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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  
May 2, 2019  
4:00 p.m.

- B E F O R E:
- WALTER FOOTE - CHAIRMAN
  - JOHN COTUGNO - MEMBER
  - REED KYRK - MEMBER
  - LILY DOUGHERTY-JOHNSON - MEMBER
  - PATRICIA HAMMES - MEMBER
  
  - PAUL PALLAS - VILLAGE ADMINISTRATOR
  - ROBERT CONNOLLY - PLANNING BOARD ATTORNEY
  - KRISTINA LINGG - CLERK TO THE BOARD

1 Village of Greenport Regular Session -- 5/2/19

2 CHAIRMAN FOOTE: Good afternoon.

3 This is the Village of Greenport  
4 Planning Board. It's a regular session  
5 meeting.

6 Please be quiet out  
7 there.

8 It's May 2, Thursday, 2019. It's  
9 a little after 4:00 p.m.

10 Item Number 1 on the agenda, I m  
11 gonna move to last.

12 We're going to go to Item  
13 Number 2 which is 47 Front Street. A  
14 public hearing for site plan approval  
15 for ASCM Property LLC, Deep Water Grill  
16 represented by architect, Robert I.  
17 Brown.

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

21 The property is located in the  
22 Waterfront Commercial District. This  
23 property is not located in the Historic  
24 District. 1001-4-10-32.

25 We received a sample of the

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2 awning. Can you confirm this is what is  
3 being proposed, color.

4 MR. BROWN: Yes.

5 MS. HAMMES: The building is  
6 currently a yellowey [sic] mustard  
7 color, as I recall.

8 MR. BROWN: I believe so.

9 Sort of beige in my opinion.

10 CHAIRMAN FOOTE: So this the, we  
11 are at the public hearing stage of this  
12 application.

13 Is there anything you wanted to  
14 add?

15 MR. BROWN: Robert Brown,  
16 architect. Good afternoon.

17 Really, I think we have been  
18 discussing this a bit already. If there  
19 are any questions, I can respond to it,  
20 I'd be happy to.

21 CHAIRMAN FOOTE: Is there anybody  
22 on the Board with any questions?

23 MR. COTUGNO: Is there a flame  
24 spread rating for this material?

25 MR. BROWN: I believe there is.

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2 Flame spread rating?

3 MR. MUELLER: Yes.

4 MR. BROWN: Yes.

5 MR. COTUGNO: What is it?

6 MR. MUELLER: Christoph Mueller,  
7 I'm the owner of the building.

8 Mills, local manufacturer of  
9 these awnings, he sends these somewhere  
10 down south to have them flame retarded.  
11 That's all I know.

12 I don't know what the specific  
13 rating is, but he does all the awnings  
14 in town, so I would assume --

15 MR. COTUGNO: I guess  
16 documentation should be submitted to the  
17 Village so it's on file and so that it  
18 meets the ratings that's required.

19 MR. PALLAS: Mr. Chairman, we  
20 always require, for awnings, we always  
21 require that documentation. There is a  
22 certificate that we issue for awnings.

23 CHAIRMAN FOOTE: Okay, and that's  
24 compliant to the code?

25 MR. PALLAS: We haven't gotten

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2 it. We wouldn't give them permission to  
3 put it up without it.

4 CHAIRMAN FOOTE: Okay.

5 Any other questions regarding the  
6 awning?

7 MS. HAMMES: Just to confirm, the  
8 awning is not going to say anything on  
9 it or it is gonna say something on it?

10 MR. MUELLER: There is -- for the  
11 awning over the back parking that's not  
12 gonna say anything on it; and on the  
13 front, we have an awning we would like  
14 to say the name on it in white, Anker,  
15 that's all.

16 CHAIRMAN FOOTE: Thank you for  
17 answering that question.

18 Anybody in the public want to  
19 speak at the time concerning this  
20 application?

21 MR. HOVEY: Thank you.

22 I'm Bob Hovey (phonetic), and I  
23 don't live in Greenport. I live in  
24 Southold, and I'm aware, having attended  
25 cultural and musical performances --

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2 CHAIRMAN FOOTE: Excuse me.

3 This particular application does  
4 not involve any musical performances.  
5 That's gonna be later on in today's  
6 meeting.

7 MR. HOVEY: Nevermind.

8 CHAIRMAN FOOTE: Anybody else at  
9 this time have any questions or  
10 comments?

11 (No response.)

12 Anybody from the Board have  
13 anything else?

14 (No response.)

15 At this time, I move to close the  
16 public hearing.

17 Do I have a second?

18 MR. COTUGNO: Second.

19 CHAIRMAN FOOTE: All in favor?

20 MR. COTUGNO: Aye.

21 MR. KYRK: Aye.

22 MS. DOUGHERTY-JOHNSON: Aye.

23 MS. HAMMES: Aye.

24 CHAIRMAN FOOTE: I further move  
25 to take the vote on this application at

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2 this time.

3 Do I have a second?

4 MR. COTUGNO: Aye.

5 CHAIRMAN FOOTE: All those in  
6 favor?

7 MR. COTUGNO: Aye.

8 MS. HAMMES: Aye.

9 MR. KYRK: Aye.

10 MS. DOUGHERTY-JOHNSON: Aye.

11 CHAIRMAN FOOTE: This motion is  
12 passed.

13 The application is approved.

14 MR. BROWN: Thank you very much.

15 CHAIRMAN FOOTE: Okay. The next  
16 item is 136 Main Street, discussion and  
17 possible approval of a request for  
18 temporary certificate of occupancy for  
19 HARG, LLC. Represented by Architect  
20 Robert Brown.

21 The applicant is proposing  
22 interior renovations to accommodate the  
23 use of retail establishment.

24 The property is located in the  
25 Commercial Retail District. This

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2 property is also located in the Historic  
3 District.

4 It's Suffolk County Tax Map  
5 1001-5-3-17.

6 Hi, Robert, how are you?

7 MR. BROWN: Robert Brown,  
8 Architect.

9 CHAIRMAN FOOTE: Long time no  
10 see.

11 Is there anything you want to add  
12 at this time?

13 MR. BROWN: I just to point out  
14 that the entire building was upgraded to  
15 comply as much as possible with current  
16 code in terms of separation and so  
17 forth.

18 And it was retail space, it was  
19 Goldsmiths, I'm sure everybody on the  
20 Board is familiar with it; and is now  
21 intended to be a retail clothing  
22 establishment run by a longstanding  
23 company.

24 It would -- we're asking for the  
25 temporary CO because really the only



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2 thing that's being done is lighting  
3 fixtures and some finishes, and it would  
4 be a shame to hold up opening a business  
5 establishment in the very well-traveled  
6 part of the Village.

7 CHAIRMAN FOOTE: Okay.

8 Now, it's my understanding and  
9 discussing it with the Building  
10 Department, that the condition to issue  
11 the temporary certificate of occupancy  
12 is there will be an internal ramp  
13 within --

14 MR. BROWN: It has been built.

15 CHAIRMAN FOOTE: It is been built  
16 already, okay.

17 Does anybody else on the Board  
18 have any questions at the time on this  
19 application?

20 (No response.)

21 Okay. I move at this time to  
22 take a vote on this application.

23 All those in favor? Can I have a  
24 second on that, please.

25 MR. COTUGNO: Second.

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2 CHAIRMAN FOOTE: All those in  
3 favor of approving this temporary  
4 certificate of occupancy, say aye.

5 MR. COTUGNO: Aye.

6 MS. HAMMES: Aye.

7 MR. KYRK: Aye.

8 MS. DOUGHERTY-JOHNSON: Aye.

9 CHAIRMAN FOOTE: Aye.

10 Motion carried unanimously.

11 Thank you very much, Rob.

12 MR. BROWN: Thank you.

13 CHAIRMAN FOOTE: We now move to  
14 326 Front Street. It's a continued  
15 pre-submission conference regarding the  
16 site plan approval for ANVK Holdings  
17 Trust, otherwise known as the  
18 Greenporter Hotel. Represented by  
19 architects Hideaki Ariizumi and Glynis  
20 Berry.

21 The applicant is proposing to  
22 amend the site plan with an addition to  
23 accommodate a new lobby and third floor.

24 The property is located in the  
25 Commercial Retail District. The

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2 property is not located in the Historic  
3 District.

4 Suffolk County Tax Map number  
5 1001-4-8-29, 30, 31.

6 MS. BERRY: Glynis Berry, Studio  
7 A/B Architects.

8 We submitted some additional  
9 information, and I have some comments in  
10 response to some of the comments  
11 received both from the Board and from  
12 the consultant that we received, so I'd  
13 like to go thorough our responses to  
14 some of those.

15 SEQRA determination. The Board  
16 suggested that the project be listed as  
17 a Type 1 action, which has expected  
18 impacts and the consultant listed it as  
19 a Type 2 action which has no impacts.  
20 The project is definitely not a Type 1  
21 and I'll go through why. And we suggest  
22 that it be listed as an unlisted  
23 category for SEQRA.

24 The reason being, the site plan  
25 lot coverage has increased by

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2 2,052-square feet for the lobby and  
3 stairs; and the total percentage of lot  
4 coverage is roughly 38.13 percent which  
5 is still below code, so it's compliant  
6 with existing code including different  
7 interpretations for the zone, and it's  
8 well below the 10 acres listed as a Type  
9 1 action, it's like 0.03 acres that  
10 we're touching, so it's quite small.

11 The plan adds 9,823-square feet  
12 of interior space and 2,365 of decks and  
13 bridges, and that's well below the  
14 50,000-square feet which is the minimum  
15 for Type 1 action for an expansion of  
16 existing facility for a town or village  
17 with a population of 150,000 or less, so  
18 I don't see any criteria that pushes  
19 this into Type 1.

20 The proposed expansion is greater  
21 than 4,000-square feet which is  
22 referenced for Type 2, and I've included  
23 the language at the bottom of the letter  
24 that was submitted.

25 The second thing is the planning

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2 comments, the consultant's comments  
3 mention requirements and egress escape  
4 plan, egress opening requirements,  
5 reflective ceiling fans, a fire  
6 suppression plan, these are all normally  
7 part of the building permit application  
8 and not usually part of a planning  
9 submittal. We do plan to submit those  
10 as part of the building permit  
11 application.

12 The two main egress paths which  
13 are required for this project will be  
14 through the lobby and through the space  
15 between the two wings in the north and  
16 out north setback. We have every  
17 intention of being fully compliant with  
18 code and we do not see any issue with  
19 that. So I ask that there be any  
20 clarification, if there are extra  
21 materials that you require as a planning  
22 board that are usually submitted in the  
23 building permit. We already submitted  
24 one of those relative to square footage  
25 for building type, but if there is

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2 anything that you think we require,  
3 please let me know specifically what it  
4 is.

5 Height verification. The height  
6 information on the plans is given in two  
7 formats. One is by actual elevation,  
8 and then on the first detail in the  
9 elevation, we also gave the relative  
10 heights as measured to the crown of the  
11 road which is how the Town determines,  
12 so both are given. If you want us to  
13 repeat that, you know, continuously  
14 throughout the plans, we're happy to do  
15 that; but the information is there.

16 Also, the definition of height is  
17 to the highest point of the roof, so in  
18 your documentation we also submitted  
19 what the elevation would be for the hand  
20 railing if you decide that that handrail  
21 is part of the roof. That's in your  
22 packet, and if you count the  
23 handrailing, it would be above the 35  
24 and we're saying 37 feet to allow a  
25 little room for any variation, so we're

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2 talking two feet higher for railing; but  
3 the roof itself is below the 35.

4 CHAIRMAN FOOTE: Excuse me.

5 You mentioned also that solar  
6 panels may exceed the height, but you're  
7 saying those are exempt from the --

8 MS. BERRY: They should be. I  
9 mean, when I was looking at some of the  
10 documentation, I forgot -- I think when  
11 I was looking at some of the SEQRA  
12 information, I thought I saw something  
13 about exemption for solar.

14 It's not part of the structure  
15 and we were trying to keep it low. We  
16 can't imagine that it will be higher  
17 than the railing height, but until we  
18 have the vendor and know how the  
19 attachment, we won't have that exact  
20 number.

21 CHAIRMAN FOOTE: Okay.

22 MS. HAMMES: I'm sorry.

23 Just to clarify on that point,  
24 reading what you have here on this  
25 point, the railing though will exceed

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2 the 35 feet.

3 MS. BERRY: Right.

4 MS. HAMMES: The railing is there  
5 to protect the solar panels, so if  
6 you're --

7 MS. BERRY: No. The railing is  
8 there to protect any people who are  
9 going to the garden, and it's set back  
10 from the front facade, so it's not right  
11 on the edge of the building facade, it's  
12 actually set back, so you probably won't  
13 even see it.

14 MS. HAMMES: Just so, again, I'm  
15 just trying to understand. The position  
16 of the applicant is the 36 and a half  
17 feet with the railing doesn't exceed,  
18 wouldn't require a variance.

19 MS. BERRY: If I read the  
20 definition of height in your code, it  
21 says the building height is to the  
22 highest point of the roof, so if you  
23 count it to the roof, it's compliant.  
24 If you decide that you think the railing  
25 is considered the roof, which our



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2 interpretation is that it's not, but if  
3 you decide that it, then we would need a  
4 variance to get those couple extra feet.

5 MS. HAMMES: The question becomes  
6 is the railing part of the roof?

7 MS. BERRY: Exactly.

8 MR. CONNOLLY: That's a question  
9 for the building department.

10 MR. PALLAS: Ultimately, we would  
11 make a determination whether a variance  
12 is required and if one is required, it  
13 would be referred to Zoning Board.

14 MS. BERRY: Right.

15 And the impact should be very  
16 minimal, so hopefully if we had to go  
17 for a variance, it shouldn't be a big  
18 issue.

19 Now, one of the things that  
20 complicated the last meeting was that  
21 this parcel is basically three parcels,  
22 and because you have a code that doesn't  
23 allow the merging of parcels, how you  
24 take a look at that is one of the  
25 issues.

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2 And also the boundary, zone  
3 boundary line goes through the smallest  
4 of the parcels, so Section 155(d)  
5 indicates that where a district boundary  
6 divides a lot, one ownership and more  
7 than 50 percent of the area of such lot  
8 lines is the less restricted district.  
9 The regulations prescribed by this  
10 chapter for the less restrictive  
11 district shall apply to such portion of  
12 the more restrictive portion of said lot  
13 as lies within 30 feet of such district  
14 boundary.

15 So we looked back at old surveys  
16 and we enclosed one that we found. It  
17 is missing the internal metes and  
18 bounds, so we did an evaluation that  
19 needs to be refined once we can get  
20 copies of the actual metes and bounds of  
21 each individual property which we might  
22 have to go to the County records to get  
23 that, but graphically applying it and  
24 then looking at this, we drew it on your  
25 zoning analysis map, and it looks like

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2 for that small lot, it's literally on  
3 the 50 percent, you know, depending on  
4 the angle of the line, it could  
5 1 percent over or 1 percent less; it's  
6 literally on the 50 percent. So that  
7 means that all the lot would be  
8 considered CR and not R-2.

9 Section 155(e) states that in all  
10 cases where district boundary line is  
11 located not further than 15 feet away  
12 from a lot line of record, such boundary  
13 line shall be construed to coincide with  
14 such lot line. Of course to make things  
15 complicated, this is an angled line, so  
16 part of line is within the 15 feet and  
17 part of it is outside the 15 feet, and  
18 the definition doesn't quite describe  
19 that. So whether the portion that is  
20 within 15 feet is okay or whether  
21 it's -- so hopefully applies and then  
22 you don't have to worry about that, but  
23 then you would need an interpretation  
24 about how you look at that line.

25 I should say that we are not

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2 expanding the footprint in this lot,  
3 it's just going up on existing  
4 structure, so we're not -- in that lot,  
5 that small lot, the only renovation is  
6 going up, it's not expanding  
7 horizontally.

8 CHAIRMAN FOOTE: And it's your  
9 position that a variance is not required  
10 for constructing a third level, per se?

11 MS. BERRY: It's a gray area.  
12 That's why I would have like the metes  
13 the bounds because, like I said, it's  
14 right on the border of the 50/50. If  
15 you can consider the 50 or under, then  
16 we're exempt, so we don't need to get a  
17 variance.

18 CHAIRMAN FOOTE: You're exempt  
19 based on what?

20 MS. BERRY: 155(d) so if that  
21 internal metes and bounds kicks it  
22 slightly, you know, right at the  
23 50 percent, so until I get those actual  
24 measurement, if I'm under 50, we don't  
25 need a variance, if I'm over 50, you

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2 might want to go for a variance, and  
3 right now, it's right on it.

4 CHAIRMAN FOOTE: What is the  
5 position of the Building Department?

6 MR. PALLAS: We got this  
7 information today, so we haven't really  
8 digested it all, but just on the reviews  
9 we have done so far, we believe there  
10 will be at least one variance without  
11 question for the third story, it's a  
12 code, it says limited to two, so at  
13 least that variance.

14 As of the other variances, the  
15 height variance, we're still analyzing  
16 that, and parking, potential parking  
17 variance.

18 Again, that will take a little  
19 bit of time at you're hearing. It  
20 covers three lots, one of which is in  
21 two different zones, part of the  
22 building is on one lot, part of it is on  
23 another, so it's a significant amount of  
24 work that needs to be done to analyze  
25 this from a zoning perspective.

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2 CHAIRMAN FOOTE: So you do intend  
3 to refer this the Zoning Board?

4 MR. PALLAS: Yes. I mean  
5 ultimately, again, it would be at least  
6 one variance.

7 MS. BERRY: Can I -- you  
8 mentioned that the one variance you have  
9 happening is that it's three stories  
10 instead of two.

11 MR. PALLAS: Yes.

12 MS. BERRY: But if you read the  
13 code, it says two stories or  
14 thirty-five feet. It doesn't say and  
15 thirty-five feet.

16 MR. PALLAS: I understand, but  
17 that's the -- I'm telling you what is  
18 going to happen. Other properties have  
19 been referred for that purpose and  
20 they're, they have not been interpreted  
21 to mean anything other than what it says  
22 in the code that two stories is the  
23 limit.

24 MR. ARIIZUMI: Hideaki Ariizmi,  
25 from Studio A/B Architect.

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2 The codes does not say only two  
3 stories, code says two story or 35 feet.

4 MR. PALLAS: This --

5 MR. ARIIZUMI: So how you can  
6 read that?

7 MR. PALLAS: This is Planning  
8 Board, it's not the venue for that.

9 Ultimately, the Building  
10 Department will issue either nothing or  
11 a Notice of Disapproval and you're free  
12 to ask for an interpretation of the  
13 Zoning Board, that would be your choice  
14 at that point.

15 MS. BERRY: Okay.

16 Also, we have a number of hotels  
17 are already three stories in the  
18 district so.

19 Now, the lot coverage, if I take  
20 the portion of that small lot that's in  
21 R-2 and analyze it for lot coverage, I'm  
22 still compliant; so we analyzed the  
23 square footage that way, and it's still  
24 compliant with the maximum width code.  
25 Also, the same with the setback of

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2 10 feet, it still complies with that.

3 While the code restricts the  
4 merging of lots, all the lots were owned  
5 by the original hotel owner. In the  
6 past, including after the adoption of  
7 this code, three lots have been treated  
8 as one parcel in terms of use and  
9 setbacks. If the lots are treated  
10 individually, this affects the  
11 interpretation of the amount of parking  
12 that is allowed under the exemption for  
13 a site developed as of 1/1/1991 as  
14 stated in B 150-12(c).

15 So, I took another look at the  
16 parking, analyzing the worst-case  
17 scenario to see how we came up; and the  
18 existing parking demand is 54 parking  
19 spaces or 51 if you give credit for  
20 three of them being used by staff or  
21 owner. The proposed demand is 55  
22 parking spaces, which is going to be  
23 four more than what the existing demand  
24 is now. So I'm using that as the basis.

25 We confirmed with the owner that



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2 the maximum staff is five, and when I  
3 have been there, it's been evident  
4 that's that, so the consultant mentioned  
5 ten, but we did --

6 MS. DOUGHERTY-JOHNSON: Will that  
7 be true with an increased --

8 MS. BERRY: I believe so from  
9 looking at what's going on. That's a  
10 good question for the owner. She is  
11 planning to be here, but she's on the  
12 bus, she'll be here at 4:45.

13 The 75-seat restaurant which  
14 operated as an independent restaurant  
15 open to the general public is proposed  
16 as a resource limited to guests for  
17 breakfast and meetings.

18 MS. HAMMES: I have a question on  
19 that, or maybe I just want  
20 clarification, and this may be something  
21 you need Debra for.

22 But my understanding, and maybe  
23 I'm wrong because this is more word of  
24 mouth, is that in the past, that space  
25 may have been used when a guest is

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2 having a wedding and some people were  
3 staying there, maybe not all people  
4 staying there, there might have a  
5 cocktail party or brunch, and that might  
6 have included non-guest participants,  
7 and so I guess I'd like to understand  
8 whether the intention would be ever or  
9 to the extent that breakfast is being  
10 served or if she is reserving the right  
11 to hold special events for guests on the  
12 property, which I would assume she might  
13 want to do even though the application  
14 is not specific on that, whether or not  
15 there is any possibility that that would  
16 include participants that were not  
17 actual guests at the hotel at the time  
18 and because they are somehow associated.

19 MS. BERRY: If they were, I  
20 imagine, it would be rather small.

21 MS. HAMMES: It's a question, and  
22 I think something we'll want to take  
23 into account.

24 MS. BERRY: We'll ask her that.

25 The previously-approved plan had

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2 34 parking spot plus drop off and  
3 loading for a total of 35, and another  
4 plan that we saw in the file had 29.  
5 The current count is more than that,  
6 it's 35, plus one loading and drop off  
7 and two valet rental parking spots for a  
8 total of 39. The way it's set up, it's  
9 more appropriate for valet parking, and  
10 it doesn't meet the code. So we  
11 actually went back and looked at an  
12 alternative plan that we submitted.

13 The project is exempt from park  
14 requirements as per B 150-12(c) for a  
15 site developed as of 1/1/1991. If the  
16 lots are consider essentially one, which  
17 the Greenporter owned all the lots at  
18 the time, the number of parking spaces  
19 is not provided is not relevant, just  
20 the layout. But the current owner  
21 purchased the three lots from original  
22 owner, so, in fact, the three lots were  
23 functioning as one whole facility even  
24 though the building was built only on  
25 one of these lots; but if the lots are

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2 considered, the two lots that weren't  
3 developed, you want to have us assess  
4 the parking and not apply the exemption,  
5 we looked at that and then just the B  
6 wing would be applicable and as the east  
7 wing was previously developed and with  
8 the proposed expansion, the west wing  
9 has a parking need of 30 spots, and the  
10 need accommodated by both existing and  
11 the proposed plans, so we believe that  
12 we have answered the parking need even  
13 if those two lots, if that parking need  
14 needs to be identified.

15 Accessible parking, while the  
16 existing plan shows one accessible spot,  
17 in fact it does not meet  
18 fully-accessible requirements in terms  
19 of paving and ramps. The attach revised  
20 plan incorporates two accessible parking  
21 spots with a depressed curb by the front  
22 entry.

23 I should note that they tried to  
24 provide it, it was decided that they  
25 didn't back then because of drainage

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2 issue and whatnot, but we came up with  
3 something we thought might be considered  
4 appropriate.

5 One pot does overlap the loading  
6 area. Since deliveries to the property  
7 are very infrequent, only three to four  
8 deliveries a month, the overlap can be  
9 handled easily, and any potential  
10 conflicts can be handled with valet  
11 service. She literally only gets two to  
12 three deliveries per month, and the  
13 garbage is in the back, so not they're  
14 not even in the front.

15 To keep the full width of the  
16 entry drive, the concrete paving for the  
17 accessible path is planed for just a  
18 one-inch change in elevation, this way  
19 the pavement can mounted when needed.  
20 In the revised plan that was included,  
21 34 spots are proposed, two of which are  
22 accessible and two of which are for  
23 valet or rental use.

24 The regular spaces are 9 feet in  
25 width which matches the

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2 previously-accepted plans, so that is  
3 another item that we're actually better  
4 than the existing, but it doesn't meet  
5 the 10 that's in the current code.

6 Then there was an issue raised  
7 about, what about traffic, so we looked  
8 at expected trips and for existing  
9 conditions, the hotel and restaurant  
10 combined has 511 trips per day and there  
11 is a peak p.m. of 49.

12 MS. HAMMES: To be clear, that  
13 restaurant hasn't been opened for two  
14 years, right?

15 MS. BERRY: That doesn't matter.

16 MS. HAMMES: I understand they  
17 have a right, I don't really understand  
18 where the numbers are coming and how you  
19 can estimate that when there's no  
20 oncoming traffic.

21 MS. BERRY: I looked at traffic  
22 studies and different guidance and came  
23 up with those numbers.

24 MS. HAMMES: Okay.

25 MS. BERRY: I understand that

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2 right now the restaurant is not being  
3 used as a restaurant, but it has a C of  
4 O and has the right to be one.

5 MS. HAMMES: I understand that.

6 MS. BERRY: After the proposal,  
7 taking the restaurant out of the  
8 equation, the trips actually 34 less per  
9 day and the peak a.m. is higher with 11,  
10 so essentially, there is change in  
11 traffic, in fact, it's beneficial.

12 On top of that, the hotel is  
13 located just west of the Village,  
14 anybody coming is stopping before they  
15 enter the Village, so they're not going  
16 to have an impact on, you know, the  
17 intersections of Third and whatnot.

18 CHAIRMAN FOOTE: That depends on  
19 which direction they come from. They  
20 can come down First Street from Main,  
21 you're assuming they're coming from the  
22 Main Road from Southold direction.

23 MS. BERRY: Yeah.

24 MS. HAMMES: They could come in  
25 on the North Road.

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2 MS. BERRY: If they do, they're  
3 probably coming Moors Lane, you know, so  
4 if you use Google, it would probably  
5 send you there.

6 And then on top of that, a lot of  
7 their guests come by bus and rail. I  
8 really don't think the traffic impacts  
9 are significant at all.

10 We filled out the full  
11 environmental form as requested, and  
12 again it's evident that the project has  
13 very little impact. The amount of  
14 disturbance is minimal, we calculated  
15 the water by health standards and  
16 production differences, only 338 gallons  
17 per day, which is basically the  
18 equivalent of a house, also they're  
19 going to be using water conserving  
20 fixtures, so the usage could be even  
21 lower.

22 It's located near the bay and  
23 parks for enjoyment, but not close  
24 enough to cause any impairment.

25 And then quality, I'd like to



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2 add, in addition to the above  
3 calculations, there is a quality to this  
4 project that should not be ignored. The  
5 proprietor will incorporate  
6 environmentally-beneficial attributes  
7 such as the solar panel and  
8 water-conserving fixtures. She told me  
9 she uses environmentally-friendly soaps  
10 and laundry detergent. She does the  
11 laundry on site, so you don't have the  
12 trips for that. The staff is treated as  
13 family and youth mentored as evidenced  
14 just last month with one staffer being  
15 an activist for clean water in remote  
16 countries.

17 In addition, she has established  
18 a nonprofit that promotes awareness of  
19 agricultural and food production best  
20 practices and promotes agritourism that  
21 helps visitors appreciate sources of  
22 their food. She also supports other  
23 businesses with maps and references  
24 lacking from other sources. This is a  
25 human, personally-run business that is

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2 an attribute to the community and should  
3 be supported.

4 If you have any questions, I'll  
5 be happy to answer them.

6 CHAIRMAN FOOTE: We just got this  
7 modification today, so we have not had  
8 the opportunity to review it. We do  
9 appreciate your presentation. It was  
10 helpful, but at this time, I don't think  
11 it's -- unless other members want to  
12 raise specific, I think it's in  
13 everybody's best interest to adjourn  
14 this pre-submission conference to the  
15 next available time, and we can continue  
16 with discussion on it after we have had  
17 the opportunity the review what you just  
18 submitted to us.

19 MS. BERRY: Okay.

20 I would appreciate it, if you had  
21 any issues or questions, if I could get  
22 them ahead of time, so we can prepare.

23 CHAIRMAN FOOTE: Before I  
24 complete that suggestion, if there is  
25 anybody who wants --

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2 MS. HAMMES: I just would say, I  
3 think it's gonna be helpful in term of  
4 next steps to understand where the  
5 Building Department comes out on the  
6 need for any variance, and their views  
7 on a number of these points. I, in  
8 particular, am interested in the  
9 question of, you know, currently there  
10 is an argument that it's two separate  
11 buildings and this is now going to be  
12 converted into one building, and does  
13 that trigger anything in terms of it  
14 being a pre-existing structure or not.  
15 I raised this at the last meeting,  
16 that's obviously a code interpretation  
17 and ultimately may be a zoning board  
18 interpretation, but I suspect we as a  
19 Board are gonna want to know what the  
20 state of play is with the zoning we  
21 proceed to the next step on this.

22 CHAIRMAN FOOTE: Right.

23 MS. HAMMES: The other question  
24 that I have, I walked by there today to  
25 kind of get an idea of it, you know.

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2 It's gonna be a very big structure when  
3 it's done. Because right now there's an  
4 opening in the front where there are  
5 some trees and things. I'd be  
6 interested, and I don't know if it's  
7 possible to do or not, but to  
8 understand, there are some trees behind  
9 the property that are visible from the  
10 street, and I'd be interested to know  
11 whether they would be completely blocked  
12 by the third floor, just out of  
13 curiosity as a kind of visual situation  
14 for the impact on the Village.

15 MS. BERRY: Ask.

16 Also relative to the two versus  
17 one building, we did look at, it does  
18 comply with State building code as to  
19 the size of the building. We also  
20 looked at, Paul mentioned, fire access,  
21 and it does comply with, you know, the  
22 maximum distance from the access point  
23 and we seem to comply with best  
24 guidance on that.

25 So I think the only weird thing

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2 is Greenport has this unusual code that  
3 doesn't allow people to merge lots and  
4 yet properties are considered as one,  
5 then they are developed and I believe  
6 that's happened in other locations, and  
7 that's true for this one because -- and  
8 it's true for the history of this  
9 project as well so.

10 CHAIRMAN FOOTE: Actually, I have  
11 one other question and that is, that in  
12 the materials we received, including the  
13 elevations, I don't really get a strong  
14 sense of the look of the project, and  
15 I'd appreciate if we could get a better  
16 rendering of what it's going to look  
17 like, particularly, an elevation from  
18 the street point of view, and frankly  
19 the others as well, but to me that's the  
20 most important at the moment, just to  
21 see what it's going to look like. There  
22 was one rendering, to me it because it  
23 wasn't in color and it was just maybe  
24 too small, just didn't have enough  
25 detail. I couldn't get a sense of what

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2 it was really gonna look like, and that  
3 would be important to us because --

4 MS. HAMMES: It's an unusual  
5 project in that, and again, standing  
6 across the street looking at it today,  
7 it doesn't look like a big structure  
8 right now because of the split in the  
9 front of it and the trees, but I do, you  
10 know, that was one of the reasons why  
11 I'm asking about the trees and things  
12 because I do think, understanding it's a  
13 density matter, it's not what it will  
14 look like in the front because there's  
15 going to be a huge courtyard in the  
16 middle of it, but from the outside  
17 looking at it, I think it's going to  
18 look like a very large structure, so I  
19 think that it's going to be important  
20 for us to really get an idea of what  
21 it's gonna look like from the street  
22 level.

23 MS. DOUGHERTY-JOHNSON: I would  
24 add from the neighbors, like have  
25 renderings of what -- because I know

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2 it's gonna affect backyards like a few  
3 doors down if that's possible.

4 MS. BERRY: Okay. Just one of  
5 the things is because Greenport's  
6 becoming more of a year-round location,  
7 the hotel really sort of lacks indoor  
8 space for guests; so a lot of this  
9 project is to also incorporate indoor  
10 lobby, so people don't have to go out  
11 and in again to go to the breakfast room  
12 to create an indoor room and things like  
13 that.

14 CHAIRMAN FOOTE: Do the current  
15 drawings, I can't remember, include  
16 proposed landscaping in front of the  
17 hotel?

18 MS. BERRY: Not really because we  
19 didn't change much. We haven't focused  
20 on that.

21 CHAIRMAN FOOTE: It might be  
22 something that might help the  
23 application if you could incorporate a  
24 proposed landscaping plan.

25 MS. HAMMES: And to go back to

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2 what I mentioned earlier, also at the  
3 next meeting get some idea of what the  
4 use of that breakfast room space is  
5 contemplated to be in terms of whether  
6 it's really just restricted to breakfast  
7 and meals for people that are onsite or  
8 if she is looking to retain the ability  
9 to do other special events related to  
10 things that may be going on.

11 MS. BERRY: Okay.

12 CHAIRMAN FOOTE: Thank you.

13 Okay.

14 The next and last item --

15 MR. PALLAS: Mr. Chairman, if I  
16 may, before you move on to the next  
17 item.

18 CHAIRMAN FOOTE: Yes.

19 MR. PALLAS: In terms of putting  
20 this on an agenda, the next work session  
21 is June 6th, is that your intention to  
22 put it on as a work session, not at the  
23 regular meeting, at the work session,  
24 correct?

25 CHAIRMAN FOOTE: Yes.



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2 MR. COTUGNO: You will have the  
3 zoning analysis by then?

4 MR. PALLAS: We'll do everything  
5 we can to get it by then and the  
6 additional comments from the planning  
7 consultant as well.

8 MR. COTUGNO: Yeah, also --

9 MS. HAMMES: I guess it would be  
10 helpful if we can all have it, if  
11 possible, a couple days beforehand so we  
12 can get a --

13 MR. PALLAS: We'll have it to you  
14 no less than a week in advance is our  
15 goal.

16 MR. COTUGNO: Type 1, is that  
17 still on the table?

18 MR. CONNOLLY: I think Glynis did  
19 a good job of evaluating the --

20 MR. COTUGNO: But that has to be  
21 done by, it should be done by June 6th.

22 MR. PALLAS: Yes.

23 CHAIRMAN FOOTE: The next item is  
24 48 Front Street.

25 Public hearing for a site plan

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2 approval 48 Front Street, LLC, know as  
3 Greenhill Kitchen. Represented by  
4 Architect Robert Brown.

5 The applicant is proposing to  
6 amend the site plant to accommodate an  
7 additional use of live performance space  
8 on the second floor.

9 The property is located in the  
10 Commercial Retail District. This  
11 property is not located in the Historic  
12 District.

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

15 MR. BROWN: Robert Brown again.

16 We're not making any changes to  
17 the building in this application. It's  
18 a building that's been in existence for  
19 several years now.

20 In terms of the use, I would like  
21 to point out that in terms of occupancy  
22 as defined by New York State code, the  
23 restaurant use which is what it has  
24 been, is defined as A2 assembly space,  
25 and the live entertainment is also A2

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2 assembly; so what we're asking for is an  
3 opportunity to use the second floor for  
4 live musical entertainment. I believe  
5 you probably have received some  
6 documentation from the owner,  
7 Mr. Mueller, regarding hours of  
8 operation and compliance with noise  
9 codes.

10 MS. HAMMES: I'm sorry, while  
11 she's looking at that because I don't  
12 know that I've seen that, when you say  
13 82 occupants, is --

14 MR. BROWN: A2 is the --

15 MS. HAMMES: -- full  
16 establishment or the second floor?

17 MR. BROWN: Both.

18 MS. HAMMES: Is there an  
19 occupancy limited if you're applying  
20 just for the second floor?

21 MR. BROWN: No.

22 What I'm saying is, the entire  
23 building was A2 restaurant use.

24 MS. HAMMES: Oh.

25 MR. BROWN: A as in apple, 2, and

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2 the changing from an eating  
3 establishment to a live music venue is  
4 still under A2.

5 MS. HAMMES: A2, I'm sorry.

6 CHAIRMAN FOOTE: Sir, are you  
7 pointing that out for any particular  
8 reason other than there is not  
9 technically a change of use --

10 MR. BROWN: It's just as a point  
11 of information.

12 CHAIRMAN FOOTE: Okay.

13 MS. HAMMES: I wasn't on the  
14 Planning Board for the pre-submission  
15 hearing, but I was here and I also  
16 watched it on videotape; but I thought  
17 at that meeting there was some statement  
18 made to the effect that you intended  
19 also to continue serving food up there.  
20 So it would be food and performance?

21 MR. BROWN: Yes.

22 MS. HAMMES: Or is it the  
23 intention to just have it be a  
24 performance space?

25 MR. BROWN: No, it will be food

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2 and drink.

3 CHAIRMAN FOOTE: My understanding  
4 at that meeting was they wanted to  
5 maintain some flexibility depending upon  
6 the size of the anticipated audience for  
7 music versus food, just flexibility so  
8 as long as the seating requirements  
9 were, the head count was --

10 MR. BROWN: And also on evenings  
11 where there might not be live  
12 entertainment.

13 CHAIRMAN FOOTE: I'm sorry.

14 MR. BROWN: Also to use the space  
15 on evenings when there might not be live  
16 entertainment.

17 CHAIRMAN FOOTE: Right.

18 Now, I'm gonna raise this with  
19 the Building Department.

20 What is the standard here, the  
21 determining whether or not we have, it  
22 has to concern itself with installation  
23 of a sprinkler system; what would  
24 trigger that requirement?

25 My understanding is this building

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2 currently does not have one.

3 MR. PALLAS: Typically, when a  
4 building permit is applied for, they  
5 would have to bring the building up to  
6 current code. There is not a building  
7 permit required for this space, there is  
8 not change we would require for the  
9 space.

10 CHAIRMAN FOOTE: But the  
11 necessity for a building permit is  
12 typically what triggers our review as a  
13 planning board, so what is triggering  
14 our review as a planning board even  
15 though there is no building permit being  
16 issued?

17 MR. PALLAS: It's the use of the  
18 space in this case as a music venue.

19 CHAIRMAN FOOTE: Okay.

20 But is the fact that the use is  
21 now changing, at least generically, if  
22 not legally, does that require us to  
23 consider frankly, not only the Planning  
24 Board but the building department to  
25 consider, you know, under the theory

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2 that it's a use that would involve  
3 greater density of participation of  
4 occupancy, is that not something that  
5 should be factored in to determine  
6 whether or not something like a  
7 sprinkler system should be reconsidered?

8 MR. PALLAS: Just to be clear,  
9 there are two different processes in  
10 play. One is the Planning Board process  
11 which is merely the approval of the use  
12 of the space. The Building Department's  
13 review would include things like you're  
14 bringing up; but the fact that there is  
15 no building permit applied for  
16 occupancy, I mean, occupancy of the  
17 space that is legal as proposed because  
18 it does have two means of egress  
19 currently, it does meet all of the  
20 egress codes currently. There is no  
21 reason for us to do any further review,  
22 review stops at that point.

23 CHAIRMAN FOOTE: If this were a  
24 new space being built under these  
25 circumstances, would we require a

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2 sprinkler system?

3 MR. PALLAS: I honestly don't  
4 know. I have to investigate. I think  
5 so, but I'm not a hundred percent  
6 certain on that.

7 CHAIRMAN FOOTE: Anybody else  
8 want to weigh in on this?

9 MR. COTUGNO: There is a State  
10 official assigned to Suffolk County, I  
11 believe his name is Rick Smith, and I  
12 believe he should be called in for --

13 MR. PALLAS: We do contact him on  
14 a variety of topics. We will continue  
15 to investigate this, again, that's a  
16 separate process from the Planning  
17 Board's process.

18 CHAIRMAN FOOTE: Okay. Thank  
19 you, Paul.

20 MR. COTUGNO: If you were forced  
21 to put in a sprinkler system, would your  
22 client still want to go ahead with this  
23 project?

24 MR. BROWN: Yes.

25 MS. HAMMES: Were there any --



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2 when the Harborfront was built, the  
3 previous building, I remember when it  
4 was built, were there any restrictions  
5 on the upstairs? Because somebody once  
6 mentioned to me they thought there might  
7 be some limitation on the use, maybe it  
8 was just the outside part. I don't  
9 know.

10 MR. BROWN: If I may, I was the  
11 architect for that building many years  
12 ago. There were no restrictions to my  
13 knowledge.

14 MS. HAMMES: Okay.

15 MR. PALLAS: And a review of the  
16 file supports that.

17 MS. HAMMES: Okay. I wanted to  
18 be clear.

19 MS. DOUGHERTY-JOHNSON: Did we  
20 get clarification if there are other  
21 live music permits besides Claudio's.

22 MS. HAMMES: My understanding, I  
23 talked to the code enforcement guy this  
24 morning and he told me the only  
25 establishment in town that has approval

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2 for live music is Claudio's. And I  
3 further understand from that  
4 conversation, although this is again a  
5 legal interpretation question, because I  
6 raised the point that I know there is  
7 some other music that occurs from time  
8 to time in town, that to the extent that  
9 it is not the kind of principal focus or  
10 advertised as such, that that doesn't  
11 require a use, a separate use, but in  
12 this case in particular because of what  
13 happened last year with them using Sofar  
14 and others that that's what has kind of  
15 triggered the need, since they are  
16 advertising it as a musical  
17 establishment, they need a specific use  
18 permit.

19 CHAIRMAN FOOTE: You mentioned  
20 there had been the letter submitted in  
21 terms of the hours of proposed  
22 operation.

23 MR. BROWN: I believe that is  
24 true.

25 CHAIRMAN FOOTE: I didn't get it.

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2 MR. PALLAS: Just took a quick  
3 look in the file and I don't see it and  
4 I don't actually recall --

5 MR. BROWN: If that's not the  
6 case we'll get it to you.

7 MR. PALLAS: I apologize if it  
8 was sent in and misplaced. It might be  
9 on us, but I don't see it in the file.

10 MS. HAMMES: We're not going to  
11 be able to close this public hearing  
12 without knowing that, so --

13 MR. BROWN: Would you allow  
14 Mr. Mueller to stipulate to that  
15 personally?

16 MS. HAMMES: I'd be fine with  
17 that.

18 MR. BROWN: Christoph.

19 MR. MUELLER: Christoph Mueller.  
20 I am the own of the building of the  
21 restaurant.

22 I did submit the letter to the  
23 Village stating our operating hours  
24 which I hand delivered to you.

25 MR. PALLAS: Again, with

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2 apologies, I don't recall, but I'm not  
3 disputing you.

4 MR. MUELLER: The letter said,  
5 this is in reference to our permit to  
6 have live music upstairs at 48 Front  
7 Street.

8 The question was raised at the  
9 last meeting what the hours of operation  
10 would be for the music venue. As a  
11 general guideline, we envision to offer  
12 music as follows: Predominantly we will  
13 feature local artist of the music genres  
14 blues, jazz, country, folk, and Latin  
15 Monday through Thursday 7:00 p.m. to  
16 11:00 p.m., Friday and Saturday 7:00  
17 p.m. to 2:00 a.m., holidays and weekend  
18 Sundays 7:00 p.m. to 2:00 a.m.

19 Please note that besides music,  
20 we also plan to show comedy, theater,  
21 and film performances again featuring  
22 local productions.

23 MS. DOUGHERTY-JOHNSON: I'm  
24 sorry, can you repeat Saturday and  
25 Sunday, the hours, Friday, Saturday and

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2 Sunday.

3 MR. MUELLER: Saturday and  
4 Sunday, on regular Friday and Saturday  
5 7:00 p.m. to 2:00 a.m.

6 MS. DOUGHERTY-JOHNSON: Sunday  
7 was --

8 MR. MUELLER: Sunday was for  
9 holiday.

10 MS. DOUGHERTY-JOHNSON: I got  
11 yah. So then other Sundays, no music  
12 ever.

13 MS. HAMMES: I think it would  
14 be --

15 MR. MUELLER: Sunday would be --

16 CHAIRMAN FOOTE: 7:00 to 11:00.

17 MR. MUELLER: 7:00 to 11:00.

18 And it was April 10th, I  
19 submitted that letter.

20 MS. HAMMES: It's my  
21 understanding that the code itself has  
22 noise decibel limitations, that's the  
23 only real thing that's in the code?

24 MR. PALLAS: Correct.

25 MS. HAMMES: That's not

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2 stipulated on the time basis or is it?

3 Like the same decibel level for all

4 times?

5 MR. PALLAS: It does change.

6 MS. DOUGHERTY-JOHNSON: I think

7 you --

8 MR. PALLAS: Also refers to

9 distance to a residential area, a lot of

10 things in there as well.

11 CHAIRMAN FOOTE: I think you may

12 have already answered this question, I

13 apologize if you did. Is the intent

14 particularly in the summer months to

15 have the windows opened upstairs?

16 The reason I ask that obviously

17 is, the noise to the street is going to

18 be affected depending upon whether the

19 windows are closed or not, and if the

20 intent is to open them, which I would

21 understand, is the decibel level going

22 to be measured with that assumption that

23 the windows would be open I think that's

24 something to take into account.

25 MR. PALLAS: We would only

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2 measure it on a complaint anyway. If  
3 someone says it's too loud, we would  
4 then investigate that complaint.

5 CHAIRMAN FOOTE: Are we giving  
6 them any guidance in advance of what the  
7 decibel level is?

8 MR. PALLAS: It's stated in the  
9 code, so they would have to comply with  
10 the code, whatever it is.

11 MR. COTUGNO: Who checks the  
12 decibel level?

13 MR. PALLAS: It would be up to  
14 the Village to do that.

15 MR. COTUGNO: I would think if we  
16 approve it, it should be on the onus of  
17 the applicant to provide documentation  
18 of what decibel levels it's reaching.

19 CHAIRMAN FOOTE: The other thing  
20 I'd like to raise is, given the  
21 unique -- well first of all, let me say  
22 that conceptually, I think it's, what  
23 you're proposing is a potential very  
24 interesting benefit for the community,  
25 and I think it's something that if you

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2 work with the right guidelines, for me,  
3 personally, it would be welcome, so I  
4 want to make that clear. We want to be  
5 careful too that the community is being  
6 served and, you know, we're doing this  
7 with public safety in mind as well.

8 And one of the things that we  
9 would probably like to consider doing is  
10 making it -- if we do, obviously, after  
11 the public hearing is over and were we  
12 to decide to go forward, we may decide  
13 to go forward on kind of a test-case  
14 basis and we would like to have the  
15 ability the revisit it at the end of the  
16 season just to see how it worked out and  
17 how the community responded and make  
18 whatever necessary adjustments.

19 MR. MUELLER: That would be  
20 totally fine with us. I mean, we want  
21 to make a contribution to the community  
22 and to disrupt the community -- we love  
23 Greenport and we have been very nicely  
24 welcomed here in town and we want to  
25 give something back, so we have no



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2 intention, you know, profit at the  
3 expense of safety or disrupting this  
4 very nice town.

5 It's just, for us it's so  
6 difficult to operate when, for example,  
7 we cannot advertise. Like last year, we  
8 couldn't really advertise our music  
9 because it would look like we had a  
10 music event and we would face steep  
11 fines. We'd like to be able to  
12 advertise and we want to find a modus  
13 operandi that is good for us and good  
14 for the town, so a test phase would be  
15 acceptable to us.

16 CHAIRMAN FOOTE: Thank you.

17 Would anybody else at this time  
18 like to speak regarding this  
19 application?

20 MS. ALLEN: Chatty Allen, Third  
21 Street.

22 In some ways, this one really  
23 puzzles me because it is an acceptable  
24 use. This application has been before  
25 the Planning Board for six months and I

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2 kind of feel bad that we're approaching  
3 Memorial Day weekend and now they still  
4 may not have an answer to something that  
5 is allowed and acceptable in the  
6 Business District.

7 A lot of the questions being  
8 raised tonight are not concerns of the  
9 Planning Board. They're for other  
10 statutory boards to approve or not  
11 approve. So I'm confused why they have  
12 to get permission to have live music  
13 when every other business is allowed to  
14 have live music.

15 And from what I just was hearing  
16 from the beginning of this, it sounds  
17 like this is going to get pushed yet  
18 another month waiting for answers, so  
19 now you're pushing them into the middle  
20 of the summer to be able to get any kind  
21 of approval. I'm not sure what the  
22 holdup is, why they're not being  
23 approved. If they don't stay within the  
24 code, they will be fined. So that  
25 shouldn't be, oh, well, now they have to

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2 tell us what the decibel will be, they  
3 have the file -- they know they are the  
4 follow the code, and I would like to see  
5 this be moved forward and make this  
6 applicant -- and it's not --

7 Most of you up here have not, you  
8 just came on and I am so grateful to see  
9 a full board sitting here, but we have  
10 had month after month after month after  
11 month of not having a full board so  
12 nothing's been done, and I don't feel  
13 that it's fair to the applicant that now  
14 it seems like they're gonna get pushed  
15 yet another month before they get any  
16 decision.

17 Personally, I feel it should be  
18 approved. If they don't keep within the  
19 code, They get heavily fined.

20 MS. HAMMES: I would just note  
21 that my understanding is, if they were  
22 just doing music that's incidental to  
23 serving food like some of the other  
24 business in town, they wouldn't need the  
25 use permit, but because they want to

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2 advertise and hold it out as, you know  
3 performing space, that's what's  
4 triggering our review. I understand  
5 your point about timing, I don't think,  
6 as you noted a number of the board are  
7 new and --

8 MS. ALLEN: Well, I mean the  
9 Clambar, Port, other places advertise as  
10 well so that's.

11 MS. DOUGHERTY-JOHNSON: -- has a  
12 permit, Claudio's has a live music  
13 venue, which is --

14 MS. HAMMES: -- understand  
15 your --

16 MS. ALLEN: -- and they know they  
17 have to stay within, if they're having  
18 live music, they have to stay within  
19 their CO, they can go over their CO, you  
20 know.

21 I would just like to see  
22 something be done and get this  
23 application approved.

24 Thank you.

25 (Applause.)

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2 MR. BENGOLIA: My name is Alberto  
3 Bengolia and I'm a professional  
4 musician. I've been a professional  
5 musician all my life and I have a letter  
6 here stating some facts that are very  
7 boring, but can leave it with the Board?

8 CHAIRMAN FOOTE: Sure.

9 MR. BROWN: So I'll synthesize  
10 it.

11 Basically, based upon my personal  
12 observations, I have no doubt that the  
13 only motivation the Greenhill Kitchen  
14 owner may have in placing today's  
15 petition is the improvement of Greenport  
16 and the artistic and cultural growth of  
17 the community.

18 Like I was saying, I have been a  
19 musician all my life and I started  
20 playing solo guitar in the North Fork  
21 like three, four years ago, and I've  
22 been trying to propose to owners of the  
23 different places and vineyards and  
24 restaurants that I was playing at, I was  
25 trying to sell the idea of the jazz day

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2 or jazz jam day like they have in  
3 Southold, and it's been very successful  
4 for ten or fifteen years so far; so  
5 everybody is relatively interested, but  
6 it didn't go anywhere, I've been trying  
7 to push this idea for two years.

8 Now, on this all the detail and  
9 dates I have stated here with the  
10 Greenhill Kitchen, I came in and in five  
11 days from being hired to play a solo  
12 little act there to developing a jazz  
13 jam day that was repeated weekly, you  
14 know, it took only five days, the whole  
15 thing and no -- I mean, he was very  
16 enthusiastic about pushing the artistic,  
17 you know, musical scenario in Greenport.  
18 I came in on Friday, on Monday they had  
19 this poster created, and they repeated  
20 the poster each and every week, you  
21 know, for two or three months until the  
22 end of December.

23 The details regarding the rest of  
24 stuff is here. There a lot of people  
25 that want to talk, so thank you very

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2 much.

3 (Applause.)

4 MR. REEVE: My name is Linsey  
5 Reeve (phonetic). Thank you, Board, for  
6 letting me speak.

7 My family lives in Riverhead, but  
8 we started out in Greenport. That  
9 ornate horse truck behind Arcade was  
10 dedicated after my three or four time  
11 great grandfather, so we've got a little  
12 history in the Village and I love this  
13 village.

14 I had a business on Main Street  
15 in Riverhead called Eastenders Coffee  
16 House for seven years, and from day 1, I  
17 wished I had it in Greenport, once I  
18 started because back then Riverhead  
19 wasn't -- by the time we closed in seven  
20 years, I was the 28th business to close  
21 on Main Street in that seven-year  
22 period. I really wish I were here, but  
23 I'll never get my wife to do that again,  
24 so it's over.

25 I'm also a professional musician,

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2 I'm a booking agent. I've booked and  
3 played up and down the east northeast  
4 coast for years, and I have been  
5 business wise involved with many  
6 establishments I would like to say  
7 similar to theirs, but there aren't any  
8 similar to theirs, and the main reason  
9 for that is, nobody is Christoph and his  
10 son Robin, they're -- you're lucky to  
11 have them in this Village, that's all  
12 there is to it. You're luck to have  
13 them in this Village, they are a class  
14 act. They're respectful, the food's  
15 awesome. There's a lot of good food,  
16 the food is really good. They're just  
17 really good people, and any Village that  
18 get them are very fortunate to have them  
19 in my opinion. I've been up against a  
20 lot of types in my travel with what I do  
21 and they should all be like these guys.  
22 You're in really good stead if you had  
23 them.

24 I would love to see the  
25 application go through. Again, I kind



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2 agree with here, I don't really see what  
3 issue could possibly be. If you had  
4 ever been there, like when Al Burner  
5 (phonetic) was playing, you would have a  
6 better understanding of why it's one of  
7 the nicest spots in Greenport, and I'd  
8 love to see it stay that way and even be  
9 enhanced with more music, and for them  
10 to be able to advertise and all that  
11 it's very important.

12 If I could have afforded to  
13 advertise in Riverhead, maybe I'd still  
14 be there.

15 Thank you for your time.

16 They're the best thing you got in  
17 my opinion.

18 CHAIRMAN FOOTE: Thank you.

19 MR. PISTICADO: Steve Pisticado  
20 (phonetic), I've been booking the music  
21 at Claudio's for a lot of years, 30  
22 years, so I started when I was six years  
23 old.

24 I just think the idea of the  
25 different types of music, I want to say

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2 real quick gives a great, a new flavor  
3 of music to the Greenport. It would be  
4 very important for the Village and the  
5 whole North Fork the bring different  
6 people in to hear the different flavors  
7 of music because pretty much right, our  
8 music is pretty standard, so I think it  
9 would be great, the different types of  
10 music, jazz, blues all that.

11 And I am an ex-musician so, or  
12 still a musician so I just saying really  
13 quickly, I think that would be really  
14 nice and cool.

15 Thank you.

16 CHAIRMAN FOOTE: Thank you.

17 (Applause.)

18 MR. HOVEY: Pardon my former  
19 enthusiasm, I just want to add my voice  
20 to --

21 CHAIRMAN FOOTE: I'm sorry, would  
22 you just give us your name, please.

23 MR. HOVEY: Bob Hovey, Southold  
24 resident, but obviously, I'm in  
25 Greenport frequently.

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2 I just wanted to add my support  
3 to the project and express my belief in  
4 the importance of what Christoph is  
5 doing at Greenhill. I think they have  
6 provided a venue for very important  
7 music that you don't hear every day, so  
8 I hope it's approved.

9 Thank you.

10 CHAIRMAN FOOTE: Thank you.

11 MR. KONTOKOSTA: My name is  
12 Michael Kontokosta, I own a business  
13 here in the Village and another business  
14 just outside of the Village, and I just  
15 want to lend my support to Christoph and  
16 Robin, I think they are, as the other  
17 gentlemen said, true assets to this  
18 Village and we are lucky to have them.

19 I would also encourage you to  
20 foster this as much as you can, and  
21 Greenport has a long history with live  
22 music. I can remember being ten-years  
23 old in North Fork bank parking lot and,  
24 you know, my and my dad and my two aunts  
25 brought their folding chairs -- I don't

1 Village of Greenport Regular Session -- 5/2/19

2 know if anybody remembers this, right,

3 the Greenport --

4 (Audience members speak

5 simultaneously.)

6 -- doing it in Mitchell Park, so  
7 this is something that, and in Mitchell  
8 Park it's encouraged and it's great and  
9 from the hotel, we can hear the dance  
10 nights and all of our guests absolutely  
11 love it, we have never heard a  
12 complaint, and sometimes that music goes  
13 10:30, 11 o'clock at night, we could get  
14 into a situation where sometimes get  
15 right, complaints, and we don't, right  
16 for, for years, and this is 35 people in  
17 a hotel paying whatever they're paying a  
18 night, and they love it too.

19 I encourage you to take this  
20 opportunity to make this happen and make  
21 it happen tonight if that's possible, so  
22 that we can welcome them with a big  
23 Memorial Day concert, not too big,  
24 medium Memorial Day concert, just to the  
25 occupancy of the restaurant.

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2 (Applause.)

3 MR. WRITE: My name is Stanley  
4 Write (phonetic). I have lived here on  
5 Long Island quite a long time, over 40  
6 years, played in Greenport, Suffolk  
7 County probably the past 35 years or so.

8 I'd like to say that Greenport  
9 doesn't seem to be the way it used to be  
10 25 years ago. It seems like musically,  
11 it was busier; but Christoph, his  
12 organization, the club is really  
13 bringing a lot to the town, everybody --  
14 I perform there myself and like the  
15 other musicians said, they are a class  
16 act, and I think they're gonna bring a  
17 lot to this.

18 In the short time they were  
19 opened, I was one of the first  
20 performers to play there, after about  
21 three weeks or so, everybody that came  
22 there was excited, all the customers  
23 were excited, and I just think it's a  
24 great idea. Like they were saying, I  
25 think they should get these permits or

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2 whenever tonight if you can get it.

3 But that's about it, it's a great  
4 place. They're gonna do your community  
5 right, they're gonna do the right thing.  
6 And like the other musicians said, they  
7 are a class act.

8 Thank you.

9 (Applause.)

10 CHAIRMAN FOOTE: Thank you.

11 MS. HENDRICKSON: Hello, my name  
12 is Sandy Hendrickson. I was born in  
13 Greenport Hospital, I've lived all my  
14 life on the North Fork. I've grown up in  
15 Cutchogue. I was a fine arts major with  
16 a minor in education, and I have taught  
17 in the Mattituck Cutchogue School  
18 District for 30 years. I have done 29  
19 plays, I put small children on the  
20 stage, and I have had music in my  
21 classroom every day, and I want to  
22 support the Greenhill Kitchen especially  
23 for the kids too and people of all ages,  
24 some of us older folks, we put our  
25 instruments away in the closet and we

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2 don't use them, but here is an  
3 opportunity for kids, teenagers, adults,  
4 seniors to enjoy music and perform.

5 Thank you. Please support it.

6 (Applause.)

7 MR. TARGIS: Hello. My name is  
8 Eric Targis (phonetic) and I recently  
9 founded a local not for profit called  
10 the East End Music Alliance, and I  
11 personally have been overwhelmed with  
12 all the support that we have been  
13 getting. We are a very strong musical  
14 community as you obviously see by all  
15 the people here just in support of the  
16 Greenhill Kitchen.

17 I think it would be a real shame  
18 if they did not get their music  
19 permitted or whatever we want to call it  
20 right now because a lot of people are  
21 getting, not only just a really great  
22 time being there, but it's a great thing  
23 for the community in every respect. I  
24 have a list here of 64 or 65 people who  
25 would like to have been here today but

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2 could not have been here, so I'd like to  
3 leave that with you.

4 Thank you.

5 (Applause.)

6 CHAIRMAN FOOTE: Would anybody  
7 else like to speak at this public  
8 hearing?

9 MR. RUSS: Hi. My name is  
10 Richard Russ. I'm a resident of  
11 Southold, and I'd like to say a few  
12 words from the heart.

13 I think the Mueller family has  
14 provided a very true uniquely beautiful  
15 experience for individual North Fork  
16 that are very talented. The community  
17 has come together from them providing  
18 this opportunity, and I think it's just  
19 a great beautiful thing and I know you  
20 have a lot of concerns and things to  
21 consider in terms of giving them this  
22 permit, but I trust both the Mueller  
23 family and the Board in terms of making  
24 the right decision and in terms of doing  
25 the right thing, so thank you very much.



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2 (Applause.)

3 CHAIRMAN FOOTE: Thank you.

4 Anybody else?

5 (No response.)

6 Anybody on the Board have  
7 anything to say at this time?

8 MS. HAMMES: I just want to thank  
9 everybody for showing up, and I go to  
10 various meetings in the Village and I'm  
11 on the Planning Board, and I don't  
12 always see this good of a turnout, so  
13 thank you all. I think involvement is  
14 really important. I think there were  
15 some valid points made that we should  
16 consider.

17 CHAIRMAN FOOTE: I'd like to ask  
18 the Building Department at this time  
19 whether or not we can close public  
20 hearing and move to take a vote on this  
21 application.

22 MR. CONNOLLY: You can move to  
23 close it.

24 CHAIRMAN FOOTE: Can we take a  
25 vote?

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2 MR. CONNOLLY: Yes.

3 MR. COTUGNO: The conditions.

4 CHAIRMAN FOOTE: We can discuss  
5 the conditions, do we want to discuss  
6 them now?

7 MR. COTUGNO: Yeah.

8 CHAIRMAN FOOTE: Okay, I'll tell  
9 you a couple that I would like the  
10 incorporate.

11 First of all, in terms of the  
12 hours of activity, I felt those were  
13 very reasonable and fair, and I would  
14 support those hours of operation.

15 As far as, I defer to the  
16 Building Department's determination as  
17 to whether or not this building requires  
18 some of the things we brought up like  
19 the sprinkler system, that's in your  
20 domain as far as what we're presenting  
21 tonight, it will be subject to whatever  
22 you determine is necessary for that.

23 I'm not sure, are there any other  
24 conditions you would like?

25 MR. COTUGNO: I thought we were

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2 going to reexamine this at the end of  
3 the season.

4 CHAIRMAN FOOTE: Thank you. Yes.

5 The final condition would be, we  
6 have the ability to reexamine the permit  
7 being issued and see whether or not we  
8 want to make any changes to it after the  
9 season is complete.

10 MR. COTUGNO: They would have to  
11 come back for this?

12 CHAIRMAN FOOTE: Yes, if we  
13 wanted to --

14 MS. HAMMES: Couldn't we have it  
15 that in October, we review it and make a  
16 determination?

17 MR. CONNOLLY: That's a  
18 condition.

19 CHAIRMAN FOOTE: We would bring  
20 it up for review at some meeting in  
21 October. I assume the season is gonna  
22 run through September, so I would just  
23 say let's just pick a day in October,  
24 the middle of October is fine.

25 MR. PALLAS: Suggestion, the work

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2 session would be appropriate for that.

3 CHAIRMAN FOOTE: The work  
4 sessions are at the beginning of the  
5 month.

6 MS. LINGG: October 3rd?

7 CHAIRMAN FOOTE: That's fine.

8 I move to close the public  
9 hearing.

10 Do I have a second?

11 MR. COTUGNO: Second.

12 CHAIRMAN FOOTE: All in favor?

13 MR. COTUGNO: Aye.

14 MS. HAMMES: Aye.

15 MR. KYRK: Aye.

16 MS. DOUGHERTY-JOHNSON: Aye.

17 CHAIRMAN FOOTE: I now at this  
18 time move to take a vote on this  
19 application with the condition that we  
20 articulated.

21 Do I have a second for this  
22 motion?

23 MR. COTUGNO: Second.

24 CHAIRMAN FOOTE: All those in  
25 favor?

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2 MS. HAMMES: Aye.

3 MR. KYRK: Aye.

4 MS. DOUGHERTY-JOHNSON: Aye.

5 MR. COTUGNO: Aye.

6 CHAIRMAN FOOTE: Motion carries.

7 The application is approved.

8 (Applause.)

9 Item number 56, motion to  
10 adjourn.

11 (Time noted: 5:23 p.m.)

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