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VILLAGE OF GREENPORT
COUNTY OF SUFFOLK STATE OF NEW YORK

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PLANNING BOARD

REGULAR SESSION

-----x

Third Street Firehouse
Greenport, New York

October 6, 2016
5:08 p.m.

B E F O R E:

DEVIN McMAHON - CHAIRMAN

BRADLEY BURNS - MEMBER

PETER JAUQUET - MEMBER - Absent

LUCY CLARK -- MEMBER

JOHN COTUNGO -- MEMBER

PAUL PALLAS - VILLAGE ADMINISTRATOR

JOSEPH PROKOP - VILLAGE ATTORNEY

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1
2 CHAIRMAN McMAHON: All right,
3 we're going to begin the meeting.

4 This is the Village of Greenport
5 Planning Board Regular Session for
6 October 6, 2016.

7 Item Number 1, Stirling Square,
8 300-308 Main Street.

9 Continued discussion and possible
10 action on the application for site plan
11 approval at 300-308 Main Street.

12 An amendment to the previous site
13 plan approved on November 4, 2015 is
14 required.

15 The applicant, Robert I. Brown,
16 Architect is representing Stirling
17 Square LLC, Brent Pelton.

18 The applicant has proposed to
19 remodel four existing apartment units
20 into five inn units and one handicap
21 accessible unit on the ground floor for
22 a total of six additional inn units,
23 bringing the total of inn units for
24 American Beech Inn to 11 inn units.

25 The proposal includes a renovation
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1 of Suite 308C, a ground floor space,
2 into a lobby for the inn, incorporating
3 a new glass facade with interior and
4 new exterior seating and a water
5 feature in the courtyard.
6

7 The proposal includes additional
8 bluestone hardscape for easier handicap
9 accessibility and several ramps
10 providing accessibility to each of the
11 commercial units.

12 The property is located within the
13 Village of Greenport Historic District.

14 Additional plans were received on
15 8/29/2016 amending the application to
16 include a retractable awning over the
17 American Beech cedar pergola outdoor
18 dining area.

19 The Historic Preservation
20 Commission approved the proposal for a
21 retractable awning at the September
22 meeting of the Historic Preservation
23 Commission.

24 The Historic Preservation
25 Commission has also reviewed the
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1 kitchen exhaust vents for the American
2 Beech restaurant and has requested the
3 applicant provide an alternative to the
4 current configuration. The new
5 proposed configuration is to be
6 reviewed at the October 17, 2016
7 Historic Preservation Commission
8 meeting.
9

10 Suffolk County Tax Map number
11 1001-4-7-29.1.

12 Good evening, Mr. Brown.

13 MR. BROWN: Good evening.

14 Robert Brown, Architect.

15 At this point I believe where we
16 left off at the work session was
17 Mr. Pelton, who apologizes for not
18 being here, is stuck in the city. He
19 was hoping that we could get some sort
20 of conditional approval, so we could
21 proceed with the architectural and
22 engineering work and perhaps start some
23 of the landscape work, subject to
24 approval by Historic Preservation for
25 redoing the ductwork at the -- for the
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1 kitchen hood.

2
3 We are still trying to coordinate
4 a meeting out here with the contractor
5 who has expressed to Mr. Pelton
6 apparently a couple of ideas about how
7 to accomplish what the Historic Board
8 has relayed to me as being acceptable.

9 So that's where we stand right
10 now. Other than that, I'd be happy to
11 answer any questions that I can.

12 CHAIRMAN McMAHON: Okay.

13 There was one question that didn't
14 come up last time.

15 The retractable awning, would
16 comply New York State, but it does need
17 to be retracted from time to time.

18 MR. BROWN: Yes.

19 CHAIRMAN McMAHON: Do you have a
20 plan of when it will be retracted to
21 meet the State code?

22 MR. BROWN: I do not think that
23 that has been addressed, but I'm
24 certain that Mr. Pelton would be happy
25 to provide any sort of documentation

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1
2 that you need to verify it's being
3 retracted on occasion.

4 CHAIRMAN McMAHON: Okay.

5 ATTORNEY PROKOP: We're advised
6 that it's, the Village Code, we've been
7 advised by the Building Department that
8 the Village Code is that it has to be
9 retracted six months during the year.

10 In addition to the State Code
11 requirements, to not become a permanent
12 structure, it would have to be
13 retracted six months, a total of six
14 months a year, so we would like some
15 kind of plan or agreement about that,
16 please.

17 CHAIRMAN McMAHON: So that would
18 be a condition of any eventual --

19 MR. BROWN: I'm certain that that
20 wouldn't be a problem. It is
21 motorized, fully retractable. As you
22 know, it took a great deal of effort to
23 find somebody who would actually
24 manufacture something of this specific
25 size that we need. There is a

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1
2 manufacturer in Sweden that can provide
3 it and a local distributor who will
4 handle that for us.

5 CHAIRMAN McMAHON: Okay.

6 What other issues? Are there any
7 other items that we had that were left
8 over from the previous meetings?

9 ATTORNEY PROKOP: We had a
10 limitation on the, the seating that's
11 proposed is an area that's outside the
12 restaurant area, so we would seek to
13 impose a condition on that.

14 CHAIRMAN McMAHON: So the new --
15 there is seating indicated that is left
16 over from the expansion of the lobby
17 space to an event space, an outdoor
18 seating area.

19 We just want to make sure that
20 that is not attached to any one of the
21 tenants.

22 If I understand it correctly
23 looking at the plans, it is just
24 outdoor space for the courtyard, it's
25 not meant to be --

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2 MR. BROWN: It is courtyard
3 seating, that was the intention.

4 CHAIRMAN McMAHON: It's courtyard,
5 it's not meant to be for anyone to take
6 a drink from one of the restaurants and
7 go there, correct?

8 MR. BROWN: That's my
9 understanding, yes.

10 ATTORNEY PROKOP: Or restaurant
11 seating.

12 CHAIRMAN McMAHON: Yes.

13 We have previously discussed the
14 scaling back of the original plans, and
15 we have the revised plans that show it
16 is no longer an event space.

17 Are there any other questions or
18 concerns from anyone on the Board with
19 regards to that?

20 MS. CLARK: Who is going to be the
21 one responsible for policing the fact
22 that someone doesn't sit there with a
23 drink from another bar?

24 I mean, really.

25 ATTORNEY PROKOP: We have code
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1 enforcement.

2
3 CHAIRMAN McMAHON: Code
4 enforcement, that would be the
5 Village's responsibility. We're not an
6 enforcement arm.

7 ATTORNEY PROKOP: So the other
8 thing was with regard to the --

9 CHAIRMAN McMAHON: I mean, that's
10 also a State Liquor Authority issue
11 because that's, if someone is taking
12 something from a restaurant and going
13 to another space -- if they're
14 leaving -- if they're buying alcohol to
15 be served in-house at a restaurant and
16 they're leaving that space, that
17 restaurant is violating New York State
18 liquor laws, so that's -- there's a
19 number of people that I imagine would
20 be -- have the authority to regulate
21 that.

22 I believe the local police are
23 saying that there is no drinking
24 permitted there.

25 MR. PALLAS: Right.

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1
2 ATTORNEY PROKOP: The Planning
3 Board, if the Planning Board votes to
4 approve this, it would still have to be
5 subject to the building code review.
6 You know, your plans, your engineering
7 plans and the drawing and everything
8 would have to be --

9 MR. BROWN: Of course.

10 ATTORNEY PROKOP: -- meet code,
11 but we want to, I suggest that we
12 propose a restriction that there not be
13 any kitchens or appliances in any of
14 the rooms, that if you're creating --

15 MR. BROWN: The hotel rooms
16 upstairs?

17 ATTORNEY PROKOP: Yes.

18 MR. BROWN: That's our intention,
19 yes.

20 ATTORNEY PROKOP: Okay, so but
21 that will be, it's my recommendation
22 that it's a condition.

23 And use for the rooms will be
24 limited to an inn-use only.

25 CHAIRMAN McMAHON: Specifically
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1
2 excluding what, specifically?

3 ATTORNEY PROKOP: There is an inn
4 use as defined in our code that the
5 rooms that are created are to be used
6 as inn --

7 MR. BROWN: As hotel rooms.

8 ATTORNEY PROKOP: Yes, hotel rooms
9 only.

10 And also that the same thing that
11 we had once before, I think, which is
12 that the awning, the area that's going
13 to have the awning -- I forget what
14 it's called, you used to call it a
15 pergola.

16 MR. BROWN: It's a pergola, it's
17 still a pergola.

18 ATTORNEY PROKOP: Won't be
19 enclosed in any way, will not be
20 enclosed in any way.

21 There is a limitation on no
22 amplified music on the existing
23 approval that was granted and that
24 would continue over to this approval,
25 if it's approved.

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2 MR. BROWN: It's my understanding
3 that's Village Code anyway.

4 CHAIRMAN McMAHON: Yes.

5 Does anyone have any other -- I
6 mean we've talked several hour about
7 this project in the past; does anybody
8 have any other issues or questions
9 concerning this?

10 ATTORNEY PROKOP: I think we
11 should have just that condition that we
12 put in, we were putting in previously,
13 which is that they need to come back,
14 maybe something at the beginning of
15 next season, so June 1st.

16 CHAIRMAN McMAHON: Compliance.

17 ATTORNEY PROKOP: Yes, please.

18 MR. BROWN: I'm sorry, what was
19 that?

20 CHAIRMAN McMAHON: Just that the
21 use is what it is. We discussed
22 previously that the lobby space is not
23 being used as an event space, and we
24 have the opportunity to revisit the
25 approval if it were to stop being used
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1
2 as --

3 MR. BROWN: I would have thought
4 that that would be part of code
5 enforcement anyway.

6 ATTORNEY PROKOP: Normally on
7 these approvals, site plan approvals
8 for public assembly uses, we have a
9 date certain in the future to review
10 the approval, just to make sure that
11 there is no problem with compliance,
12 but also if there needs to be any
13 review on the conditions.

14 MR. BROWN: Okay.

15 ATTORNEY PROKOP: Either way. You
16 might make a request or we may make a
17 request.

18 MR. BROWN: Fair enough.

19 CHAIRMAN McMAHON: Any other --
20 yes.

21 MR. PALLAS: Just a question on
22 clarification.

23 I'm assuming we're getting ready
24 to vote on this, correct; so the open
25 question on the exhaust vents, is that
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going to receive an overall approval?

CHAIRMAN McMAHON: The entire approval is contingent upon Historic Preservation Board's finding.

MR. PALLAS: So no activity; they can't begin any activity until that approval is received.

MS. CLARK: I'm not comfortable moving forward prior to that, I'm not.

ATTORNEY PROKOP: You don't have to. It's up to the Board, you don't have to. This is all just discussion.

MS. CLARK: I would rather see the approval in place before I vote.

CHAIRMAN McMAHON: I'm not really as concerned about that because that is essentially, that question is to the Historic Preservation Commission, that's the only issue they're reviewing at this time.

My personal feeling is that I'm okay with a conditional approval. I don't know how either of you feel.

MR. BURNS: I am too.

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2 MR. COTUNGO: I'm okay, as long as
3 there is a guarantee that they're not
4 going to get a building permit or
5 anything else.

6 MS. CLARK: But you just said they
7 wouldn't be allowed to begin anything.

8 MR. PALLAS: That's correct. If
9 your approval --

10 MS. CLARK: But you're talking
11 about the beginning --

12 MR. PALLAS: That's why I wanted
13 it brought out because I want to make
14 sure the applicant is aware that, you
15 know, your approval, if you do approve
16 it tonight, that it's conditional and
17 no permits would be issued until that
18 approval is obtained because if it's a
19 condition of your approval, then there
20 is no approval until that condition is
21 met, so I could not issue a building
22 permit before that happens.

23 CHAIRMAN McMAHON: Yeah, I think
24 we discussed that at the last meeting.

25 MR. PALLAS: Correct.

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2 MS. CLARK: But he just stated --

3 MR. BROWN: No. The issue at
4 hand, Lucy, is a matter of being able
5 to proceed with architectural and
6 engineering work.

7 MS. CLARK: And landscaping and --

8 MR. BROWN: Well, you know, if the
9 landscape is going to be held on the
10 condition, that's up to the Board, but
11 there is a lot of work in preparation
12 that needs to be done.

13 For example, there are, the
14 folding glass wall at the reception
15 area, that is a very long lead time
16 item and if Mr. Pelton has some
17 assurance that this is going to be
18 approved pending the Historic
19 Preservation, then he will feel
20 comfortable in ordering it so that it's
21 here in a timely manner.

22 MS. CLARK: Right.

23 MR. BROWN: Those are the issues
24 that we're talking about.

25 MS. CLARK: And you haven't met
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2 with the contractor to discuss what the
3 HPC is requiring.

4 MR. BROWN: We have been in
5 conversation, but we haven't, we
6 haven't finalized it. We're hoping to
7 by the, I think it's October 17th
8 Historic Board meeting, so we can get
9 that wrapped up as well.

10 CHAIRMAN McMAHON: Lucy, it will
11 be clear that that's, it is entirely
12 dependent upon HPC getting a
13 satisfactory solution to that.

14 MR. BROWN: And we are working in
15 good faith to try to resolve that as
16 quickly as possible.

17 CHAIRMAN McMAHON: Okay. All
18 right.

19 So the plan that was received on
20 8/29, I believe that reflected the
21 changes that we previously requested
22 with regard to the lobby space being
23 just that, a lobby space with some
24 retail sales, but not an event space.

25 ATTORNEY PROKOP: No alcohol
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1
2 served in lobby.

3 CHAIRMAN McMAHON: Yes. I believe
4 that was -- yes.

5 ATTORNEY PROKOP: We can go
6 through all this.

7 CHAIRMAN McMAHON: Yeah, if we --

8 ATTORNEY PROKOP: We still have do
9 SEQRA, we still have to talk about
10 SEQRA.

11 CHAIRMAN McMAHON: Okay.

12 ATTORNEY PROKOP: So the first
13 thing that we need to do is to talk
14 about SEQRA, so it would be my
15 recommendation that -- now, we
16 determined that this is a, because it's
17 in the Historic District, it's a Type 1
18 action, if I'm not mistaken; and we
19 sent it out for coordinated review, so
20 we would be determining, we would
21 determine that it's a Type 1 action,
22 that we're adopting lead agency status,
23 that it's a Type 1 action for purposes
24 of SEQRA, that it will not have a
25 significant negative impact on one or
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1
2 more aspects of the environment,
3 provided the conditions are met; and
4 that, therefore, we'll adopt what's
5 called a negative declaration for
6 purposes of SEQRA.

7 How does the Board feel about
8 that?

9 CHAIRMAN McMAHON: Are you okay
10 with that, Lucy?

11 MS. CLARK: Yes.

12 CHAIRMAN McMAHON: Ben?

13 MR. BURNS: Yes.

14 MR. COTUNGO: Yes.

15 CHAIRMAN McMAHON: So I will so
16 motion.

17 Do I have a second for that?

18 MR. BURNS: Second.

19 CHAIRMAN McMAHON: All in favor?

20 MS. CLARK: Aye.

21 MR. BURNS: Aye.

22 MR. COTUNGO: Aye.

23 CHAIRMAN McMAHON: Motion carries.

24 Then if we're going to go forward
25 with the conditional approval or if

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1 we're going to vote on it, at least,
2 the conditions set out so far would be,
3 the approval would be, would reflect
4 the plans that were submitted on August
5 29th with the previously discussed
6 conditions limiting the lobby space to
7 just that, a reception area, some
8 merchandise sales, it will not be an
9 event space. There will be no alcohol
10 sales there. The outside seating, it
11 will be noted that that is not approved
12 for restaurant or dining use, or the
13 new outdoor seating is not approved for
14 restaurant or lobby, or alcohol sales
15 or anything of that nature. It is
16 simply for the courtyard. The awning
17 must comply with the Village and State
18 requirements to be withdrawn six
19 months, a total of six months out of
20 the year.

21
22 Are there any other conditions?

23 ATTORNEY PROKOP: No exterior
24 amplified music.

25 CHAIRMAN McMAHON: No exterior

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1
2 amplified music.

3 ATTORNEY PROKOP: The new units
4 created in the hotel are to be used
5 for, as inn or hotel only; and
6 specifically with no kitchen or
7 appliances. Approval, of course, is
8 conditional on review and compliance
9 with all State and local codes. What
10 we have right now is a sketch plan, you
11 need to submit a full set of engineer
12 plans --

13 MR. BROWN: Of course, yes.

14 ATTORNEY PROKOP: -- for review by
15 the Village.

16 CHAIRMAN McMAHON: That's six so
17 far.

18 ATTORNEY PROKOP: The awning will
19 not be enclosed in any manner at any
20 time, and the applicant is to come back
21 at the June -- this matter will appear
22 at the June 2017 Regular Meeting of the
23 Planning Board for review and
24 discussion regarding compliance with
25 the conditions and the conditions

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2 [sic].

3 CHAIRMAN McMAHON: Okay.

4 Given those seven conditions.

5 MR. COTUNGO: What about the
6 Historic Board?

7 ATTORNEY PROKOP: And it's also
8 conditional on, this approval is
9 specifically conditioned on the
10 approval of the exterior ductwork or a
11 solution or the removal and solutions
12 to that ductwork by the Historic
13 Preservation Committee of the Village.

14 Thanks.

15 CHAIRMAN McMAHON: Okay.

16 Given those series of conditions.

17 MR. COTUNGO: With no permits to
18 be issued.

19 CHAIRMAN McMAHON: Yes, no permits
20 will be issued until such time as the
21 HPC has completed their review and the
22 Building Department has completed their
23 due diligence in reviewing the final
24 architectural plans.

25 ATTORNEY PROKOP: Full review is
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also in the plans.

CHAIRMAN McMAHON: Okay, given those conditions and perhaps previously discussed, I would like to make a motion to approve the application that was most recently submitted on 8/29 with the aforementioned conditions.

Do I have a second for that?

MR. COTUNGO: Second.

CHAIRMAN McMAHON: All in favor?

MR. BURNS: Aye.

MR. COTUNGO: Aye.

MS. CLARK: Aye.

CHAIRMAN McMAHON: Motion carries.

MR. BROWN: Thank you all very much.

Item Number 2, vacant lot east of 217 Monsell Place.

Discussion and possible action on the application for Bryan Nicholson.

Bryan Nicholson is before the Board to discuss the proposed construction of a one-family house on the property located east of 217

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1
2 Monsell Place.

3 The site plan application includes
4 a site plan, floor plans, and
5 elevations.

6 The project has received approval
7 from the Zoning Board of Appeals for
8 the one side-yard variance requested.

9 The property is located in the
10 R-1, One-Family Residential District of
11 the Village of Greenport.

12 The property is not located within
13 the Village of Greenport Historic
14 District.

15 Suffolk County Tax Map number
16 1001-2-2-29.

17 So there was some question last
18 time as to whether or not a suggestion
19 by Zoning Board of Appeals was a
20 condition of a variance that was
21 granted. I believe after reviewing the
22 minutes that it was not a condition.

23 MR. PALLAS: It was not.

24 CHAIRMAN McMAHON: It was not a
25 condition, so the variance was granted
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1
2 by the Zoning Board of Appeals.

3 We have previously discussed this
4 application. The only question holding
5 me back at the previous meeting was
6 whether or not the condition was of the
7 ZBA and if not, I am ready to vote to
8 approve.

9 I don't know if anyone has any
10 questions or concerns with regard to
11 this.

12 ATTORNEY PROKOP: So the first
13 thing that you need to do is adopt a
14 resolution determining that this is an
15 Unlisted action, excuse me, adopting
16 lead agency status, determining that
17 this is an Unlisted action for purposes
18 of SEQRA and that the approval of this
19 application would not have a
20 significant negative impact on one or
21 more aspects of the environment,
22 therefore, adopting a negative
23 declaration.

24 CHAIRMAN McMAHON: I will so
25 motion.

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Do I have a second?

MR. BURNS: Second.

CHAIRMAN McMAHON: All in favor?

MR. BROWN: Aye.

MS. CLARK: Aye.

MR. COTUNGO: Aye.

CHAIRMAN McMAHON: Motion carries.

All right, so I'm going to make a motion that we accept the site plan or we approve the site plan application as submitted with the variance that was granted by the ZBA.

Do I have a second for that?

MS. CLARK: Second.

CHAIRMAN McMAHON: All in favor?

MR. BURNS: Aye.

MR. COTUNGO: Aye.

MS. CLARK: Aye.

CHAIRMAN McMAHON: Motion carries.

Thank you.

MR. NICHOLSON: Thank you.

CHAIRMAN McMAHON: Item Number 3,
201 Manor Place, ELIH.

Continued discussion and possible
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1
2 action to approve the application for
3 Site Plan Review for Eastern Long
4 Island Hospital.

5 Applicant John Condon has been
6 authorized to submit plans for a
7 66-foot seawall/curb on the east, south
8 and west sides of the hospital.

9 The proposal also includes the
10 construction of a raised concrete
11 platform for a new electrical generator
12 located in the rear service area.

13 This property is not located
14 within the Village of Greenport
15 Historic District.

16 Suffolk County Tax Map number
17 1001-2-3-2.

18 We discussed this at the last
19 meeting and it seemed our apprehension
20 for granting approval to the
21 application was that we did not feel as
22 if we were qualified to make a
23 determination as to whether or not the
24 proposed work would have a negative
25 impact on the neighbors with regard to
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1
2 the drainage.

3 I believe it was the feeling of
4 the Village Administrator in
5 consultation with outside engineering
6 firms that it will not. I'm of the
7 mind to defer to them in that regard.
8 I don't know if anyone has a different
9 opinion or would like to raise any
10 other points or discuss it further

11 ATTORNEY PROKOP: My suggestion
12 that I have might be that the
13 applicant -- we did have an engineer
14 separate from the Village through the
15 Village Administrator express an
16 opinion, give us an opinion which is
17 now in the file that this project will
18 not have a negative impact on the
19 current drainage; however, we did
20 receive also in the testimony comments
21 regarding the drainage situation, and
22 so for that, I have a recommendation,
23 excuse me, my suggestion might be that,
24 if you're going to approve this, that
25 you do so with a request that the
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1 hospital comply or respond with some
2 kind of plan for drainage at the site
3 or something like that, just as a
4 suggestion.
5

6 CHAIRMAN McMAHON: Okay.

7 ATTORNEY PROKOP: I don't know how
8 you feel about that.

9 In other words, not mandatory
10 condition that they would have to do
11 work, but just a review of the drainage
12 at the site.

13 CHAIRMAN McMAHON: Okay.

14 ATTORNEY PROKOP: And how it
15 affects off-site properties and, excuse
16 me, off-site, the street and off-site
17 properties.

18 CHAIRMAN McMAHON: There is, I
19 don't believe there was the full
20 drainage plan for the site submitted.

21 MR. PALLAS: No.

22 I had requested subsequent to the
23 work session, whatever currently exists
24 on the property.

25 CHAIRMAN McMAHON: But it has not
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1 yet been received?

2
3 MR. PALLAS: I have not received
4 it yet.

5 I mean, I have -- I'm sorry.

6 CHAIRMAN McMAHON: It's okay. If
7 you have anything to add.

8 MR. PALLAS: The only comment I
9 would make is that it's clear the
10 building does not have outside drains,
11 there are roof drains; and the question
12 that I was asking them to answer was,
13 where does it go? That was the intent
14 of my question, to get the existing
15 drainage plan and see where it goes.

16 CHAIRMAN McMAHON: With previous
17 applications that were -- have had
18 pre-existing nonconformance, we have
19 not -- we have asked on occasion for
20 them to mitigate some of the issues,
21 but we haven't actually required that
22 of other applicants that they
23 completely bring any, if there is any
24 nonconformance, they bring it -- do we
25 have to modify the code, I don't know
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2 whether we have the authority to or
3 not; and I don't know --

4 ATTORNEY PROKOP: Okay. So the
5 history of that, as I understand it, is
6 that and I'm -- I would be grateful to
7 be corrected if I'm wrong, is that with
8 new construction, we always require
9 that drainage be retained onsite, with
10 existing construction that's not
11 significantly modified, we just look to
12 correct any obvious drainage issues, so
13 the properties where it clearly is
14 draining on the adjoining property as
15 an example, we have required compliance
16 with that; but this situation, I mean,
17 we do have an, Mr. Pallas is an
18 engineer and he's reviewed the
19 engineering opinion that we got which
20 said it would not have a negative
21 impact on the drainage situation at the
22 site; however, I do, you know, based on
23 testimony that we got at the meeting
24 and comments, I think that at some
25 point, a review is probably a good

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2 idea. At least we could, without
3 having it be a formal condition of an
4 approval that we request that from the
5 applicant, that there is a review.

6 CHAIRMAN McMAHON: So it wouldn't
7 be a binding condition, but we make a
8 formal request.

9 ATTORNEY PROKOP: Yes, I think
10 that that's --

11 CHAIRMAN McMAHON: I don't have a
12 problem with that.

13 MS. CLARK: In this letter that
14 you acquired from the independent
15 engineer, he has a couple of things
16 that you were, he suggested you ask the
17 hospital; and with the intent of the
18 proposed installation and you should
19 also inquire if this installation is
20 preemptive of future changes in grading
21 of the property to divert overland flow
22 of water away from the building
23 structure and the equipment onsite.

24 Did you pose that, just about the
25 preemptive of future changes in grading

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1
2 of the property?

3 MR. PALLAS: Yes. In fact, those,
4 I gave them very limited information, I
5 wanted a full review. Those questions
6 had already been asked and answered and
7 there was no, it's just the wall,
8 that's all it is and it's being
9 constructed with the existing grade in
10 mind. It's clear from the construction
11 that there is no contemplated changes,
12 the reveal on the wall is consistent
13 throughout the entire project. That
14 means that they're not really looking
15 to change grade. If they were, they
16 would have, the wall would be up and
17 down, and it's not, it matches the
18 existing grade.

19 MS. CLARK: Future changes.

20 MR. PALLAS: Correct.

21 ATTORNEY PROKOP: So one of the
22 other things that I wanted to bring to
23 your attention that I realized during,
24 since the last meeting was that there
25 was a, there was an approval two years
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2 ago regarding this property and
3 drainage was addressed in that
4 approval. Specifically I think it was
5 a berm that was constructed, if I'm not
6 mistaken.

7 There was a berm that was
8 constructed or to be constructed, and I
9 just want to make sure --

10 MR. CONDON: Is that along the
11 eastern side of the property?

12 ATTORNEY PROKOP: I'm not sure.

13 MR. CONDON: They did build a soil
14 berm on the eastern side of the
15 property.

16 ATTORNEY PROKOP: Right, the
17 eastern side.

18 MR. CONDON: And it was not high,
19 but that's where the walls are going
20 now.

21 ATTORNEY PROKOP: Since that prior
22 application had a condition with the
23 berm, how is this project affecting the
24 berm? Is the berm being removed?

25 MR. CONDON: Yes. In fact, it's
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1
2 been removed, and that particular part
3 of it has been done.

4 ATTORNEY PROKOP: How will the
5 wall function compared to how the berm
6 was supposed to function?

7 MR. CONDON: It will be better
8 than the berm.

9 ATTORNEY PROKOP: Didn't the berm
10 absorb -- I'm sorry, I don't want to
11 beat the engineer.

12 MR. CONDON: Let me, it may absorb
13 water; but you have to understand it's
14 still, still tilted, okay; so any water
15 that falls on the berm is gonna flow
16 down next to the berm. There is an
17 area of soil along the berm right now
18 which will remain along the wall that
19 we're putting up, the walls we're
20 putting up; and that will take care of
21 any drainage, okay, that would be in
22 the driveway there.

23 ATTORNEY PROKOP: My main concern
24 was that this project doesn't frustrate
25 any of the goals of the prior approval
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2 --

3 MR. CONDON: Oh, no.

4 ATTORNEY PROKOP: -- by
5 eliminating the berm.

6 MR. CONDON: Not at all.

7 By the way, the walls are not 66
8 inches tall, okay, they're 30 inches
9 tall. Sixty-six would block the view
10 of the entire bay.

11 ATTORNEY PROKOP: Did anyone else
12 want to say something?

13 CHAIRMAN McMAHON: No.

14 ATTORNEY PROKOP: I looked at the
15 plans, there is a physical structure
16 that is 66 inches high. You're
17 burying --

18 MR. CONDON: Oh, we're burying
19 three feet.

20 ATTORNEY PROKOP: We're not --

21 MR. CONDON: Just so three feet is
22 below grade, okay, and two-and-a-half
23 feet is above grade.

24 ATTORNEY PROKOP: Right.

25 MR. CONDON: You have to go down
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1
2 three feet to get below the frost line,
3 and that's the purpose for that.

4 ATTORNEY PROKOP: Okay, but in
5 Greenport, the way that we measure the
6 height of a structure, how high the
7 structure is, you can't build a
8 structure and then bury two-thirds of
9 it and then claim it's not that high.

10 MR. CONDON: All right.

11 ATTORNEY PROKOP: As far as I
12 know. That's where the reference to 66
13 inches came from. It's a 66 --

14 MR. CONDON: All right.

15 I didn't know where that came
16 from. Just reading this, I would think
17 that what you were saying is the wall
18 above grade was --

19 ATTORNEY PROKOP: No, correct,
20 it's mostly below grade.

21 So there is an excavation and then
22 there is wall, concrete wall being
23 built and then there is a fill, which
24 leaves 30 inches above grade,
25 approximately.

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2 CHAIRMAN McMAHON: Do any Board
3 members have any comments or questions?

4 MR. BURNS: Not having any
5 engineering experience or education, it
6 will be interesting to see when the
7 first hurricane comes along, what
8 happens to -- what happens to the water
9 and if it really does what you say it
10 will.

11 MR. CONDON: I know Ray Eberle
12 (phonetic), who is the engineering
13 director of the hospital, he was
14 telling me what happened with Sandy and
15 there was a lot of water that had
16 developed waves that were going across
17 the back parking lot that were actually
18 going down into the lower areas along
19 the back of the hospital where the
20 electrical equipment is; so he had
21 built walls to try to prevent that, but
22 it wasn't like the sea was three feet
23 high. If it ever was three feet high,
24 no way could those walls prevent any
25 water like groundwater from coming up

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1
2 underneath. Do you know what I mean?

3 They're primarily intended to stop
4 wave-action water coming and debris;
5 that's the whole purpose of them.

6 CHAIRMAN McMAHON: Okay.

7 MR. CONDON: And the entire
8 hospital is not surrounded. It's not
9 one of those things that you're
10 building a, you know, a wall around the
11 front of the hospital. It's primarily
12 along the areas of the hospital on the
13 eastern, western and southern sides
14 which are the areas where they
15 experienced a lot of water from Sandy.

16 Hurricane comes in and the waters,
17 like I said, are as high as the wall or
18 even halfway up the wall, the walls
19 aren't going to do anything because the
20 water is actually going to come up
21 through the ground as well. Do you
22 know what I mean? It's a measure that
23 they feel very confident would help
24 them compared to what they experienced
25 during Sandy, and that's the whole

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1
2 purpose of it.

3 CHAIRMAN McMAHON: Okay.

4 My position is, I'm -- I think the
5 question of having a wall to safeguard
6 the hospital is generally a good thing
7 and whether or not, how it's being
8 done, I'm going to defer to the
9 engineers hired by the Village and the
10 interpretation by the Village
11 Administrator. That's my position, so
12 I have no issues with this.

13 I don't know if anyone else --

14 MR. COTUNGO: My only concern
15 would be that it's great that they're
16 doing it and the generators for the
17 hospital, assured that the neighbors
18 aren't going to be the ill-fated, but
19 you said the engineer said the
20 neighbors won't have an impact.

21 MR. PALLAS: Correct.

22 CHAIRMAN McMAHON: That's my only
23 concern as well. I would defer to the
24 professional opinion that it's not
25 going to be the case, then I'm

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1 comfortable going forward.

2 MR. BURNS: I am too.

3 MS. CLARK: Are you referring to
4 this letter that it states in there
5 that it won't affect the neighbors?
6

7 MR. PALLAS: Yes. Third
8 paragraph, last sentence. It says,
9 "Potentially no change in existing
10 grade, these areas will still be
11 susceptible to the same or alike
12 drainage flow pattern that they've
13 experienced previously."

14 MS. CLARK: Right, which is that
15 it does affect them, the water does go
16 in the neighbors'.

17 MR. PALLAS: Right.

18 MS. CLARK: It's not going to
19 change the effect, but there still is a
20 negative effect.

21 MR. COTUNGO: As long as it
22 doesn't make it worse.

23 MR. PALLAS: The wall is not
24 causing it. The question that was
25 raised was whether or not the wall is

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1 causing, will make the problem worse,
2 and this says it does not.
3

4 CHAIRMAN McMAHON: Do we need to
5 do a SEQRA review on this?

6 ATTORNEY PROKOP: Yes.

7 So the Board would adopt lead
8 agency status, determine that this is
9 an Unlisted action for purposes of
10 SEQRA and will not have a significant
11 negative impact on the environment
12 based on the opinion of the engineer
13 that was received.

14 CHAIRMAN McMAHON: I will so
15 motion.

16 Do I have a second for that?

17 MR. BURNS: Second.

18 CHAIRMAN McMAHON: All in favor?

19 MR. COTUNGO: Aye.

20 MR. BURNS: Aye.

21 MS. CLARK: Aye.

22 CHAIRMAN McMAHON: Motion carries.

23 ATTORNEY PROKOP: I just want to
24 point out to you that the approval
25 would be, of course, subject to the
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1 Board of Trustee's approval of the
2 wetlands permit.
3

4 CHAIRMAN McMAHON: The site plan
5 application?

6 ATTORNEY PROKOP: We do the site
7 plan application -- right, the site
8 plan application approval is subject to
9 wetlands approval.

10 CHAIRMAN McMAHON: Okay.

11 Before I motion for that, does
12 anyone have anything else they want to
13 add?

14 (No response.)

15 I will make a motion that we
16 approve the application, site plan
17 application as submitted with the
18 condition that the Village Board
19 completes their wetlands review and
20 grants their approval as well.

21 Is that correct?

22 MR. PALLAS: That is correct.

23 There was a recommendation that
24 the -- we also request the hospital in
25 conjunction with the Village review

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2 their drainage, their site drainage.

3 CHAIRMAN McMAHON: A second would
4 be that we make a request of the
5 hospital that they provide a full
6 drainage plan for the property.

7 Do I have the second for that?

8 MS. CLARK: Second.

9 CHAIRMAN McMAHON: All in favor?

10 MS. CLARK: Aye.

11 MR. BURNS: Second.

12 MR. COTUNGO: Aye.

13 CHAIRMAN McMAHON: Motion carries.

14 Item Number 4, 26A Front Street.

15 Discussion and possible action on
16 the signage application for Olive
17 Branch Cafe.

18 The cafe occupancy was approved at
19 the September 29, 2016 meeting of the
20 Planning Board, but questions remained
21 about the signs.

22 The cafe is located at 26A Front
23 Street. This is a permitted use in the
24 CR, Retail District. This property is
25 not located within the Village of
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Greenport Historic District.

Suffolk County Tax Map number
1001-4-9-28.3.

MR. BURNS: I think that location
is wrong.

APPLICANT REPRESENTATIVE: Yes,
it's printed wrong on the fact sheet.
It was wrong last week also, it's
120-122 Front Street.

ATTORNEY PROKOP: So last week we
approved the restaurant at 26A Front
Street.

CHAIRMAN McMAHON: I think it was
addressed last week.

ATTORNEY PROKOP: Okay.

CHAIRMAN McMAHON: That's 120-122
Front Street and it's Unit A; is that
correct?

APPLICANT REPRESENTATIVE: Yes.

CHAIRMAN McMAHON: So the proposed
sign is actually three sign, correct?

APPLICANT REPRESENTATIVE: Yes.

ATTORNEY PROKOP: Thank you.

CHAIRMAN McMAHON: So there is the
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2 one that is on the directory.

3 APPLICANT REPRESENTATIVE: Correct

4 .

5 CHAIRMAN McMAHON: There is a
6 second one that will be over the
7 courtyard but would be visible from the
8 sidewalk, people walking.

9 APPLICANT REPRESENTATIVE: Yes,
10 because we're three buildings down;
11 we're kind of hidden in a U-shape at
12 the end of the walkway.

13 CHAIRMAN McMAHON: The third sign
14 is a hanging sign that would be in the
15 central part of the courtyard between
16 the lamppost; is that correct?

17 APPLICANT REPRESENTATIVE: Right.

18 MR. PALLAS: Mr. Chairman, just
19 clarification, it's actually four signs
20 as per the application, at least on the
21 drawing that I have, a bracket, there
22 are two bracket signs, one on each
23 building, it's actually four signs.

24 CHAIRMAN McMAHON: There's one on
25 the corner of Piece of the Moon?

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2 MR. PALLAS: Yeah. On each side
3 of the courtyard there is a bracket
4 sign, it's probably in the packages
5 somewhere with the layout.

6 CHAIRMAN McMAHON: Okay.

7 Ultimately, your plan is to occupy
8 three of the units in the back; is that
9 correct?

10 APPLICANT REPRESENTATIVE: Correct
11 , yes.

12 CHAIRMAN McMAHON: So that would
13 be Units A; do you know -- I think you
14 have it, do you have the -- I think you
15 have it in your packet over there.

16 MR. PALLAS: That drawing might
17 have been in the property file.

18 CHAIRMAN McMAHON: Okay.

19 Ultimately, essentially it would
20 be the entire back section of the
21 courtyard --

22 APPLICANT REPRESENTATIVE: Correct

23 .

24 CHAIRMAN McMAHON: -- would be the
25 cafe.

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2 APPLICANT REPRESENTATIVE: Um-hmm.

3 CHAIRMAN McMAHON: I don't have
4 any comments or questions on the
5 application, the sign application.

6 MS. CLARK: The one that's right
7 in the front, you know, you know the
8 one I mean --

9 CHAIRMAN McMAHON: Going to be
10 hanging between the lampposts?

11 MS. CLARK: Yeah, right. Should
12 any of the -- I had addressed this last
13 week too. Should any of the other
14 persons want to put one there, what
15 would they do, go above it?

16 APPLICANT REPRESENTATIVE: Well,
17 there is a beauty salon there and she
18 has a sign hanging, and then --

19 MS. CLARK: No, right in the
20 center where yours is.

21 APPLICANT REPRESENTATIVE: Right,
22 but we're the only stores in the back
23 there.

24 MS. CLARK: I understand, but I'm
25 saying, should any of the other people
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1 want to put a sign right in the center,
2 what are they going to have to do, go
3 atop you; is that how it's gonna -- I
4 mean, if she can do it then they're
5 gonna possibly want to do it.
6

7 You know the sign I'm speaking of.

8 MR. PALLAS: The only application
9 you have before you is for this sign.

10 MS. CLARK: I understand, but are
11 you setting precedent possibly?

12 MR. PALLAS: I --

13 MS. CLARK: Yes?

14 MR. PALLAS: Possibly.

15 MS. CLARK: I think --

16 MR. PALLAS: I believe the
17 question --

18 ATTORNEY PROKOP: One of the
19 things that I was going to --
20 suggestion I was going to make when you
21 finished with that, was that there's a
22 couple of things going on here that
23 this application be, that these signs
24 be approved, not in accordance with our
25 code, but as pre-existing signs because
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1 I didn't want, as I said the last time,
2 I didn't think that --

3 MS. CLARK: But they're not, that
4 one in front is not pre-existing.

5 ATTORNEY PROKOP: And then the
6 second thing is that there be some kind
7 of arrangement that this is it for the
8 center, that there be no more signs in
9 that, you know, in that little center.
10 Anything else would have to be approved
11 by another application to the Planning
12 Board and it may affect your sign, so
13 if you're coming here with four signs,
14 we can't have everybody in that center
15 have four signs. Any other signs are
16 going to have to come back to the
17 Planning Board and then it's, there
18 will be a re-discussion about your
19 signs.
20

21 That's a suggestion. I'm not
22 telling you that, just suggesting that
23 to the Board because otherwise we're
24 going to have 24 signs.

25 APPLICANT REPRESENTATIVE: I think
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2 two of them are directory signs that
3 are on the main street; is that
4 correct?

5 MR. PALLAS: They're actually on
6 the building behind the property line,
7 so that's two signs already; and then
8 you have, those are perpendicular to
9 the sidewalk. You're looking to put
10 two bracket signs that are parallel to
11 the sidewalk and then a third sign,
12 third parallel sign between two posts,
13 two light posts which are not
14 necessarily designed for signs, so
15 that's why they're concerned.

16 MS. CLARK: Yeah. I'm not
17 feeling -- agreeing with that one.

18 Has anyone seen it?

19 CHAIRMAN McMAHON: I have not.

20 MS. CLARK: You should see it.

21 MR. BURNS: You want signs on the
22 sidewalk?

23 APPLICANT REPRESENTATIVE: Right,
24 because we're so far back.

25 MR. COTUNGO: The sign is up?

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2 MS. CLARK: Is it up? It is
3 already up.

4 MR. COTUNGO: That's not the way
5 it's supposed to work.

6 MS. CLARK: That's correct, it
7 isn't the way it's supposed to work.

8 CHAIRMAN McMAHON: Are you certain
9 it's up now?

10 MS. CLARK: Yes. I saw it this
11 morning on my 5 o'clock walk.

12 APPLICANT REPRESENTATIVE: We put
13 it up to adjust the height from the
14 bottom up and to stain it.

15 It should have come down tonight.

16 MR. BURNS: Maybe it could be a
17 temporary sign.

18 MR. COTUNGO: That's exactly what
19 I was gonna say. That's the only
20 approval I would give, that's a
21 temporary sign.

22 CHAIRMAN McMAHON: How would that
23 work?

24 MR. COTUNGO: Until the next sign
25 comes before us.

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2 CHAIRMAN McMAHON: What do you
3 mean?

4 MR. BURNS: Like, we often have --

5 MS. CLARK: I don't know if you
6 should approve something that --

7 CHAIRMAN McMAHON: Like a -- what
8 are you saying?

9 MS. CLARK: Just saying, I really
10 don't think you should approve
11 something you haven't seen, guys.

12 And for one, she didn't -- the
13 approval wasn't granted and the sign
14 was up, okay.

15 Number two, do you really want to
16 approve something you haven't seen?

17 CHAIRMAN McMAHON: We always
18 approve proposed construction,
19 everything's always proposed signs.

20 MS. CLARK: Do you see a picture
21 of it?

22 CHAIRMAN McMAHON: There was a --

23 MR. PALLAS: It's in the file.

24 APPLICANT REPRESENTATIVE: There
25 was a picture submitted.

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2 MS. CLARK: Really?

3 CHAIRMAN McMAHON: The one
4 that's -- I saw it, the one --

5 MS. CLARK: You guys have a
6 picture of what's gonna -- one.

7 (Whereupon, several board members
8 spoke at the same time.)

9 MS. CLARK: Come on.

10 MR. BURNS: I don't know which one
11 you're talking about.

12 ATTORNEY PROKOP: This is the
13 director sign; there are two of these.

14 MS. CLARK: Do you have it in
15 place? Right. I mean, there it is,
16 guys.

17 I just happened to see it, like I
18 said, on my walk.

19 I mean it's taking away from the
20 plantings, and I think the placement is
21 not proper.

22 ATTORNEY PROKOP: You could
23 discuss the location of the sign, it
24 doesn't have to be where it is, you
25 could --

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MS. CLARK: And that meets code?

This sign meets code?

MR. PALLAS: Well, the short answer is yes. The code doesn't, is not clear on and it doesn't handle a courtyard at all, so it's not a hundred percent clear. In terms of total size of all signs, yes. In terms of, you know, that particular sign location, yes, there is nothing that specifically prohibits it.

MS. CLARK: And nothing specifically grants it?

ATTORNEY PROKOP: There's a question in the code whether, and if Mr. Pallas disagrees with me, please correct me, but I think there is a question in the code as to the allocation of the square footage, whether there is one sign for the group of stores that's then divvied up based on the ratio of the relative frontages of the stores or each store has the right to multiple signs. My

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2 understanding is that we have applied
3 it so that there is one sign, and
4 that's divided up by -- that's why I
5 had the suggestion before to, first
6 off, the sign doesn't have to be, any
7 sign that you approve doesn't have to
8 be where they suggest it. You can move
9 the sign in --

10 MS. CLARK: It's just the whole,
11 the chains, seriously, just the whole,
12 if you saw it, I believe if you saw it
13 in person, I highly doubt you would
14 approve this.

15 MR. COTUNGO: I would definitely
16 wait to go --

17 MS. CLARK: I would too.

18 MR. COTUNGO: I didn't know it was
19 up, and I was looking for a picture --

20 MS. CLARK: I mean, you can see
21 the chains here, guys --

22 MR. COTUNGO: -- picture --

23 MS. CLARK: I really want you to
24 look at the sign, please.

25 MR. BURNS: I think it's out of
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1
2 keeping with the rest of the Village.

3 MS. CLARK: Really, I feel it has
4 no place there, I find it -- I just --

5 ATTORNEY PROKOP: You could -- you
6 already approved the use, this is for
7 the sign.

8 CHAIRMAN McMAHON: Um-hmm.

9 ATTORNEY PROKOP: So you can leave
10 the sign open, I mean, it's already
11 there, it's not supposed to be there.

12 MR. COTUNGO: It shouldn't be.

13 MS. CLARK: Why do we keep turning
14 a blind eye to that? I have to ask.

15 MR. PALLAS: I believe the
16 applicant just stated it was put -- it
17 was down tonight.

18 APPLICANT REPRESENTATIVE: No, we
19 put it up to measure it and to adjust
20 the chains to stain it, so it was still
21 wet when I came here. It should be
22 taken down, it wasn't put up as a
23 temporary before this meeting.

24 MS. CLARK: I'm going to also say
25 these other tenants, what are you gonna
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1 do, are you gonna have a sign like this
2 atop it if they want one? I mean, this
3 is -- I really want you guys to see it.
4 I can't believe that that would be
5 allowed. I can't believe that our code
6 would allow that.
7

8 MR. PALLAS: Again, there is
9 nothing specific in the code that would
10 prevent it.

11 MS. CLARK: I mean, it's right in
12 the greenery, it's --

13 CHAIRMAN McMAHON: It's also, I
14 should acknowledge that there hasn't
15 been a successful business back there
16 for how many decades. Nobody has run a
17 business back there because they have
18 no foot traffic back there.

19 I'm not saying we have to approve
20 this sign, but there has to be --

21 MS. CLARK: I'm not saying I don't
22 want to see a successful business back
23 there.

24 CHAIRMAN McMAHON: There has to be
25 something to draw people back there.

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2 MS. CLARK: Certainly, in my
3 opinion, not this.

4 CHAIRMAN McMAHON: That's fine,
5 and I'm not -- that isn't necessarily
6 the issue, but there should be some
7 acknowledgment from our part that
8 something needs to be done to allow, to
9 drive business, it's not addressed in
10 the code.

11 MR. PALLAS: Just for clarity,
12 just so you don't lose sight of this,
13 this is the fourth sign, so there are
14 two signs that do face the street as
15 part of the application.

16 Again, I'm not judging this, it's
17 just a fact, I don't want you to lose
18 sight of that.

19 CHAIRMAN McMAHON: Okay.

20 MR. COTUNGO: Sandwich signs on
21 the sidewalk, you see them in some
22 other places.

23 ATTORNEY PROKOP: They're not
24 legal.

25 MR. COTUNGO: They're not legal,
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1
2 people do it.

3 MR. PALLAS: Enforcing it is
4 tough, yes.

5 MR. COTUNGO: That would be a way
6 to get people to go to them, but it's
7 not legal.

8 CHAIRMAN McMAHON: How about
9 sandwich signs in the courtyard, is
10 that addressed?

11 ATTORNEY PROKOP: I think it's a
12 sign, I don't think you can do that.

13 CHAIRMAN McMAHON: No, I'm just
14 wondering if it's, you know, obviously
15 sandwich boards on the sidewalk are
16 prohibited.

17 MR. PALLAS: I'd have to double
18 check the code, but there is a
19 provision for temporary signs. I don't
20 know if this would, if a sandwich board
21 style sign would fit that or not, I
22 have to double check.

23 CHAIRMAN McMAHON: Okay.

24 MS. CLARK: This is in place with
25 chains, a sandwich sign gets put out

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2 and taken in.

3 MR. COTUNGO: Yeah, I would
4 probably prefer that.

5 MS. CLARK: That's very -- that
6 has no -- this can't compare apple and
7 oranges. They're not comparable, a
8 sandwich sign and this sign held by
9 chains.

10 CHAIRMAN McMAHON: I'm not saying
11 they are; I'm just asking if they're
12 allowed in the courtyard. That's all
13 I'm asking.

14 ATTORNEY PROKOP: You could hold
15 it over for further review if you want.

16 CHAIRMAN McMAHON: All right.
17 Lucy's definitely opposed. To all the
18 signs or just this one, just the one --

19 MS. CLARK: Well, I can't -- okay,
20 so I see -- I don't even see her sign
21 here, so it's not gonna be here?

22 CHAIRMAN McMAHON: It's --

23 MS. CLARK: I have nothing in
24 front of me. I don't know where the
25 other two signs are, the only reason I
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1 know this sign is because I took a walk
2 this morning at 5 o'clock and I said,
3 wow, would you look at that sign.
4

5 I mean you're asking me to approve
6 something that I --

7 CHAIRMAN McMAHON: I'm not asking
8 you to do anything.

9 MS. CLARK: We're talking about --

10 CHAIRMAN McMAHON: I'm not
11 personally asking you to make any
12 discission in any particular way or
13 another. I'm not telling you how to
14 vote. I'm not suggesting --

15 MS. CLARK: But this is before me,
16 and I have nothing in front of me.

17 The only reason I know about the
18 sign, like I said, is because I took
19 the walk. These gentlemen haven't seen
20 the sign. What's that?

21 CHAIRMAN McMAHON: Yes, I'm
22 Chairman of the Board, but this is not
23 my --

24 MS. CLARK: Okay. Who do I pose
25 that question to, Devin?

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2 CHAIRMAN McMAHON: You know, Lucy,

3 I --

4 MS. CLARK: What? I have a right

5 --

6 MR. BURNS: I think the sign is
7 needed there, but not that big.

8 MS. CLARK: No. It's excessive
9 and not that many possibly.

10 MR. BURNS: It doesn't need to be
11 that big, and it's out of keeping with
12 Downtown charm.

13 CHAIRMAN McMAHON: Okay.

14 John, your thoughts?

15 MR. COTUNGO: I would hold off and
16 not vote now.

17 CHAIRMAN McMAHON: Okay.

18 MR. COTUNGO: They can have the
19 two on the sides, right?

20 CHAIRMAN McMAHON: That's what
21 we're deciding.

22 MS. CLARK: But where are they; do
23 I have those, Devin?

24 CHAIRMAN McMAHON: I don't know if
25 you do, Lucy, I don't know what you

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have.

MS. CLARK: Can you tell me if I'm missing something?

CHAIRMAN McMAHON: I don't know what you have.

MS. CLARK: I know that.

CHAIRMAN McMAHON: I didn't prepare this application, so I can't tell you.

That is the sign.

MS. CLARK: That's the design of the sign, that doesn't show me where it's placed.

No, I'm asking -- are you saying there's another two hanging signs on the --

MR. PALLAS: If I may --

MS. CLARK: This is a directory sign, correct?

MR. PALLAS: Well, yes. That's the -- what you have on the board is the directory sign as I understood it.

The -- what -- the picture of the wooden sign was the one that's going
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1 between chains. I don't -- did you
2 provide a rendering of the two bracket
3 signs or just the same as that wooden
4 sign?
5

6 APPLICANT REPRESENTATIVE: There
7 was a picture submitted of the sign
8 hanging where you saw it this morning
9 and it was submitted to --

10 MS. CLARK: Right.

11 MR. PALLAS: I'm asking about the
12 two bracket signs that are going on the
13 building.

14 APPLICANT REPRESENTATIVE: Well,
15 those are on the opposite side, the
16 opposite two buildings from where we're
17 currently -- we're currently opening
18 the cafe on the left as you walk down
19 the courtyard. The other two brackets
20 are on the other two buildings but --

21 MR. PALLAS: The depiction of, the
22 drawing that we were given with the
23 application shows a bracket sign on
24 each building right at the corner of
25 the building.

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1
2 APPLICANT REPRESENTATIVE: On
3 Front Street?

4 MR. PALLAS: Correct, that's what
5 we were given.

6 APPLICANT REPRESENTATIVE: I don't
7 know of any brackets there. There are
8 two on the two existing buildings that
9 are vacant right now.

10 MR. PALLAS: Right on the Front
11 Street, right on the corner of the
12 building nearer to Front Street.

13 APPLICANT REPRESENTATIVE: Okay.
14 Well, what would you suggest? What,
15 you know, we're way down in back and
16 the reason for the sign was to
17 obviously --

18 MR. PALLAS: I'm sorry. I'm just
19 trying to clarify what you're actually
20 asking the Board to approve. The
21 application we received shows a total
22 of four signs, not three.

23 APPLICANT REPRESENTATIVE: Okay.

24 MR. PALLAS: There is the
25 directory sign and there's bracket
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1 signs that are at the corner right near
2 Front Street.

3
4 APPLICANT REPRESENTATIVE: Okay.

5 MR. PALLAS: What you are saying
6 now is you didn't intend to do that?

7 How many signs total are you
8 applying for?

9 APPLICANT REPRESENTATIVE: I
10 believe four maximum.

11 MR. PALLAS: Right, so it's two
12 bracket signs. Is there a rendering of
13 the bracket sign in the application? I
14 don't --

15 CHAIRMAN McMAHON: Either way,
16 we've already had indications that this
17 is not going to move forward this
18 evening, so I'm going to make a motion
19 to table this discussion until the next
20 meeting so we can get some
21 clarification on the number of signs,
22 and clearly all the members of the
23 Board have not been given renderings of
24 all of the signs and their different
25 inclinations, so without that, we can't
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1
2 intelligently vote on it, so we need to
3 have clarification on, we need
4 renderings of exactly where the signs
5 are going to be, what they're going to
6 look like and then we can vote on that,
7 but we don't have that before us right
8 now, so I don't believe we can move
9 forward at this time.

10 I'm going to make a motion we
11 table this discussion until the next
12 meeting.

13 MS. CLARK: Second.

14 MR. BURNS: Aye.

15 MR. COTUNGO: Aye.

16 MS. CLARK: Aye.

17 CHAIRMAN McMAHON: Motion carries.

18 Item Number 5, motion to approve
19 the Planning Board minutes from the
20 August 4, 2016 and August 25, 2016
21 meetings of the Planning Board.

22 Do I have a second for that?

23 MR. COTUNGO: Second.

24 CHAIRMAN McMAHON: All in favor?

25 MR. COTUNGO: Aye.

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MR. BURNS: Aye.

MS. CLARK: Aye.

CHAIRMAN McMAHON: Motion carries.

Item Number 6, motion to adjourn.

Do I have a second?

MS. CLARK: Second.

CHAIRMAN McMAHON: All in favor?

MS. CLARK: Aye.

MR. BURNS: Aye.

MR. COTUNGO: Aye.

CHAIRMAN McMAHON: Motion carries.

(Time noted: 6:07 p.m.)

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C E R T I F I C A T E

I, STEPHANIE O'KEEFFE, a shorthand 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 October 6, 2016.

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 6th day of October, 2016.

Stephanie O'Keefe

STEPHANIE O'KEEFFE

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