighbors have to say. We'll hear what

the Village has to say.

In terms of these units on Ludlam,

we thought we're doing a constructive

thing (indicating). We know that there

is a crying need for residents who live

and work in the Village to have a

place, a decent place to live and work.

The Village encouraged us to keep that

component in our plan. We think the

Village, from what we know about the

Village, it's an important piece, so

we're trying to keep it.

How that's worked out from a

regulatory point of view or a Zoning

point of view, I'm gonna leave that to

the Village. You know, if the Village

said to us, you know, put these units

on another street, go buy a piece of

land somewhere else, we would probably
be open to that, but there's not a lot of places to buy, and I know that many of the rest of, the greater Greenport, if you will, objects to some of the things that are going on in the Village in terms of high density housing. This is high density housing, it's three units on a 5,500 parcel.

We also think that building new houses on Ludlam might be the spark to reenergize and redevelop Ludlam. You all know Ludlam as an unpleasant place to drive on. This could easily be the spark for a rejuvenation of Ludlam.

So that's why we're doing it and, frankly, we know that it's not in conformance with the zone, you know, the zoning, a lot of this is not in conformance to the zoning, but we were able to get it approved or the original thing was approved, we're fine tuning it.

MR. PALLAS: Go up to the podium.

MAYOR HUBBARD: I would like to
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just interject the comments of saying, you know, the Village and everything else. Myself, the Village administrator with our two attorneys have met with these principals over the past six months with discussions of what was going on. My Board has not seen these plans, the Planning Board and the Zoning Board have not seen it. It's been informal meetings that I had as mayor with them trying to see if we could just do something constructive with the property to do something with it to satisfy everybody.

So just saying that we're gonna bypass zoning, that the Village is gonna say this or that, none of that's been discussed. It's really, they came with a concept with some plans and said, do you think this might go? I said, well, you have to do this, you have to do that. That's just me talking, knowing my Board and where we're gonna go, but it has to go.
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between, all the boards have to get
involved in this discussion, so really,
it's really just early, this is really
just informative.

I kind of said that at the
beginning, but we have not, I have not
approved anything. I've not told them
they can go do that, and I am not
bypassing Planning, Zoning or anything
else because I don't have the authority
to do that. I'm just one person on the
Village Board and the rest of my Board
is here. I don't want them to say, you
knew about this because they didn't.
These were meetings that I had with
these gentlemen at Village Hall.
Actually, I had one down at the
property in a snowstorm because they
wanted to meet with me down there to
look at the property with them.

So that's really, it's really just
been my discussions with these
gentlemen beforehand and my two
trustees that are here now, they're
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seeing this for the first time just like you. I just wanted to make that clear when he's saying the Village, it was me with the Village administrator, with Mr. Connolly and Mr. Prokop, we got together with them a couple of times to see if there's any merit to any of this and we told them, you can't do this, you can't do that, trying to go with what the stipulation was and see if something would be workable for the community, for the Village and everybody else.

I just wanted to make sure that that's clear when he's saying that. We have approved nothing at all and it's really just to get information so you all see what's being talked about along with my own Board and we will discuss this at my Board meeting on Thursday and we'll go from there.

MR. RASKIN: And I hope I haven't contradicted what you just said. I tried not to.
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MAYOR HUBBARD: No, you're saying you're getting guidance from the Village and everything else, there's no, the staff of the Village, but not the Village Board or --

MR. RASKIN: Whatever happened was informal. There's nothing formal.

Yes, ma'am.

MS. GILULI: Hi. My name is Lisa Giluli, I live on Sterling Street, and I'm new to all this because we're brand new on Sterling Street and my question is about the density increase from the old plan to the new plan.

And it sounds like a lot went on to get to the first panel hearing, it sounds like that was actually a Supreme Court helping everyone come to a resolution, so what is causing -- it sounds like there's ten additional units; am I right? It sounded like you had in the old plan seventeen, now there's twenty-two plus the side building, so what's the total?
MR. RASKIN: The total is thirty-one. It's twenty-two residential here, plus tentatively three commercial, that's twenty-five, plus six is thirty-one (indicating).

On the old plan, depending upon how you broke it up, we had seventeen residential units, and if you broke up the first four, we could break it up any way we wanted, it depended upon who came forward, so you could easily have broken it into fourteen spots --

MS. GILULI: But those were commercial, right, not residential?

MR. GILMARTIN: Those would have been commercial, yes, but their space.

MS. GILULI: But I'm asking about residential density.

MR. RASKIN: Residential density, we're going from seventeen to twenty-eight.

MS. GILULI: The reason for that is?

MR. RASKIN: The units are much
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smaller.

MS. GILULI: But why are we reducing density from the plan that was approved?

MR. RASKIN: Because I think it makes more sense. We have a building that's been approved, or a footprint that's been approved, we're trying to work with it; and yes, we're trying to maximize return, there's no question about that, but it's a combination of both.

We're also creating one more additional residence or restricted unit which is, to us, is a constructive thing for the neighborhood.

MS. GILULI: So basically when this was approved, this first, and it went out to market, it didn't sell and so now -- is that what caused all the new --

MR. RASKIN: What I tried to say early on was, we were going to develop it ourselves, our life circumstances
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each changed, all three of us. I don't have to go into detail on that, but it did. We tried to market it, we can't get anybody to buy it with this present approval or co-venture it with us.

And it has to do primarily with the commercial component of it. All we did on the second and third floor -- let me give you some numbers, all right.

The finished space in the proposed building is about 36,000 square feet versus 45,000 square feet.

Have I got it right there?

MR. GILMARTIN: Correct.

MR. RASKIN: And that's because on the original plan, the whole first floor was finished space, it was commercial space, but it was finished space; so we're reducing that to about 36,000 square feet and now we are building those other two buildings.

I mean, I'm not trying to fast talk anybody, but yes, there is a
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commercial aspect to this.

MR. KOSMYNKA: If you ran some
economics on it, that's changing. I
had my broker's license for
thirty-something years, and as you
know, things are getting heated up out
here. It's very possible we can go
ahead and condo fourteen units there,
thousand square feet, there have been
people out there for it today. There's
no doubt, in the water, there would be
a guy there, wants to do an outboard
motor, you know, do that kind of thing.
There could be, you know, an air
conditioning guy, you know, that can
definitely be part of it, a sail maker,
I mean, those folks might just, you
know, go ahead and buy this. You know,
that's the point, and there will be
heavy commercial traffic on Sterling
Avenue. There's no question about it.

We also, there is a site plan that
shows the -- look, we have been
approached to do a hotel there. It
123 Sterling Meeting weighs out, fifty-one units with parking onsite. Now, it would be a variance for the third story, but the Village has already granted it to a few other folks.

With the restaurant, you know, it's prime real estate. I don't think there's anything else, maybe (unintelligible) but I don't know of any other piece that, you know -- it's here and it's a question of how commercial it's gonna be or how much more residential it's gonna be. We have buyers, people want this, but we really feel this is a nice plan here. We really think we toned it down.

We actually decreased the volume of it, like Richard said. We took 15,000, we took 12,000 out of the equation, 11,000 out of the equation of commercial.

MR. RASKIN: Yes, sir.

AUDIENCE MEMBER: If you could go ahead and build a hotel with a lot of
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rooms or a catering hall, why don't you
do it; what was stopping you from --
you said that you have zoning that you
can do that, why not do it?

MR. RASKIN: I'll tell you exactly
why we wouldn't do it.

We had multiple opportunities.
You can't do it just like that. It
requires a secondary approval. A hotel
or a restaurant requires an additional
approval which we have the right to go
back to the Village for.

I think the neighbors would be in
an uproar if you had a substantial
restaurant there or a hotel. You'd
have people going in and out. You'd
have all kinds of traffic problems.
You'd have to still have that parking
on the street, which is part of our
approved plan.

MR. KOSMYNKA: We don't want to
fight the fight no more. There's guys
that'll step up to it. There's site
plans, show them the site plans, but
they want to tie us up, they'll take
two or three years to go through the
mechanics of all of it all, maybe
they'll win, maybe they won't. I don't
want to be there any longer.

AUDIENCE MEMBER: So the hotel
would be, that you envision, would be a
fight with the neighborhood and --

MR. KOSMYNKA: I think it would
be, exactly. Yeah, why now?

I don't want to fight with anybody
here. That's why we came up with this
plan. We're done fighting. We want
to, you know, we're done with all that.

But there's guys that want to do
it, there's no question about it. We
had hired people --

MR. RASKIN: Let me make it clear.
We would not enter into a contract with
the people that wanted to use the
approved plan and make it into a hotel.
We wouldn't do that because we thought
that we would be hurting the
neighborhood. We thought that the
neighborhood, the neighbors would not
be happy with that. Ditto with one guy
wanted to make half the first floor a
restaurant; we wouldn't do it. Plain
and simple.
Yes.

AUDIENCE MEMBER: To me, it's a
simple thing of that may not look, you
know, as nice as the other one, but
when you guys increased, it went from
1,500 square feet, I think in the
original plan for residential, right,
down to 1,200; am I right about that?

MR. RASKIN: The units on the
original plan varied from over 2,000
square feet down to about 1,200 square
feet.

AUDIENCE MEMBER: I think the big
question for residents, of which I'm
one, is density. It comes down to
density. It's like the idea that you
went from -- and I think the math was
twenty-two to thirty-one or
twenty-eight or -- you had seventeen
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plus five, something to thirty-one,
whatever it was. That seems, I think,
from the residents' perspective, that's
like playing funny with the facts for
us because it's all about density, so
there's, I think, marketwise, you guys
are gonna be fine, I mean, to say that
it's not marketable because it's
seventeen, it seems for me like as a
person who buys and sells homes and
invests in different things, you'll do
fine, you won't be -- it's not
unmarketable.

And the idea for us that makes us
happier, I think, is lower density. So
to show us your true selves, wanting to
be not in the fight with us, it doesn't
make sense to bump it up by eight or
nine units, that's not making friends.
You know what I mean.

So I would say, just to hear it
out, you know, we're all here just to
talk about our opinions, I can say, if
you took a quick poll right now, I
think people would agree we're living
in a neighborhood that's very fragile.
We're on the water, the water is a
fragile ecosystem. There are people
here who probably try to get garages
built on land, on water and were
rejected by the DEC, by the Town super,
by whatever and here we are building X
number of units, and you got a Supreme
Court resolution which you're now
doubling back on to do us a favor and
get rid of the commercial.

I understand all that, this is
prettier than that. The bottom line is
you're increasing the density and you
didn't -- and you made it prettier, and
you did your parking on the ground and
you made this building look
conceptually like that, and you didn't
increase the number of units. I think
you'd have more buy-in from us.

MR. KOSMYNKA: We decreased the
density. We're taking out 11,000
square feet out of that building.
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AUDIENCE MEMBER: You're adding so many more cars and traffic.

(Several people spoke simultaneously.)

MR. RASKIN: I want to address two points that you said.

I want to clarify the Supreme Court with you. The stipulation was negotiated between the various parties who signed it; the neighbors, ourselves the developers, the Planning Board, the Zoning Board, the Village Board. And because there was a lawsuit that forced the negotiations, the Supreme Court, they merely rubber stamped this.

What they said is, hey, if it's okay with all of you guys, it's okay with us. They don't have any money in the game, if you will, or they don't have any stake in the --

AUDIENCE MEMBER: But all five parties came together and came to that resolution.

MR. RASKIN: Yes.
AUDIENCE MEMBER: So that's the important part, Supreme Court was like the referee.

MR. RASKIN: I'm sorry. You're missing some important points.

Part of that agreement or part of that approval was 15,000 square feet of commercial space which is abhorrent to most of the community. You are talking density for yourself and maybe density is the most important thing for you, but much of the community, we think, much of our neighbors, excuse me, people in this room, don't want commercial on that first floor, don't want parking off of Sterling Avenue, and so on.

So we took the same area, substantially, slightly smaller, but the same area and instead of breaking it up into seventeen units, we broke it into twenty-two units. That's what we did.

MR. KOSMYNKA: How many parking
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spots do we have on the site plan?

MR. RASKIN: I don't know offhand.

MR. DiGIOVANNI: On that plan, seventy-eight.

MR. KOSMYNKA: And how many are on

the --

MR. DiGIOVANNI: Sixty-four.

Thirty-eight on the ground, twenty-six

in the building.

MR. RASKIN: Plus eight back there.

MR. KOSMYNKA: What does that amount to?

MR. RASKIN: Yes, sir.

AUDIENCE MEMBER: Is the density the same as Sterling Cove Condos? It sounds like the buildings are about the same.

MR. RASKIN: I don't know.

AUDIENCE MEMBER: The units in Sterling Cove are, it's like 1,150 to 1,200 square feet, so it sounds like the density is the same and the reality, of course, in Sterling Cove

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where I live, is there's nobody there after October 1st, and from May to October everybody is there on weekends, and a lot of people during the week, so I wouldn't get too upset, but the reality is, if everybody's upset about density, make the units bigger.

I think it's a great idea. I mean, I think it looks great.

MR. KOSMYNKA: We actually had it bigger; we had 3,000-square foot units in there. That's what's happening, we just shrunk them down and we actually shrunk the building down.

MR. RASKIN: Yes, sir.

TRUSTEE ROBERTS: Two questions, the total square footage of residents restricted before and now.

MR. RASKIN: It was 650 square feet. Just a minute. We need some of the math guys here. 650 square feet and there were five of them, so it's 3,250-square foot on the old, and now it's closer to 4,800 square feet.
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TRUSTEE ROBERTS: So you're adding --

MR. RASKIN: We're adding many square feet in those units because, don't forget, those were 600 to 650 square feet. That's what the stipulation called for, 600 to 650 square feet which means a very modest one-bedroom. These units could be much more liberal one-bedrooms and two-bedrooms which we think there's a demand for.

Have I answered your question?

TRUSTEE ROBERTS: Follow-up question.

You mentioned Ludlam Place before. Is there driving access, like, so can I access this property from Ludlam?

MR. RASKIN: You can access these two houses from Ludlam and park in the rear, they'll each have driveways. You can also access the main property from Ludlam too. That's where the Village has a right of way. They have been
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using Sterling Avenue all these years,
but if you read the covenant, it's
really off of Ludlam, and I don't think
the Village cares, as long as they can
get to their pump station conveniently.

MR. MOORE: So if I live on
Sterling Avenue, I would know that a
part of the traffic could be routed
down Ludlam to get there and part of it
could be routed up Sterling; is that
the idea?

MR. GILMARTIN: Yes.

And I think for fire, that's
important too, double access.

So you're right, some of the
traffic will go Ludlam.

Yes, sir.

AUDIENCE MEMBER: Just to echo a
couple other comments. I think by
density, we're thinking of number of
human bodies and cars more than size of
the apartments. It just seems to me,
this is our neighborhood, it is fairly
high-value properties; not having so
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many small apartments returning to the
number of apartments that were there
and a slightly larger form here would
reduce this sense of density.

MR. RASKIN: I'm not surprised at
all about your concerns about density,
either of you, those of you who are
expressing those concerns.

But I want to remind you, please,
that if you calculate the density of
the 15,000 square feet of commercial
space, and they don't live there, in
some ways it's worse. They come there,
they come there, depending on what
tenants are in that space, they come
there at odd hours, they come in trucks
and vans, they come there and make some
noise. You know, you pay your money,
take your choice.

We made a decision to ask for
twenty-two residential units and get
rid of almost all of the Waterfront
Commercial, and you're looking at
density from a particular perspective.
If you only look at the residential units, you're right, we're getting more units, but if you look at seventeen plus fourteen on the first floor, if you break that up that way, you get thirty-one. The other way you get thirty-one too; if you don't get thirty-one, you get twenty-eight. It's not a substantial difference and businesses will operate there if they can survive.

And I'm not convinced that -- the reason we did this, you can't get people to occupy that commercial space; it's dead space, so we want to park there. We want to use, get the cars off the street, which I think is a constructive thing and we have a way for the cars to get in and out of the building which is low impact. We think we're doing constructive things.

AUDIENCE MEMBER: So you're saying adding seventy-eight more parking spots, which is seventy-eight more cars
going up and down that, you're talking
density, nobody said anything about
traffic or sewers.

Seventy-eight more cars in that
little neighborhood is a lot of
traffic. I don't believe that
neighborhood's gonna handle it. It
can't handle what it has now, much less
having that. You cut it back to
seventeen, maybe it's workable. What
you're planning is just an incredible
amount of traffic increase that can't
be enforced and there are too many
young kids in that neighborhood. On
Ludlam alone, there's young families.
You're gonna add that many more cars
going in and out without any kind of --
that just doesn't make any sense in
that small of an area. It's way too
much.

MR. RASKIN: I think that we're
gonna decrease the number --

AUDIENCE MEMBER: But when you
live there and you watch the cars go
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by, then you can talk.

MR. RASKIN: If we are approved
for seventeen residential units and
15,000 square feet of commercial space.
With all of the traffic that entails,
so now we want to change the emphasis a
little bit, and that's what we're
suggesting.

AUDIENCE MEMBER: Just because
you're approved doesn't make it right.

MR. MOORE: One comment. I
believe from the original discussions,
the access on Ludlam Place is the
larger property on your current
proposal was emergency access, it was
for routine traffic, if I recall.

MR. RASKIN: I don't think we ever
said that. I don't recall that, Doug.
I just don't remember it. It
certainly -- I just don't remember.

Do you have a question? Another
hand back there. Yes, sir.

MR. PANTOLIANO: Hi, I'm Joe
Pantoliano. I have two questions.
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In terms of the parking, would it be deeded to the occupant so they would have their assigned parking per unit? In some cases, I've experienced that when you buy a condo, you're buying the parking spot also.

The second question would be to consider, in my experience with condos in the New York area, people sometimes will buy two units and make it a 2,400-square foot unit or buy three units and make it a 3,600-square foot unit. Would that be applicable; could people, could consumers possibly have that option?

MR. RASKIN: Let's take them one at a time; and frankly, on both of them, you're way ahead of us. Those things are generally addressed either by the municipality or the condo offering plan as to whether or not you get one or none or exactly how many parking spots go with a unit. We haven't begun to address that. We are
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much too far away.

The ability to combine units, if I listened to what some of the concerns in meeting, some people would like that because it would be less people, other people might not like it. I don't know. I live in senior community in Port Washington, the terms of the offering plan were that you may not combine -- and the Village, the Village actually passed a resolution that said you may not combine units, but I think that's too soon for us to begin to evaluate that.

MR. PANTOLIANO: But it might be an option to address Sterling residents in terms of lowering the consumer footprint. It would enable you to have less cars.

MR. RASKIN: We can always build bigger units, but we're not proposing to do so.

MR. PANTOLIANO: Okay.

MR. RASKIN: Yes.
AUDIENCE MEMBER: I'm also new. I didn't participate last time, and I'm asking a question more in principal concept to understand something. The zoning there is commercial, right?

MR. RASKIN: Waterfront Commercial on most of the property except the back little piece (indicating).

AUDIENCE MEMBER: Okay, but with the residential component, the volume of building that you can do seems more consistent with commercial than residential. So if somebody wanted to put a house, they have to stay thirty feet from the street, they have to stay far back, and this is not like that; am I right?

MR. RASKIN: You're right, yes.

AUDIENCE MEMBER: So how does that work if it's zoned commercial; you put residential in, but you're not restricted in the same ways that residential people are?
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MR. RASKIN: I can only answer you with what happened. Remember, we were approved for, the Village approved us for 100 boat high and dry storage marina.

AUDIENCE MEMBER: Hold on a second. I'm only interrupting you because I know that that's the history, I'm actually asking for the concept, not the history.

MR. RASKIN: I'll express the concept the best way I can.

There's two ways of getting to what was approved, through variances or what happened here is, when the municipality settles a lawsuit, and my attorney can correct me if I say it wrong, but when a municipality resolves, settles a lawsuit, they have great latitude. They can do what is agreed by the various parties, and the various parties agree that this is an acceptable project and that is the criteria under which it's approved.
This is the same as the last one down there (indicating).

Did I express that about right?

MR. GILMARTIN: The only thing I would add is that the neighbors' lawsuits that we got the settlement came out of approvals from the Village to a bigger project and ultimately got settled; and if you look at the, you saw the pictures of the use that was there, I believe the Village was very motivated to get rid of that existing use; so there were approvals from the Zoning and Planning Boards that the neighbors appealed, lost the first round, then there was an appeal pending in the appellate division and that's when the case was settled.

So the original approvals were greater than what the settlement ultimately ended up with.

AUDIENCE MEMBER: It sounds like it was a settlement that all parties accepted, but nobody really liked.
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MR. GILMARTIN: That's the best settlement, everybody's unhappy.

AUDIENCE MEMBER: Because it ended up being unworkable from your point of view?

MR. RASKIN: It's unworkable from our point of view and the --

AUDIENCE MEMBER: And I think from what -- I wasn't there at the time, but my reading is that the residents weren't happy about the commercial element either, but felt like there was nothing they could do about that, the Village was holding them to that.

MR. RASKIN: That's correct.

AUDIENCE MEMBER: And you were being held to it also, so.

MR. RASKIN: And the Village was being held to it.

AUDIENCE MEMBER: Well, but the Village -- doesn't the Village decide that?

MR. RASKIN: The Village decided to accept this settlement that included
all the things that we have been
talking about.

MR. KOSMYNKA: I believe what he
just said is basically correct.

Nobody -- the neighbors didn't want
commercial, we didn't want the
commercial, but at the time the Village
was very concerned about losing
commercial and there was a different
type of atmosphere back then.

AUDIENCE MEMBER: Right, I feel
like maybe that issue should be
revisited because of how much this
village has changed in the past ten
years or since you've --

MR. KOSMYNKA: And there wasn't
the big --

(Several people spoke
simultaneously.)

MR. RASKIN: It is our place. If
we're gonna change the approval, we're
gonna make an application to the
Village to do so.

AUDIENCE MEMBER: Right. No, I
meant, the zoning of commercial versus residential, that's it.

MR. RASKIN: In theory, we could go back to the Village and say, change the zone on this property.

AUDIENCE MEMBER: You might have partners in the neighborhood association if you decide --

MR. RASKIN: But you might have all kinds of people coming out of the woodwork too, the old Greenporters who want to protect the working waterfront of the Village which is significantly diminished.

AUDIENCE MEMBER: You never know until you try.

MR. RASKIN: I think we have answered most of the questions. Are there any more questions? Please raise your hand.

AUDIENCE MEMBER: What's next?

MR. RASKIN: I think we're gonna have to evaluate what went on here. If the -- I'm not sure exactly how to
solidify the position of our neighbors, you know, we can solidify the position of the Village by making applications for what we discussed here tonight for what we could do; so we make an application to them, the neighbors may come out. If the neighbors want to get together and talk with us, we'll be glad to talk with them, but it's very difficult for us to talk with fifty neighbors, you know.

As I understand, the neighborhood association was formed because they didn't like the high and dry storage. They didn't know exactly what they wanted. None of us knew when we began our negotiation where we would end up. You know where we ended up. We are anxious to move forward on this project with what we have been discussing or something very close to that.

Yes. Ellen, right?

ELLEN: I'm actually co-chair of the Sterling Basin Neighborhood
Richard, when we worked or fought, whatever, to get and then eventually got the agreement, there were three parties; there was the neighborhood association, there were you the developers, and then there was the Village represented by Mayor Kapell; and we agreed, essentially, to the building and the photos that you have here in terms of seventeen units and the commercial space. We agreed to that.

The other agreement was that if you ever sold the property and the new owner did not want to respect that particular architectural design, the new owner or owners would have to go back to the Village and renegotiate through the whole process of the Planning Board, the Zoning Board and whatever.

At the time we did not think you were not happy with the plan and would
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come back to change it. Now, this
means that there is the same owner, but
you're changing the plans. That's no
different than changing the owner and
making new plans. You need to go
through the process that you went
through before.

And my question is, it took us so
long to get to this original one that
you're now scrapping that, you know, I
really am not feeling very sanguine
about your being able to get this one
pushed through rapidly. I think you're
going to find perhaps more resistance
than before for various reasons that
other people have mentioned; density,
parking, traffic on the street.

And I'm just saying that because I
think we took -- I can't remember, was
it four or five years to get to this
and now it's being expanded. We did
not approve an expansion the size that
you have come up with.

I think the original idea is
great. I would just redo the building and make it more interesting to fit in with the environment, shingled or something. We can do away with the cement. We don't have to have it look like Sharkey's Restaurant or whatever it was called, but stick with the old plan. You have that approved.

I'm sure you could go forward with new architectural plans because I think the original architectural plans really didn't specify how all the condominiums were going to work and what they looked like. I think we got an outside view of the building and the structure, but we never really knew how the square footage was going to be used in the condos. I think if you stuck with the original plan and spent a lot of time looking at it from the point of view of a design concept and visibility and architectural integrity with the Village and with the neighborhood, that you would have a much easier time, and
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we wouldn't have to go through this whole, all the different Planning
Boards and Zoning Boards for approval.

MR. RASKIN: First question for you. What would we do with the 15,000 square feet of commercial space?

MR. KOSMYNKA: It used to be Sharkey's. Remember Sharkey's?

(Several people spoke simultaneously.)

MR. RASKIN: Let her answer the question.

ELLEN: I'm not convinced that you cannot find commercial --

MR. RASKIN: I'm gonna tell you we tried. We can't get any interest in that, number one. Number two, I'm going to put forward to you that the commercial is objectionable to the community with the parking that we have, with the drive-in parking and, you know, I don't think that the community really wants commercial. I must tell you, I hear a split here in
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those of you who are speaking; some
want all residential, some want, I'm
not sure, but they want less density,
less units; nobody wants to give
attention to the fact that we are, that
the building has less finished square
footage, but we're devoting some of
that commercial space to residential
uses so -- and please understand, I'm
going to differ with you a little bit
on your understanding of the
stipulation.

We as the owners, according to
that stipulation as I read it, have the
right to reapply for changes and that's
what we're contemplating doing. We
have that right; we don't have to sell
the property for somebody else to --

MR. GILMARTIN: All the groups to
the stipulation reserved rights if
there were changes. So the owner could
go in and make changes, the Village
reserved its right for full review if
it was modified, and neighborhood
123 Sterling Meeting

association reserved its right; so
there's a full reservation of rights.

I think what it really comes down
to is, do you want to see 15,000 feet
of commercial or do you want to see
that changed over to residential;
that's the question. I think that
distills the issue pretty much, and in
my history of doing land use, people
always want residential over
commercial; that's a common, common,
common theme in zoning codes and with
development throughout the east end.

AUDIENCE MEMBER: It just seems
like, I walk by that every day, you're
talking about this like it's some big
amount of acres and land, it's a very
small spit of land. It doesn't -- it's
not represented in any of these photos.
That's like a very -- I mean, it's
surprising to me the amount of stuff
that you got on this lot because it
seems pretty, you know, finite for
sure.

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I think what I just heard and I think you articulated, it's true, we're caught between this residential, commercial, it's like a conundrum, right, but it's almost like there's, if there's attention to what we need and how fragile that street is, that waterway is, all of that neighborhood being super residential now, as opposed to when you started this process, it's, I think you -- it's got to be about how many bodies you put into these units on this little spit of land, and if there is a way to combine what you're hearing with what could be financially still, you know, reap the rewards that you guys have put in your sweat equity into this, but recognizing we have a quality of life situation down there that's like unbelievable.

It's a very quiet and serene spot and we can't close it off to other people, but if there is some sort of a compromise, it would be not increasing.
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it by nine units, it's somewhere there. And I understand that you got rid of the parking and the commercial, but maybe there's a way to do, you know, more expensive units and make the money back that way, but have it be less density.

And I think that is a very, it's not myopic, it's very rational thought given where we live.

MR. GILMARTIN: It's also looking behind the settlement and renegotiation of the settlement from the neighbors' side looking for less than what they have, what the developer has today. That's essentially what you're saying.

AUDIENCE MEMBER: You still have to start over because now you're going with not the commercial, you've got this, you know, prettier building, I don't think it's prettier, but you do.

MR. GILMARTIN: I don't think they have to start over.

AUDIENCE MEMBER: No, I'm saying,
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it's just a question of what's being
built, what's in that building, making
it smaller footprint, all good; making
the parking, not the commercial, that
might be all good; it's the fact that
we just all of a sudden, we have this
huge, to us seemingly huge increase in
units. I know it's not, but it's
almost ten years.

MR. GILMARTIN: If you look at it,
and there are different ways to analyze
this, how you think about it, right.
So one of the things with site plans is
trip generation of uses. The lowest
trip generation is residential uses,
the highest obviously are things like
retail.

So once you start looking at
commercial uses, I would take a step
back if I were you and I would think,
hey, do I want additional units or do I
want to see this developed in a
commercial way? And once you start
thinking about commercial and trip
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generation and cars and parking and all
of those things that come with that, I
think you want to be careful and think
about it.

AUDIENCE MEMBER: I'm not saying
commercial. I'm against commercial.
I'm saying be rational with the amount
of units if it's residential.

Part of your experience has been
it's not been marketable as commercial,
so that makes the choice a little bit
not quite clear between residential and
commercial. The commercial is 1,500
square feet.

MR. RASKIN: Maybe the answer is,
and I'm gonna take a big risk here in
saying what I'm gonna say, what I hear
you saying, and you're only one person
in this room.

Your name again, sir?

TONY: Tony.

MR. RASKIN: Sure, put parking on
the first floor, get it off the street.
I think you'll agree to that, get your
commercial out of the building, you'll agree to that, right? Will you agree to that?

Now we're down to one thing, seventeen units which we're already approved for or something greater. You're not willing to give me any credit for getting rid of the commercial, so maybe the answer is something more than seventeen, but less than twenty-two. I'm not sure. But if you don't give me any credit for getting rid of 11,000 square feet of commercial space and taking the cars off the street, you're not being fair.

AUDIENCE MEMBER: What about those two buildings that are two houses to the back of the property that aren't --

MR. RASKIN: That's a giveaway to the Village.

AUDIENCE MEMBER: That would be the --

MR. RASKIN: It's a giveaway to Village, please understand that.
AUDIENCE MEMBER: Richard, I've heard you say the commercial space, but I've also heard you say the commercial space isn't viable.

MR. RASKIN: A small amount of commercial might be viable, but not 1,500 square feet.

(Several people spoke simultaneously.)

MR. RASKIN: Marty, there's a question.

MR. KOSMYNKA: I'm out here, I own commercial space. The market is changing very rapidly. So commercial space is finding its own level right now and I do believe that I could get the stuff rented out so I --

MR. RASKIN: Marty can get anything rented out.

AUDIENCE MEMBER: It's a matter of the financials and the rentals, but it would be filled.

MR. STROEM: Arthur Stroem, 125 Sterling.
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I think the big problem here is
the traffic going down Sterling Street,
so if we could minimize that traffic
some way, it might be a little bit more
easy to accept.

MR. RASKIN: Well, you have heard
some things here that I don't think
people listened to. Here is an
attorney who has actually been land use
constantly, what generates the fewest
trips.

MR. STROEM: We know all the
numbers, that's for sure, but if you
can come up with a way to minimize the
traffic or maybe minimize the amount of
cars that people can own when they live
in that place so there's less cars
traveling back and forth.

MR. GILMARTIN: I think one of the
things that maybe we can ask you is,
what is the experience here with condo
living? There was a gentleman here
before that said it's a May to October.

MR. STROEM: Right. Sterling Cove
seems, maybe we should look at the density of Sterling Cove and compare that with the density of this.

MR. GILMARTIN: I don't think it's a proper analysis for the density, but I think we can certainly look at how it's used as a residential property; is it weekends only, how many permanent residents are there? In my experience in resort communities is there is really ten percent of the people that own it live there year round, and ninety percent don't and it's --

AUDIENCE MEMBER: Most of us live there year round.

MR. GILMARTIN: Well, I understand, but I'm talking about the impact of the structure that's going to be built. I'm not speaking to who lives there, so who is gonna live in this structure and how much of a real increase in traffic are --

AUDIENCE MEMBER: Maybe you can control who's gonna live there then.
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find out how much traffic they'll be.

MR. GILMARTIN: We have had that
proposed to us. The proposal is out
there.

MR. RASKIN: Are there any other
questions?

Marty, did you want to say
anything else?

MR. KOSMYNKA: No.

MR. RASKIN: We thank you all for
coming. We very much appreciate your
exchange of ideas.

(Time noted: 7:58 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 May 15, 2018.

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 15th day of May, 2018.

____________________
STEPHANIE O'KEEFFE

____________________
STEPHANIE O'KEEFFE
MR. PANTOLIANO: 69/3
MAYOR HUBBARD: 69/20
80/17 80/24 82/5 83/16 83/21
83/25 84/20 86/14 86/23
ELLEN: 72/23 76/13
MAYOR HUBBARD: 3
MR. DI giovanni: 63/23
MR. GILMARTIN: 15 36/4 44/15 46/15 59/12 68/4
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