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VILLAGE OF GREENPORT
COUNTY OF SUFFOLK STATE OF NEW YORK

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PLANNING BOARD
REGULAR SESSION

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Third Street Firehouse
Greenport, New York

July 7, 2016

5:06 p.m.

B E F O R E:

- DEVIN McMAHON - CHAIRMAN
- BRADLEY BURNS - MEMBER
- PETER JAUQUET - MEMBER
- JOHN COTUGNO - MEMBER
- LUCY CLARKE - MEMBER

- PAUL PALLAS - VILLAGE ADMINISTRATOR
- JOSEPH PROKOP - VILLAGE ATTORNEY
- GLYNIS BERRY - PLANNING BOARD CONSULTANT
- EILEEN WINGATE - VILLAGE BUILDING INSPECTOR

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INDEX

ITEM NUMBER	DESCRIPTION	PAGE
1	29 Front Street	3-5
2	817 Main Street	5-8
3	211 Carpenter Street Stirling Square	8-12
4	300-308 Main Street Vacant lot east of	12-33
5	217 Monsell Place Vacant lot south of	33-50
6	525 Second Street	50-54

1
2 CHAIRMAN McMAHON: We're going to
3 begin the meeting. This is the Village
4 of Greenport Planning Board meeting for
5 July 7, 2016.

6 Item Number 1, 29 Front Street.

7 Continued discussion and action on
8 the use evaluation application from Sea
9 Bags LLC, represented by Don Oakes,
10 CEO.

11 The applicant has opened the store
12 Sea Bags LLC at 29 Front Street,
13 formerly The Sleeping Buddha. The
14 proposed retail use is a conditional
15 use in the WC, Waterfront Commercial
16 Zone. The store is based on retail
17 sales.

18 The property is not located within
19 the Historic District.

20 Suffolk County Tax Map
21 1001-5-4-26.

22 We discussed this at the last
23 meeting. Did we have any other
24 comments or questions with regards to
25 this? I think in general we were all

1
2 in agreement that the application was
3 not done in the proper order, but the
4 actual use that is being applied for
5 seems to be a reasonable one that could
6 be accommodated with the Village.

7 Do we have any comments or
8 questions?

9 MR. JAUQUET: I think you
10 expressed my sentiments.

11 ATTORNEY PROKOP: This is for the
12 use only, it's not the sign.

13 CHAIRMAN McMAHON: The use and the
14 sign are separate, so it's just the
15 use.

16 Any other discussion or comments,
17 questions before we move on this?

18 (No response.)

19 CHAIRMAN McMAHON: So we accepted
20 the application last time.

21 I'll make a motion that we approve
22 the application as submitted, less the
23 sign portion, which will be addressed
24 in a separate application.

25 ATTORNEY PROKOP: I'm sorry,

1
2 question on the motion.

3 ATTORNEY PROKOP: Does he have a
4 sign that's not conforming now? There
5 is a sign there that's not conforming?

6 CHAIRMAN McMAHON: No, I believe
7 that was just a mockup for a proposed
8 overhead sign.

9 ATTORNEY PROKOP: Okay. Thanks.

10 CHAIRMAN McMAHON: So I'll make a
11 motion that we approve the application
12 less the sign portion, as we previously
13 discussed.

14 Do I have a second for that?

15 MR. BURNS: Second.

16 CHAIRMAN McMAHON: All in favor?

17 MR. JAUQUET: Aye.

18 MR. BURNS: Aye.

19 MS. CLARKE: Aye.

20 MR. COTUGNO: Aye.

21 CHAIRMAN McMAHON: Motion carries.

22 Item Number 2, 817 Main Street.

23 Continued discussion and action on
24 the amended site plan dated April 20,
25 1992.

1
2 Applicant 817 Main Street LLC,
3 represented by Sarah Latham, has
4 requested an amendment to the site plan
5 to allow for the addition of one rental
6 room and the addition of one parking
7 space to the existing parking area.

8 The use as a bed and breakfast is
9 conditional and has received approval
10 from the Zoning Board of Appeals to
11 exceed the limit of three rooms and six
12 transient roomers by adding a fourth
13 room subject to Village of Greenport
14 and New York State regulations.

15 The variance was granted at the
16 June 14, 2016 ZBA meeting. The
17 property is located within the Historic
18 District in the R-1, One-Family
19 Residential Zone.

20 There is an error, that last
21 sentence, SEQRA coordinated review is
22 pending should not have been included
23 because it's not accurate.

24 Suffolk County Tax Map number
25 1001-2-1-25.

1
2 We discussed this at the last
3 meeting, again the actual increase in
4 use had been discussed and, I believe,
5 generally approved. There was just a
6 question as to whether or not one item
7 of the plans had been stamped properly
8 and included. Did we receive --

9 MR. PALLAS: Yes, Chairman, I can
10 confirm we received the stamped plans
11 and they indicate the proper
12 dimensions, the total was slightly over
13 120 square feet.

14 CHAIRMAN McMAHON: So everything
15 is conforming with that.

16 ATTORNEY PROKOP: Can I just see?

17 There's not a question.

18 CHAIRMAN McMAHON: Okay.

19 Do we have any other discussion or
20 questions on this application?

21 (No response.)

22 CHAIRMAN McMAHON: I'm going to
23 make a motion that we approve the
24 application as submitted.

25 Do I have a second for that?

1 MS. CLARKE: Second.

2 CHAIRMAN McMAHON: All in favor?

3 MR. JAUQUET: Aye.

4 MR. BURNS: Aye.

5 MS. CLARKE: Aye.

6 MR. COTUGNO: Aye.

7 CHAIRMAN McMAHON: Motion carries.

8 Item Number 3, 211 Carpenter

9 Street.

10 Continued discussion and action on
11 the site plan. David Kapell,
12 representing Old Shipyard LLC located
13 at 211 Carpenter Street has proposed to
14 convert an existing two-story building
15 into a firstfloor tasting room and one
16 second-floor apartment.
17

18 The property is in the CR,
19 Commercial/Retail District. Both uses
20 are permitted in the CR zone.

21 The property has been vacant for
22 some time. The property is located in
23 the Village Historic District and is
24 subject to coordinated review which was
25 issued on June 16, 2016 and is pending.

1
2 Suffolk County Tax Map number
3 1001-4-10-11.

4 Do we have any additional comments
5 or questions with regards to this? I
6 believe we have a representative for
7 the applicant here.

8 MS. BERRY: They addressed all the
9 things we raised except one issue, and
10 that's the bottom of the leader; so I
11 don't know if you feel that's a big
12 enough item to add it as a condition or
13 just leave it as it is.

14 CHAIRMAN McMAHON: Does anybody
15 have any thoughts?

16 MR. JAUQUET: I think it probably
17 should be conditional that the leader
18 has to be changed in order to --

19 MS. CLARKE: And walking down into
20 the dirt.

21 MR. JAUQUET: The dirt threshold
22 needs to be changed.

23 MS. CLARKE: Do you remember the
24 issue you had with walking around into
25 dirt from the porch?

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MS. BERRY: Did they change that?

MR. JAUQUET: The dirt threshold
needs to be changed.

MS. BERRY: Make that a condition
too.

MR. JAUQUET: Those two
conditions, I think we can pass it with
those conditions.

The leader takes the water away
from the foundation in an opposite
direction from the foundation.

MS. BERRY: What's happening now
is it comes right down sort of in the
middle and it's right near the bottom
of the handicap ramp.

MR. JAUQUET: I see.

MS. BERRY: What I would suggest,
I mean, I was hoping they would come up
with some solution that took it at the
ground, but they didn't, so maybe if it
goes under the ramp before it's
released, it's better than the front of
the ramp.

Maybe we just ask them to move the

1
2 bottom of the leader so that, you know,
3 it disposes away from the front of the
4 ramp.

5 CHAIRMAN McMAHON: Can we act on
6 this while we're still waiting for the
7 coordinated review?

8 ATTORNEY PROKOP: No, we have to
9 wait.

10 CHAIRMAN McMAHON: I guess we
11 table it then because if we have to
12 wait for the coordinated review, it's a
13 moot point.

14 I'm going to make a motion that we
15 table discussion on this item until the
16 next work session.

17 Do I have a second for that?

18 MS. CLARKE: Second.

19 CHAIRMAN McMAHON: All in favor?

20 MR. COTUGNO: Aye.

21 MS. CLARKE: Aye.

22 MR. BURNS: What is preventing the
23 coordinated review?

24 ATTORNEY PROKOP: Nothing is
25 preventing it, it's just the time

1
2 period. It rounds another two days.

3 The Trustees are going to comment
4 at their work session, so we have to
5 wait for them and the other boards.

6 MR. BURNS: Okay.

7 CHAIRMAN McMAHON: So we had --

8 ATTORNEY PROKOP: It's because
9 it's the Historic District.

10 Excuse me.

11 CHAIRMAN McMAHON: So I believe we
12 had a vote with two ayes and, Peter, do
13 you want to vote?

14 MR. JAUQUET: On what?

15 CHAIRMAN McMAHON: On whether to
16 table it.

17 MR. JAUQUET: Aye.

18 MR. BURNS: Aye.

19 CHAIRMAN McMAHON: Motion carries.

20 Item Number 4, Stirling Square,
21 300-308 Main Street.

22 Continued discussion on the
23 application for site plan review. An
24 amendment to the previous site plan
25 approved on November 4, 2015 is

1
2 required. The applicant, Robert I.
3 Brown, architect, is representing
4 Stirling Square LLC, Brent Pelton.

5 The applicant has proposed to
6 remodel four existing apartment units
7 into five inn units and one handicap
8 accessible unit on the ground floor for
9 a total of six inn units bringing the
10 total of rental rooms for American
11 Beech Inn to 11 rooms.

12 The proposal includes a renovation
13 of Suite 308C, a ground floor space,
14 into a lobby for the inn incorporating
15 a new glass facade with interior and
16 new exterior seating and a water
17 feature in the courtyard.

18 The proposal includes additional
19 bluestone hardscape for easier handicap
20 accessibility and several ramps
21 providing accessibility to each of the
22 commercial units.

23 The proposal for cover over the
24 existing cedar pergola which covers the
25 dining patio at the American Beech

1
2 restaurant and the extension of the
3 wood pergola to the north has been
4 eliminated.

5 The property is located in the
6 Historic District.

7 Suffolk County Tax Map number
8 1001-4-7-29.1.

9 I believe we have new plans here
10 as well. Do you want to discuss any of
11 that?

12 MR. BROWN: As you described, we
13 eliminated the awning of the pergola.
14 We've eliminated extending the pergola
15 to the north over the fireplace. We
16 have notated the paving has to be for
17 access only.

18 CHAIRMAN McMAHON: Okay.

19 MR. BROWN: I believe those were
20 the issues that were raised at the last
21 work session.

22 MS. BERRY: You are removing the
23 plastic cover on the pergola?

24 MR. BROWN: The plastic cover is
25 gone, I saw it coming down myself

1
2 personally.

3 MS. BERRY: Okay. I have another
4 question.

5 I saw you have bicycles, which is
6 great; are you going to continue to
7 have them?

8 MR. BROWN: I believe it's Mr.
9 Pelton's intention to keep them there,
10 yes. I think it's -- he's trying to
11 consider exactly where he wants to
12 leave them because where he had them
13 was getting watered by the sprinkler
14 system; so that's still up in the air,
15 but it's my understanding he does
16 intend to have them, yes.

17 MR. PALLAS: I'm sorry, what
18 are -- are these rented bicycles?

19 MR. BROWN: I believe they are
20 available to the occupants of the
21 hotel.

22 MR. PALLAS: For no charge?

23 MR. BROWN: I would have to defer
24 to Mr. Pelton, I don't know the answer
25 to that.

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MR. PALLAS: We need to know --

MR. JAUQUET: I think we have
to --

MS. CLARKE: Absolutely.

MR. PALLAS: We need to know that,
and I think if they're going to be
permanently located somewhere, I think
that should be shown on the site plan.

MS. CLARKE: Absolutely.

MR. PALLAS: It's your call.

MR. JAUQUET: Yeah, I mean, if he
is going to have a bicycle operation,
we need to know where and how much.

MR. PALLAS: And if they're going
to be rented, then it's a use
evaluation.

MS. CLARKE: And is he providing
helmets for the people that are riding
them?

CHAIRMAN McMAHON: I personally
have no issue with bikes being rented
or made available to the tenants, it
does need to be part of his full
application. It needs to be clearly

1
2 addressed whether or not he is going to
3 be doing it, and where he plans on
4 keeping them permanently. Again, I
5 personally have no issue with it
6 whatsoever, but it does need to be on
7 the plan and clearly indicated as part
8 of the site plan evaluation.

9 MR. BURNS: Can we do a
10 conditional approval?

11 CHAIRMAN McMAHON: I don't think
12 we're quite ready for --

13 ATTORNEY PROKOP: This one is
14 still in the SEQRA period too. It has
15 the same date as the previous
16 application.

17 CHAIRMAN McMAHON: The other
18 boards are still looking at this.

19 MR. PALLAS: In fairness, we need
20 to review and confirm what has been
21 stated, so we need some time for this.

22 CHAIRMAN McMAHON: I don't think
23 we'll be able to approve this. We need
24 finalized plans that we would have
25 opportunity to review before a meeting.

1
2 It wouldn't necessarily be done between
3 the work session and the regular
4 meeting.

5 MS. CLARKE: What about the letter
6 from David Corwin?

7 CHAIRMAN McMAHON: We'll address
8 that in just a minute, let's let Mr.
9 Brown address whatever changes were
10 made and then Mr. Corwin's letter will
11 be entered into the record.

12 So for the lobby area, did Mr.
13 Pelton indicate whether he plans on
14 that being a bar area as well or just a
15 lobby?

16 MR. BROWN: It's my understanding
17 that he will extend the liquor license
18 that he has.

19 CHAIRMAN McMAHON: He wants that
20 to be part of --

21 MR. BROWN: I believe he wants the
22 capability of being able to. I don't
23 think it's his intention to have a
24 fully operating bar as another
25 business.

1
2 CHAIRMAN McMAHON: Again, he is
3 going to need to make a decision before
4 we can make a decision and it's
5 gonna --

6 MR. BROWN: About?

7 CHAIRMAN McMAHON: About exactly
8 the scope of the operation of the
9 lobby, exactly what's going to -- is it
10 going to be serving drinks, is it going
11 to be a partial menu, a full menu, is
12 the liquor license attached to the inn
13 or does it have some association to one
14 of the other restaurants or is it a
15 separate entity entirely. All of that
16 is going to need to be fleshed out
17 fully before we can make any
18 intelligent decision; so I think that
19 the details of that would need to be
20 included.

21 Also, if there is alcohol being
22 served there, regardless if there is
23 any food or beverage being served
24 there, is the outdoor seating that's
25 proposed here part of that? Is that in

1
2 connection with what is being served in
3 the lobby or does that have some other
4 connection to another restaurant?

5 It just, it needs to be really a
6 fully fleshed out proposal that we're
7 looking at because if it just evolves
8 into something after the fact, it's not
9 really fair to the neighbors or to us
10 or anyone else. It needs to be a
11 fully --

12 MS. CLARKE: Tell us exactly what
13 he's going to be doing.

14 CHAIRMAN McMAHON: Yeah.

15 MS. CLARKE: Exactly what his
16 intended use is.

17 CHAIRMAN McMAHON: Because if
18 the --

19 MS. CLARKE: Full disclosure.

20 CHAIRMAN McMAHON: So the outdoor
21 seating area, if that's going to be
22 connected to the lobby, is that going
23 to be a late-night thing; is there
24 going to be -- again, because then it
25 becomes an issue for noise on Main

1
2 Street. I know there is outdoor
3 restaurant activity going on already,
4 it's been going on there for a while
5 now, but when it's pushed 30 feet
6 closer or 30 yards closer to Main
7 Street, it's directly across from
8 apartments and it can be a
9 quality-of-life issue for tenants
10 there. It needs to be whatever the
11 application, whatever the proposed use
12 is. I'm not making any judgments on
13 that at this point, I'm just saying all
14 of that needs to be clearly shown in
15 the plan.

16 MS. CLARKE: Yes.

17 CHAIRMAN McMAHON: Anyone have any
18 thought or questions?

19 MR. BURNS: Table this?

20 CHAIRMAN McMAHON: Yes. I believe
21 Mr. Corwin has some comments, things he
22 wants to discuss with regards to this
23 application. I don't think -- yeah, we
24 can't move forward at this time because
25 there were revisions to the plan

1
2 between the work session and the
3 regular session.

4 MR. BROWN: We tried to respond as
5 quickly as we could.

6 CHAIRMAN McMAHON: I understand,
7 even if you came the next day, it
8 simply wouldn't have -- we need time
9 for everyone to -- the consultant and
10 all of us to digest.

11 MR. BROWN: So can you tell me
12 what the deadline might be for the next
13 generation of drawings for the next
14 meeting?

15 CHAIRMAN McMAHON: Is it a week or
16 two weeks before a work session?

17 ATTORNEY PROKOP: It's at least a
18 week.

19 CHAIRMAN McMAHON: It is a week.

20 ATTORNEY PROKOP: And with copies
21 for everyone.

22 CHAIRMAN McMAHON: So a week
23 before the next work session, that
24 would give us enough time to review
25 everything and then possibly take

1
2 action.

3 ATTORNEY PROKOP: So that's two
4 weeks from tonight.

5 MR. BROWN: Okay.

6 Thank you.

7 CHAIRMAN McMAHON: Thank you.

8 Mr. Corwin, did you want us to
9 read your letter or did you want to
10 speak?

11 MR. CORWIN: You can read the
12 letter if you want. I don't want to
13 speak, no.

14 CHAIRMAN McMAHON: Okay.

15 This is a letter from Mr. Corwin
16 to the Planning Board. It says, Dear
17 Chairman McMahon, the subject is
18 Stirling Square LLC, 300-308 Main
19 Street, Suffolk County Tax Map
20 1001-4-7-29.1.

21 Dear Chairman McMahon, I wrote the
22 Planning Board eleven months ago
23 raising some concerns I had with the
24 approval of the American Beech
25 restaurant complex. I am enclosing a

Flynn Stenography & Transcription Service
(631) 727-1107

1 copy of my letter for your convenience.

2 To date, none of my concerns seem to
3 have been addressed. I question any
4 further approvals for acceptance of
5 applications until such time as the
6 problems with American Beech are
7 resolved.
8

9 American Beech routinely dumps
10 cleaning slop on Carpenter Street, the
11 concrete in the garbage loading area
12 still seems to be pitched towards the
13 street, the screened fence has not been
14 made proper. In short, American Beech
15 is a disgusting mess.

16 Respectfully yours, David S.
17 Corwin.

18 MR. JAUQUET: Does this picture
19 indicate the slop --

20 MR. CORWIN: It does, and any
21 morning, you can go down there about 9
22 o'clock and see that slop.

23 MR. JAUQUET: It's sort of a light
24 colored liquid water.

25 MR. CORWIN: Yes.

1
2 MR. JAUQUET: And the drain, you
3 can see the wetness on the sidewalk
4 from the alley, from their rear yard
5 across the sidewalk and onto the
6 street; is that the idea?

7 MR. CORWIN: Yes, and they made a
8 track there of garbage on the
9 sidewalk --

10 MR. JAUQUET: From their door --

11 MR. CORWIN: It's just disgusting
12 if you live across the street.

13 MR. JAUQUET: That's what you're
14 trying to depict or illustrate?

15 MR. CORWIN: Yes.

16 CHAIRMAN McMAHON: I mean, if
17 there's -- two things. First, if any
18 of this is in violation of the original
19 site plan or any other activity is in
20 violation of the regulations of the
21 Village then that would not necessarily
22 be an issue for this board to address,
23 but rather the enforcement arm of the
24 Village of Greenport.

25 I do understand your position that

1
2 you would not want to see additional
3 approvals or explosion of the space
4 until some existing nonconformance is
5 addressed, but I don't know, what does
6 everyone else think, what are your
7 thoughts?

8 MR. PALLAS: If I may,
9 Mr. Chairman, I understand your point
10 that it's an enforcement matter, I
11 fully understand and appreciate that.
12 We will be following up and have been
13 following up on that.

14 However, we have discussed these
15 issues with the applicant on multiple
16 occasions among other issues that I
17 would like to mention. One of which
18 being garbage, the time for pickup of
19 garbage is unusually early, 4:30 a.m.
20 to be exact, and we received multiple
21 complaints about that as well. We have
22 attempted to correct the situation with
23 discussions to no avail.

24 From a staff perspective, we are
25 requesting that unless and until those

1
2 conditions that are articulated in that
3 letter and the garbage, regardless of
4 how we proceed on enforcement, whether
5 those, you know, if those are not
6 corrected, that you not proceed with
7 any further approvals.

8 In addition to those two items,
9 there was, at last week's meeting it
10 was mentioned about a need to go back
11 to Historic Preservation Commission for
12 approval of ductwork on the side. I
13 can confirm we have received an
14 application for that, but it will not
15 be on this month's HPC agenda, it will
16 be on August's agenda.

17 So again, I would just ask that
18 until all of these matters have been
19 addressed to our satisfaction, that you
20 do not proceed with any approvals.

21 ATTORNEY PROKOP: The ductwork
22 that we asked about the last time is
23 actually shown in that picture very
24 accurately, and I wonder if maybe we
25 can get a copy of that to the HPC so

1
2 they can see what it looks like.

3 Thank you.

4 CHAIRMAN McMAHON: I have to go to
5 work, I'm already quite late. Peter
6 will be chairing the rest of the
7 meeting.

8 Do we need to make a motion?

9 ATTORNEY PROKOP: We need to make
10 a motion to have Peter as acting
11 chairman for the remainder of the
12 meeting.

13 CHAIRMAN McMAHON: Okay.

14 I'm going to make a motion that
15 Peter acts as chairman for the rest of
16 the meeting as I have to leave.

17 MR. BURNS: Second.

18 CHAIRMAN McMAHON: All in favor?

19 MR. JAUQUET: Aye.

20 MR. COTUGNO: Aye.

21 MR. BURNS: Aye.

22 MS. CLARKE: Aye.

23 CHAIRMAN McMAHON: Motion carries.

24 Thanks very much.

25 (Whereupon, Chairman McMahan

1
2 leaves the meeting.)

3 MR. JAUQUET: Dave also had
4 another letter here to the Planning
5 Board with regard to other technical
6 issues with the project on 300-308 Main
7 Street, just to continue the
8 discussion.

9 These also look like enforcement
10 and building code issues, and I guess
11 I'll read this since we read the other
12 one, and I'm skipping down to -- did
13 you see this letter, the other part,
14 there was two letters in the envelope
15 from Mr. Corwin?

16 MR. PALLAS: I saw the first one,
17 I don't know if --

18 MR. JAUQUET: Okay.

19 In this one I'm just going to read
20 quickly.

21 He says, it's my understanding
22 that the original plan, I guess we're
23 going back, was to renovate the old
24 horse stable come restaurant bar when
25 work began, it was found that the

1
2 restaurant was in poor condition, and
3 it was essentially rebuilt from the
4 ground up. This should not have come
5 as a surprise to anyone as we have seen
6 similar course of action go back to the
7 drawing board.

8 The Stirling Square LLC project
9 was done in record time. To my
10 knowledge, it is less from a year from
11 the property changing hands to the
12 approval of an essentially complete
13 reconstructed structure. There are
14 some deficiencies in the project.

15 If a project requires more than 50
16 percent of the cost of the value of the
17 structure in reconstruction, it loses
18 its noncompliant status and has to
19 start over again as per code. The cost
20 of the reconstruction project had to be
21 more than 50 percent of the value and
22 as such should have at least gotten a
23 variance from the Zoning Board of
24 Appeals for rear yard setback and
25 parking requirements. The building is

1
2 less than eight inches above grade in
3 accordance to New York State Building
4 Code. It should have
5 preservative-treated plywood and
6 structural elements. I did not observe
7 preservative-treated plywood used in
8 the construction. On at least the
9 north side of the building, the
10 structural elements, two-by-four wall
11 studs did not appear to be
12 preservative-treated.

13 The Village Zoning Code requires
14 that all rain water be contained on the
15 property. This project does not seem
16 to meet that requirement.

17 The leader from the -- that can be
18 discussed at a later -- I'll just read
19 it anyway.

20 The leader from the north roof
21 discharges to concrete apron -- onto
22 the concrete apron behind the fence on
23 Carpenter Street, then runs off
24 directly on Carpenter Street. The
25 concrete loading garbage area to the

1
2 north side of the restaurant appears to
3 be pitched to Carpenter Street. Some
4 of the ductwork on the east side of the
5 building may protrude past the property
6 line on Carpenter Street. I suggest
7 that a drainage plan showing that all
8 runoff is contained on the property
9 should be submitted in compliance with
10 the drainage plan and should be
11 verified before any more improvements.

12 Some of that is redundant, but I
13 put this in the record so the Building
14 Department can take a look at it and
15 have a recommendation because I can't
16 speak to those issues, so for the next
17 meeting, how about just a comment on
18 that.

19 MR. PALLAS: Sure.

20 MS. CLARKE: That was dated August
21 3, 2015. I mean, it should have
22 been --

23 MR. JAUQUET: I guess, I don't
24 know, I didn't see that part of it.
25 But anyway, it may still be

1
2 appropriate.

3 MS. CLARKE: No. He's saying why
4 weren't these issues addressed.

5 MR. JAUQUET: Right.

6 MS. CLARKE: That's what he is
7 following up on. Yes, this letter and
8 its concerns, he hasn't been advised of
9 what's going on with this August 2015
10 letter, hence the July 2016 questioning
11 why.

12 MR. JAUQUET: Okay.

13 All right, so I think that's it
14 for Item Number 4.

15 Item Number 5 is the vacant lot
16 east of 217 Monsell Place.

17 Item Number 5, vacant lot east of
18 217 Monsell Place.

19 Continued discussion of the
20 pre-submission conference for Bryan
21 Nicholson. The applicant proposes to
22 develop the vacant parcel which he is
23 currently under contract to purchase.

24 Bryan Nicholson is before the
25 Board to discuss the proposed

1
2 construction of a one-family house on
3 the property located east of 217
4 Monsell Place.

5 The pre-submission package
6 includes a site plan, floor plans, and
7 elevations. The project as proposed
8 will require one variance.

9 It is scheduled to be on the ZBA
10 agenda for the July meeting.

11 A revised site plan will be
12 submitted for consideration upon the
13 completion of the Zoning Board Appeal
14 process.

15 The property is located in the
16 R-1, One-Family Residential District of
17 the Village of Greenport.

18 The property is not located in the
19 Greenport Village Historic District.

20 So we're still in the discussion
21 phase on this.

22 My concern with the overall plan
23 is that there is a lot of bedrooms to
24 very little living space and, you know,
25 Eileen last said it met the code for

1
2 the ratios that are involved. To me,
3 you know, three-and-a-half bathrooms
4 and four bedrooms in one place for
5 living for a family of five or six to
6 live in one space, to me is not
7 appropriate for a single-family house.
8 That's my opinion.

9 I don't like the plan the way
10 it -- and I would ditto that for the
11 other house, which I think is the same
12 exact house on the next agenda item.

13 What do the other board members --
14 how do the other board members feel
15 about it?

16 MR. COTUGNO: I agree with you.

17 MR. JAUQUET: I mean, I'm mad
18 about the house that was approved on
19 North Street which came in to us at
20 five bedrooms, two laundry rooms and a
21 kitchen, you know, in one room for a
22 ton of people to live and it was a
23 little bit bigger house.

24 MR. COTUGNO: Just because it
25 meets New York State Code, that doesn't

1
2 mean it's appropriate in the Village of
3 Greenport.

4 MR. JAUQUET: My suggestion is to
5 keep the three bedrooms upstairs and
6 half bath downstairs and two separate
7 rooms for living for whatever kind of
8 family goes in there. It's a small
9 lot, it's a small building, and it has
10 limitations, and if you want to argue
11 that an elderly person can't get up the
12 stairs, you know, maybe it's not their
13 house, you know, there's constrictions.

14 And what we did on North Street,
15 you know, really doesn't help and those
16 people are still mad about the house
17 that was built on their block.

18 And, you know, there is nobody
19 from that block, you know, here to
20 defend themself if defense is needed,
21 but there is no one here on the block
22 speaking for themselves. I don't know
23 if they know these houses are coming
24 in, but all I can see is too many
25 people, too many cars and situations

1
2 develop like we have on Fifth Avenue
3 where the people are up in arms all the
4 time.

5 And, you know, there is no
6 other -- I called the inspector at
7 Riverhead and at the Town of Southold,
8 and, you know, they thought dormitory,
9 dormitory. It's only going to be
10 Airbnb, you know. I just went around
11 and got other input from hieratical
12 counterparts of our Building
13 Department, inspectors from other towns
14 that have, you know, resort demand.

15 Anyway, I'm done talking.

16 MR. NICHOLSON: Bryan Nicholson.
17 Nice to see you all again.

18 I hear you with everything you're
19 saying. If this is my proposal for
20 what I want to do, I'm not building a
21 house with two laundry rooms and five
22 bedrooms. I'm talking about a house
23 that you think is too large. I mean,
24 the average size home in the United
25 States is 2,600 square feet, you know,

1
2 this is 1,750 square feet, so basically
3 two-thirds of all homes in the United
4 States according to the Census Bureau
5 are larger than this home that I'm
6 proposing to build, so I understand
7 your concerns, but I am also not trying
8 to build a monstrous house, basically
9 two-thirds of homes in the United
10 States are larger than this house.

11 MR. COTUGNO: Besides that, a home
12 is usually proportionate to size of the
13 land, so when you mention the United
14 States, I think the property sizes are
15 much higher than these two lots.

16 MR. NICHOLSON: If you look at
17 most track-home communities in the
18 United States, they're building homes
19 like this, every one of them is usually
20 about an eighth of an acre, this lot is
21 just about an eighth of an acre as
22 well.

23 MS. CLARKE: You stated these were
24 for your in-laws or your parents.

25 MR. NICHOLSON: Correct.

1
2 MS. CLARKE: That's two people, a
3 couple.

4 MR. NICHOLSON: Yes.

5 MS. CLARKE: Why do they need four
6 bedrooms?

7 MR. NICHOLSON: We have other
8 family coming to visit the town. My
9 sister lives in Texas, she's got two
10 kids as well, so --

11 MR. JAUQUET: I just think the
12 proportion of on-suite bedrooms to one
13 room for living, even though it's a
14 kitchen, a dining table and a couch, in
15 this village which has already got, you
16 know, overcrowding on blocks is too
17 much.

18 MR. NICHOLSON: Understood, but
19 this is a single-family home, this
20 isn't a multiple-family dwelling, it's
21 not a two-family home and, you know,
22 there is a very defined space for each
23 one of the -- for living space, for
24 kitchen space, and for dining room
25 space.

1
2 If you want to build a home where
3 you have a formal dining room that
4 doesn't get used 98 percent of the
5 time, you know, by the occupants in a
6 house, that is wasted, unused space,
7 and I'm just trying to do an open
8 concept where family can live, eat, and
9 enjoy time together which to me is very
10 important.

11 Also, I don't know if you guys
12 have the updated site plan, I did, to
13 Eileen, I sent an updated site plan for
14 both Monsell and for Second Street.

15 We talked about Monsell, I did
16 move it forward and put a straight
17 driveway, so I do not know if you have
18 that in front of you or not.

19 MR. JAUQUET: I don't, but I
20 recall. This is one with the movable
21 electric pole?

22 MR. NICHOLSON: Correct, and that
23 is notated on the site plan as well.

24 I've talked to the neighbors as
25 well, and, you know, like I said last

1
2 week, and I've gone over the plans of
3 the house with them, the design, the
4 layout, they stated to me that they are
5 okay with everything so far and that's
6 why I discussed with them the moving of
7 the utility pole and their electric
8 line, the placement of the house on the
9 lot, we won't take down as many trees
10 in the back, shade for them, because
11 these are the people it would directly
12 affect the most, so I'm going into this
13 trying to work with them and, of
14 course, you as much as possible on
15 this.

16 MR. BURNS: I have a hard time
17 being critical of anyone who wants to
18 build something like that. My house is
19 1,700 square feet, two floors, two
20 apartments, three bedrooms, two baths,
21 and it's on a very small lot, it's a
22 very small house, so it's not terribly
23 different from what he is proposing,
24 and I wonder if many of the houses in
25 the Village -- we don't want him to

1
2 build a monstrosity, we don't want him
3 to build a huge house with all kinds of
4 whatever, nor do we want him to build a
5 shack.

6 ATTORNEY PROKOP: I think that the
7 comment for this board is not the size,
8 well, it is the size of the house, but
9 I think that it's more the concern
10 about the use of the house, which is
11 something that we have within our
12 purview.

13 MR. JAUQUET: What are the
14 purviews for use --

15 ATTORNEY PROKOP: Similar to what
16 we looked at with the North Street
17 application where one of the comments
18 was that there was a laundry room on
19 the second floor on that application,
20 you know, the Board, it's a fair
21 comment for the Board to make if the
22 Board believes it's being set up for
23 multifamily or short-term rentals, both
24 of which would be reasons to not let
25 the application proceed.

1
2 MR. JAUQUET: This one only has
3 one laundry room, North Street, we
4 knocked out the second laundry room.
5 In a way, the construction requirement
6 of making a 40-by-20 rectangle, you
7 know, works with the living situation
8 in the back and another room in the
9 front which you have as a bedroom right
10 now. I think this is too many bedrooms
11 for just one room for the living space,
12 it really is only one room. You are in
13 the kitchen, in the bedroom, and the
14 living room all at once, and, you know,
15 somebody's, they're all there all the
16 time, there isn't a separate room for
17 kids to do their homework, et cetera.

18 MR. NICHOLSON: There are
19 bedrooms.

20 MR. JAUQUET: I know but --

21 MR. NICHOLSON: They can do their
22 homework in their bedrooms, and the
23 house I live in right now, it's open
24 concept, my living, dining and --

25 MR. JAUQUET: I know, I've seen --

1
2 MR. NICHOLSON: -- also when
3 raising kids or having grandkids over,
4 you don't have to worry about small
5 kids running around the house, you can
6 baby-proof a room, you basically have
7 one baby gate you can put up and it
8 allows the family to be together which
9 I think is important and also for
10 safety of young children as well.

11 MR. JAUQUET: That's another
12 thing, if the kid is upstairs, the kid
13 is young, he's upstairs, he's got his
14 on-suite bathroom, he can drown
15 himself. I mean, really.

16 MR. BURNS: I don't see how --

17 MR. JAUQUET: You know --

18 MR. NICHOLSON: I'm not putting a
19 pool in this house. Kids drown in
20 pools usually, they're not going to
21 drown, most kids and drownings that
22 happen don't happen in a foot of water
23 in a bathtub.

24 MS. CLARKE: It can.

25 MR. NICHOLSON: It can, but it's

1
2 very rare.

3 MR. BURNS: I don't see how he
4 lives in his house is within our
5 purview.

6 MR. JAUQUET: I know. That's
7 right, and I'm -- I may lose this
8 argument, but I want to stand up for
9 the, you know, the fact that there is a
10 lot of overcrowded houses and if they
11 all got into a single-family situation
12 where there's extra relatives living
13 there, you'll suddenly have six cars in
14 front of the house and a bad situation
15 and that's happened in this size house
16 in lots of places in the Village,
17 that's my concern.

18 MR. BURNS: What do you expect him
19 to build?

20 MR. JAUQUET: I think the house is
21 really cute, as long as, you know,
22 maybe the facade stays that way, I
23 think it's a -- what do you call that?

24 MR. NICHOLSON: Are you talking
25 the style of the home?

1
2 MR. JAUQUET: The style, the
3 front, yeah.

4 MR. NICHOLSON: I would call it
5 coastal cottage-type home.

6 MR. JAUQUET: That part is really
7 nice, I thought, you know, you look at
8 the front elevation.

9 MR. NICHOLSON: It is not going to
10 be cheap for me to build a home like
11 this, putting extra work, putting a
12 porch on, these are all things if I was
13 trying to build a cheap one-family,
14 single-family home, that I can do, but
15 I'm investing the extra money into
16 building something that I think brings
17 value to Greenport.

18 ATTORNEY PROKOP: As the
19 single-family home.

20 MR. NICHOLSON: As a single-family
21 home, and if you are talking about, you
22 know, overcrowding, this is a
23 single-family home, that's the zoning
24 for it. I'm not trying to build
25 multifamily dwellings here which would

1
2 cause overcrowding or more of a concern
3 of overcrowding --

4 MR. BURNS: I think you're on the
5 right track for this Village.

6 MR. NICHOLSON: Thank you.
7 Appreciate that.

8 MR. JAUQUET: Anybody else?

9 Do you have anything to say?

10 MS. CLARKE: No, I just hope --

11 MR. COTUGNO: I couldn't vote on
12 approving this unless the bathroom and
13 bedroom on the first floor were
14 eliminated because without it, it's
15 definitely an eight-person house and
16 you can't even fit eight people in the
17 dining room let alone the great room,
18 so it doesn't make sense to me.

19 MR. JAUQUET: I think the half
20 bath should be retained if that were
21 the case.

22 MR. BURNS: We are the Planning
23 Board, we're not the Architectural
24 Review Board, we approving his house
25 for him and his family.

1
2 MR. NICHOLSON: The other thing as
3 far as having a full bathroom on the
4 first floor, for elderly people who
5 have bad knees or have problems, you're
6 going to need a full bath on the first
7 floor so they can maintain proper
8 hygiene.

9 ATTORNEY PROKOP: The application
10 before this Board tonight is for a
11 denial because we can't approve it
12 anyway because it doesn't comply with
13 the zoning.

14 MR. JAUQUET: So we've still got
15 time.

16 ATTORNEY PROKOP: The comments
17 that we're making are really for the
18 gentleman's second time back through
19 the Board which he's going to have to
20 do for the ZBA.

21 MR. JAUQUET: Say that again.

22 ATTORNEY PROKOP: He's going to
23 have to come back to us after the ZBA.

24 This is a pre-submission
25 conference and you're required to deny

1
2 the application because it does not
3 comply to zoning.

4 MR. JAUQUET: Okay, so let's just
5 do that for now.

6 I'd like to get Devin's comments
7 too.

8 MR. PALLAS: Before you do that,
9 can I make a couple points?

10 The setback on the house, they did
11 move it forward, but they went a little
12 too far and he didn't include the front
13 steps and the setbacks would have to be
14 moved back to account for the step.

15 MR. JAUQUET: So is the Building
16 Department giving that directive to the
17 --

18 MR. NICHOLSON: I believe in the
19 second e-mail that I had it moved
20 forward, I had the architect and
21 engineer move it forward because of the
22 steps, you know, that we sent in to you
23 guys as well.

24 MR. JAUQUET: This denial is
25 because it needs a variance from the

1
2 ZBA.

3 I'm going to make a motion to deny
4 the application.

5 MS. CLARKE: Second.

6 MR. JAUQUET: Because of the
7 Zoning Board of Appeals requirement.

8 Do I have a second?

9 MS. CLARKE: Second.

10 MR. JAUQUET: All in favor?

11 MS. CLARKE: Aye.

12 MR. BURNS: Aye.

13 MR. COTUGNO: Aye.

14 MR. JAUQUET: The next one is the
15 vacant lot south of 525 Second Street.

16 Item Number 6, vacant lot south of
17 525 Second Street.

18 Continued discussion of the
19 pre-submission conference for Bryan
20 Nicholson.

21 The applicant proposes to develop
22 the vacant parcel which he is currently
23 under contract to purchase.

24 Bryan Nicholson is before the
25 Board to discuss the proposed

1
2 construction of a onefamily house on
3 the property located south of 525
4 Second Street.

5 The pre-submission package
6 includes a site plan, floor plans, and
7 elevations.

8 The property is located in the
9 R-2, One- and Two-Family Residential
10 District of the Village of Greenport
11 and is not located in the Greenport
12 Village Historic District.

13 This is District 1001, section 2,
14 block 6, lot 14.2.

15 This is essentially the same house
16 on about the same size lot.

17 MR. NICHOLSON: The lot is larger
18 so everything would be conforming to
19 it.

20 I guess I'll start with, from your
21 comments last week, you talked about
22 the windows on the plan, those have
23 been added in. I don't know if you
24 have that copy in front of you for the
25 floor plans, I did add all the windows

1
2 in, as well as part of the convenance
3 for the run of the land when it was
4 subdivided, it says it needs three
5 parking spots, I've also added that as
6 well, so there is enough room for three
7 parking spots for the lot for the
8 proposed home.

9 Also you had brought up single and
10 separate, that is currently in the
11 works with the title company, and I
12 should have that next week.

13 Also you brought up the deck that
14 needs to be removed next door. The
15 opposing seller's attorneys have
16 confirmed that that will be removed
17 next week, and I would provide the
18 Board with before-and-after pictures to
19 verify that the deck has been removed.

20 ATTORNEY PROKOP: You need to
21 provide this board with a single and
22 separate certification from the title
23 company.

24 MR. NICHOLSON: That is an order
25 that is in the works and I will have

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that next week.

ATTORNEY PROKOP: I don't know
that we can approve it.

MR. JAUQUET: So we'll table it
until we get all the materials.

ATTORNEY PROKOP: Yes.

MR. JAUQUET: Does anyone have any
comments on the project overall?

MR. COTUGNO: The same as the last
application, I guess.

MR. JAUQUET: I guess I'd like --
mine is pretty much the same.

So the idea is we're going to
table this until the next meeting.

I'm going to make a motion that we
table this until the next meeting until
we get all the required materials that
were just mentioned by the Village
attorney.

Do I have a second?

MS. CLARKE: Second.

MR. JAUQUET: All in favor?

MR. COTUGNO: Aye.

MR. BURNS: Aye.

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MS. CLARKE: Aye.

MR. NICHOLSON: Thank you.

ATTORNEY PROKOP: If I can just say, there was a question about how far back the single and separate search has to go. I think it has to go back to the adoption of the Zoning code. The title company you use should know that, if they have a question, you can ask them to call me.

MR. NICHOLSON: Going back to the adoption of the Zoning code.

ATTORNEY PROKOP: Correct.

MR. NICHOLSON: I will ensure that.

Thank you very much.

MR. JAUQUET: Number 7, this is a motion to accept the resolutions for William Claudio, Inc. represented by Janice Claudio, Crazy Four, Inc., represented by Callie Brennan and Juniper Spirit Merchants, represented by Robert Place.

I do not remember what -- if there

1
2 was any discussion that, of anything
3 that needs to be discussed further in
4 this application.

5 MS. CLARKE: I believe Claudios
6 needed to depict the TV or they were
7 going to have something on the piling
8 right, a running show or --

9 MR. JAUQUET: Where their TV
10 was --

11 MS. CLARKE: They were supposed to
12 address something about that, correct?

13 ATTORNEY PROKOP: We can adopt the
14 resolution with that change, it will
15 have that condition in it.

16 MR. JAUQUET: I'm going to make a
17 motion to accept the resolutions for
18 Item Number 7 for William Claudio with
19 the condition that a full description
20 of the placement and size is acceptable
21 to us for the outdoor video TV sales
22 sign that they intend to put in place,
23 so with that condition I would want to
24 accept this resolution.

25 Do I have a second?

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MR. BURNS: Second.

MR. JAUQUET: All in favor?

MR. BURNS: Aye.

MR. COTUGNO: Aye.

MS. CLARKE: Aye.

ATTORNEY PROKOP: Thank you for
bringing that up.

MS. CLARKE: You're welcome.

MR. JAUQUET: Item Number 8 is a
motion to approve the Planning Board
minutes of the May 5, 2016 and May 26,
2016 meeting.

Do I have a second?

MR. BURNS: Second.

MR. JAUQUET: All in favor?

MR. BURNS: Aye.

MS. CLARKE: Abstain.

MR. COTUGNO: Abstain.

MR. JAUQUET: Item Number 9,
motion to accept the Planning Board
minutes of the May 26, 2016 meeting.

All in favor?

MR. BURNS: Aye.

MS. CLARKE: I think we need --

1
2 the previous one, I think --

3 ATTORNEY PROKOP: I think we just
4 need to state on Item Number 7, go
5 back, we're also approving the
6 resolution for Crazy Four, Inc. and
7 Juniper Spirits Merchants.

8 MR. JAUQUET: I want to make a
9 motion to accept the resolutions for
10 William Claudio Inc. represented by
11 Janice Claudio, Crazy Four, Inc.
12 represented by Callie Brennan and
13 Juniper Spirit Merchants represented by
14 Robert Place.

15 Do I have a second?

16 MR. BURNS: Second.

17 MR. JAUQUET: All in favor?

18 MR. BURNS: Aye.

19 MR. COTUGNO: Aye.

20 MS. CLARKE: Aye.

21 MR. JAUQUET: Okay.

22 MR. MOORE: Before you adjourn, I
23 would like to ask a question.

24 MR. JAUQUET: Okay.

25 So Item Number 9, motion to accept

1
2 the Planning Board minutes of the May
3 26, 2016 meeting.

4 Do I have a second?

5 MS. CLARKE: Second.

6 MR. JAUQUET: All in favor?

7 MR. BURNS: Aye.

8 MS. CLARKE: Aye.

9 MS. BERRY: I've got a question.

10 On 29 Front Street, you approved
11 the use and didn't approve the signage.
12 One sign is acceptable, so I wonder if
13 you want to accept one sign but not the
14 overhead hanging sign.

15 ATTORNEY PROKOP: It's not on the
16 agenda.

17 MS. BERRY: Okay.

18 MR. JAUQUET: We'll put that
19 discrepancy on the agenda for the next
20 time.

21 What was that again, there's two
22 signs?

23 MS. BERRY: There are two signs in
24 the application, one we're rejecting,
25 but there is nothing wrong with the

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other one.

MR. JAUQUET: I'll tell Devin.

MR. MOORE: Doug Moore, Zoning Board of Appeals. Just your agenda Item 6 which you tabled, 525 Second Street, in the work session which was Item Number 7 a week ago, there was an indication that it would require a variance, and you said nothing about that tonight. Procedurally at some point, you need to reject the application so the Zoning Board can consider it.

MS. BERRY: I don't think there are any.

MR. MOORE: No variances?

MR. PALLAS: I don't believe there are on this application.

MR. MOORE: I believe last week indicated there were variances.

MS. BERRY: Monsell needs it, but this lot is big enough.

MR. MOORE: Okay. A week ago, it said the project as proposed will

1
2 require variances, so apparently that's
3 not correct.

4 MR. PALLAS: I believe that was a
5 misprint and we corrected that.

6 MR. MOORE: Good because that will
7 then not be an agenda item for us which
8 will reduce our seven-page agenda.

9 MR. JAUQUET: Thanks, Doug.

10 Item Number 10, motion to adjourn.

11 Do I have a second?

12 MS. CLARKE: Second.

13 MR. JAUQUET: All in favor?

14 MS. CLARKE: Aye.

15 MR. BURNS: Aye.

16 MR. COTUGNO: Aye.

17 (Time noted: 5:58 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 July 7, 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 7th day of July, 2016.

Stephanie O'Keefe

STEPHANIE O'KEEFFE

ATTORNEY PROKOP: [29] 4/10 4/24 5/2 5/8 7/15 11/7 11/23 12/7 17/12 22/16 22/19 23/2 27/20 28/8 42/5 42/14 46/17 48/8 48/15 48/21 52/19 53/2 53/6 54/3 54/13 55/12 56/6 57/2 58/14
CHAIRMAN McMAHON: [42] 4/12 5/5 5/9 5/15 5/20 7/13 7/17 8/2 8/7 9/13 11/4 11/9 11/18 12/6 12/10 12/14 12/18 14/17 16/20 17/10 17/16 17/21 18/6 18/18 18/25 19/6 20/13 20/16 20/19 21/16 21/19 22/5 22/14 22/18 22/21 23/6 23/13 25/15 28/3 28/12 28/17 28/22
MR. BROWN: [12] 14/11 14/18 14/23 15/7 15/18 15/22 18/15 18/20 19/5 22/3 22/10 23/4
MR. BURNS: [27] 5/14 5/17 8/4 11/21 12/5 12/17 17/8 21/18 28/16 28/20 41/15 44/15 45/2 45/17 47/3 47/21 50/11 53/24 55/25 56/3 56/14 56/16 56/23 57/15 57/17 58/6 60/14
MR. CORWIN: [6] 23/10 24/19 24/24 25/6 25/10 25/14
MR. COTUGNO: [15] 5/19 8/6 11/19 28/19 35/15 35/23 38/10 47/10 50/12 53/9 53/23 56/4 56/18 57/18 60/15
MR. JAUQUET: [67]
MR. MOORE: [6] 57/21 59/3 59/16 59/19 59/23 60/5
MR. NICHOLSON: [24] 37/15 38/15 38/24 39/3 39/6 39/17 40/21 43/17 43/20 43/25 44/17 44/24 45/23 46/3 46/8 46/19 47/5 47/25 49/17 51/16 52/23 54/2 54/11 54/14
MR. PALLAS: [14] 7/8 15/16 15/21 15/25 16/5 16/10 16/14 17/18 26/7 29/15 32/18 49/7 59/17 60/3
MS. BERRY: [12] 9/7 9/25 10/4 10/12 10/17 14/21 15/2 58/8 58/16 58/22 59/14 59/21
MS. CLARKE: [40] 5/18 7/25 8/5 9/18 9/22 11/17 11/20 16/4 16/9 16/17 18/4 20/11 20/14 20/18 21/15 28/21 32/19 33/2 33/5 38/22 38/25 39/4 44/23 47/9 50/4 50/8 50/10 53/21 53/25 55/4 55/10 56/5 56/8 56/17 56/24 57/19 58/4 58/7 60/11 60/13

-
-----x [2] 1/3
1/6

1
1,700 [1] 41/19
1,750 [1] 38/2
10 [1] 60/10
1001 [1] 51/13
1001-2-1-25 [1] 6/25
1001-4-10-11 [1] 9/3
1001-4-7-29.1 [2] 14/8 23/20
1001-5-4-26 [1] 3/21
11 [2] 9/3 13/11
12 [1] 2/6
12-33 [1] 2/8
120 [1] 7/13
14 [1] 6/16
14.2 [1] 51/14
16 [1] 8/25
1992 [1] 5/25

2
2,600 [1] 37/25
20 [2] 5/24 43/6
2015 [3] 12/25 32/21 33/9
2016 [11] 1/8 3/5 6/16 8/25 33/10 56/12 56/13 56/22 58/3 61/7 61/13
211 [3] 2/6 8/9 8/14
217 [4] 2/10 33/16 33/18 34/3
25 [1] 6/25
26 [4] 3/21 56/12 56/22 58/3
29 [4] 2/4 3/6 3/12 58/10
29.1 [2] 14/8 23/20

3
3-5 [1] 2/4
30 [2] 21/5 21/6
300-308 [4] 2/8 12/21 23/18 29/6
308 [4] 2/8 12/21 23/18 29/6
308C [1] 13/13
33 [1] 2/8
33-50 [1] 2/10

4
40-by-20 [1] 43/6
4:30 [1] 26/19

5
5-8 [1] 2/5
50 [3] 2/10 30/15 30/21
50-54 [1] 2/12
525 [5] 2/12 50/15 50/17 51/3 59/6
54 [1] 2/12
5:06 [1] 1/8
5:58 [1] 60/17

7
7th [1] 61/13

8
8-12 [1] 2/6
817 [3] 2/5 5/22 6/2

9
98 [1] 40/4

A
a.m [1] 26/19
able [2] 17/23 18/22
about [23] 18/5 19/6 19/7 24/21 26/21 27/10 27/22 32/17 35/15 35/18 36/16 37/22 38/20 38/21 40/15 42/10 44/4 46/21 51/16 51/21 54/5 55/12 59/10
above [1] 31/2
Absolutely [2] 16/5 16/10
Abstain [2] 56/18 56/19
accept [7] 54/19 55/17 55/24 56/21 57/9 57/25 58/13
acceptable [2] 55/20 58/12
acceptance [1] 24/5
accepted [1] 4/19
access [1] 14/17
accessibility [2] 13/20 13/21
accessible [1] 13/8
accommodated [1] 4/6
accordance [1] 31/3
according [1] 38/4
account [1] 49/14
accurate [2] 6/23 61/6
accurately [1] 27/24
acre [2] 38/20 38/21
across [3] 21/7 25/5 25/12
act [1] 11/5
acting [1] 28/10
action [6] 3/7 5/23 8/11 23/2 30/6 61/9
activity [2] 21/3 25/19
acts [1] 28/15
actual [2] 4/4 7/3
actually [1] 27/23
add [2] 9/12 51/25
added [2] 51/23 52/5
adding [1] 6/12
addition [3] 6/5 6/6 27/8
additional [3] 9/4 13/18 26/2
address [4] 18/7 18/9 25/22 55/12
addressed [7] 4/23 9/8 17/2 24/4 26/5 27/19 33/4
adjourn [2] 57/22 60/10
ADMINISTRATOR [1] 1/18
adopt [1] 55/13
adoption [2] 54/8 54/13
advised [1] 33/8

affect [1] 41/12
after [3] 20/8 48/23 52/18
again [9] 7/3 17/4 19/2 20/24 27/17 30/19 37/17 48/21 58/21
agenda [9] 27/15 27/16 34/10 35/12 58/16 58/19 59/5 60/7 60/8
ago [3] 23/22 59/8 59/24
agree [1] 35/16
agreement [1] 4/2
air [1] 15/14
Airbnb [1] 37/10
alcohol [1] 19/21
all [34] 3/25 5/16 8/3 9/8 11/19 19/15 21/13 22/10 27/18 28/18 31/14 32/7 33/13 36/24 37/3 37/17 38/3 42/3 43/14 43/15 43/15 45/11 46/12 50/10 51/25 53/6 53/18 53/23 56/3 56/16 56/23 57/17 58/6 60/13
alley [1] 25/4
allow [1] 6/5
allows [1] 44/8
alone [1] 47/17
already [3] 21/3 28/5 39/15
also [11] 19/21 29/3 29/9 38/7 40/11 44/2 44/9 52/5 52/9 52/13 57/5
am [4] 23/25 38/7 61/8 61/10
amended [1] 5/24
amendment [2] 6/4 12/24
American [6] 13/10 13/25 23/24 24/7 24/9 24/14
among [1] 26/16
another [7] 12/2 15/3 18/24 20/4 29/4 43/8 44/11
answer [1] 15/24
any [22] 3/23 4/7 4/16 7/19 9/4 9/15 14/10 19/17 19/23 21/12 21/17 24/4 24/20 25/17 25/19 27/7 27/20 32/11 53/8 55/2 59/16 61/9
anybody [2] 9/14 47/8
anyone [5] 20/10 21/17 30/5 41/17 53/8
anything [2] 47/9 55/2
anyway [4] 31/19 32/25 37/15 48/12
apartment [2] 8/17 13/6
apartments [2] 21/8 41/20
apparently [1] 60/2
Appeal [1] 34/13
Appeals [4] 6/10 30/24 50/7 59/5
appear [1] 31/11
appears [1] 32/2
applicant [8] 3/11 6/2 9/7 13/2 13/5 26/15 33/21 50/21
application [25] 3/8 4/2 4/20 4/22 4/24 5/11 7/20 7/24 12/23 16/25 17/16 21/11 21/23 27/14 42/17 42/19 42/25 48/9 49/2 50/4 53/11 55/4 58/24 59/13 59/19
applications [1] 24/6
applied [1] 4/4
appreciate [2] 26/11 47/7
appropriate [3] 33/2 35/7 36/2
approval [5] 6/9 17/10 23/24 27/12 30/12
approvals [4] 24/5 26/3 27/7 27/20
approve [8] 4/21 5/11 7/23 17/23 48/11 53/4 56/11 58/11
approved [4] 7/5 12/25 35/18 58/10
approving [3] 47/12 47/24 57/5
April [1] 5/24
apron [2] 31/21 31/22
architect [2] 13/3 49/20
Architectural [1] 47/23
are [36] 4/14 8/20 12/3 14/22 15/6 15/18 15/18 15/19 16/19 17/18 24/7 26/6 26/24 27/2 27/5 30/13 35/2 36/16 36/23 37/3 38/5 38/10 38/14 41/4 41/11 42/13 43/12 43/18 45/24 46/12 46/21 47/22 48/17 58/23 59/16 59/19
area [6] 6/7 18/12 18/14 20/21 24/11 31/25
argue [1] 36/10
argument [1] 45/8
arm [1] 25/23
arms [1] 37/3
around [3] 9/24 37/10 44/5

A
articulated [1] 27/2
as [46] 4/22 5/12 6/8 7/6 7/24 9/12 9/13 14/10
14/12 17/7 17/15 18/14 18/24 22/4 22/5 24/6
26/21 28/10 28/15 28/16 30/5 30/5 30/19
30/22 34/7 38/21 39/10 40/23 40/24 41/9
41/14 41/14 43/9 44/10 45/21 45/21 46/18
46/20 48/2 48/3 49/23 52/2 52/2 52/5 53/10
59/25
ask [4] 10/25 27/17 54/10 57/23
asked [1] 27/22
association [1] 19/13
attached [1] 19/12
attempted [1] 26/22
attorney [2] 1/19 53/20
attorneys [1] 52/15
August [2] 32/20 33/9
August's [1] 27/16
avail [1] 26/23
available [2] 15/20 16/23
Avenue [1] 37/2
average [1] 37/24
away [2] 10/10 11/3
awning [1] 14/13
Aye [35] 5/17 5/18 5/19 5/20 8/4 8/5 8/6 8/7
11/20 11/21 12/17 12/18 28/19 28/20 28/21
28/22 50/11 50/12 50/13 53/24 53/25 54/2
56/4 56/5 56/6 56/17 56/24 57/18 57/19 57/20
58/7 58/8 60/14 60/15 60/16
eyes [1] 12/12

B
baby [2] 44/6 44/7
baby-proof [1] 44/6
back [12] 27/10 29/23 30/6 41/10 43/8 48/18
48/23 49/14 54/6 54/7 54/12 57/5
bad [2] 45/14 48/5
Bags [2] 3/9 3/12
bar [3] 18/14 18/24 29/24
based [1] 3/16
basically [3] 38/2 38/8 44/6
bath [3] 36/6 47/20 48/6
bathroom [3] 44/14 47/12 48/3
bathrooms [1] 35/3
baths [1] 41/20
bathtub [1] 44/23
be [61] 4/5 4/6 4/23 9/17 9/18 9/22 10/4 14/16
16/7 16/9 16/16 16/24 16/25 17/3 17/6 17/23
18/2 18/11 18/20 19/10 19/11 19/16 19/19
20/5 20/10 20/13 20/21 20/23 20/24 21/8
21/10 21/14 22/12 24/12 25/22 26/12 26/20
27/15 27/16 28/6 30/20 31/11 31/14 31/17
32/3 32/9 32/10 32/25 34/9 34/11 37/9 42/24
44/8 46/10 47/20 49/13 51/18 52/14 52/16
55/3 60/7
because [19] 6/23 11/11 12/8 15/12 20/7
20/17 20/24 21/24 32/15 35/24 41/10 47/14
48/11 48/12 49/2 49/21 49/25 50/6 60/6
becomes [1] 20/25
bed [1] 6/8
bedroom [3] 43/9 43/13 47/13
bedrooms [11] 34/23 35/4 35/20 36/5 37/22
39/6 39/12 41/20 43/10 43/19 43/22
Beech [6] 13/11 13/25 23/24 24/7 24/9 24/14
been [15] 6/22 7/4 7/7 8/21 14/3 17/20 21/4
24/4 24/13 26/12 27/18 32/22 33/8 51/23
52/19
before [14] 4/17 10/22 17/25 19/3 19/17
22/16 22/23 32/11 33/24 48/10 49/8 50/24
52/18 57/22
before-and-after [1] 52/18
began [1] 29/25
begin [1] 3/3
behind [1] 31/22
being [10] 4/4 16/22 18/14 18/22 19/21 19/23
20/2 26/18 41/17 42/22
believe [15] 5/6 7/4 9/6 12/11 14/9 14/19 15/8
15/19 18/21 21/20 49/18 55/5 59/18 59/20

60/4
believes [1] 42/22
BERRY [1] 1/20
Besides [1] 38/11
better [1] 10/23
between [2] 18/2 22/2
beverage [1] 19/23
bicycle [1] 16/13
bicycles [2] 15/5 15/18
big [2] 9/11 59/23
bigger [1] 35/23
bikes [1] 16/22
bit [1] 35/23
block [4] 36/17 36/19 36/21 51/14
blocks [1] 39/16
blood [1] 61/9
bluestone [1] 13/19
board [31] 1/4 1/20 3/4 6/10 23/16 23/22
25/22 29/5 30/7 30/23 33/25 34/13 35/13
35/14 42/7 42/20 42/21 42/22 47/23 47/24
48/10 48/19 50/7 50/25 52/18 52/21 56/11
56/21 58/2 59/5 59/13
boards [2] 12/5 17/18
both [3] 8/19 40/14 42/23
bottom [3] 9/10 10/15 11/2
BRADLEY [1] 1/13
breakfast [1] 6/8
Brennan [2] 54/22 57/12
Brent [1] 13/4
bringing [2] 13/9 56/8
brings [1] 46/16
brought [2] 52/9 52/13
Brown [2] 13/3 18/9
Bryan [5] 33/20 33/24 37/16 50/19 50/24
Buddha [1] 3/13
build [11] 38/6 38/8 40/2 41/18 42/2 42/3 42/4
45/19 46/10 46/13 46/24
building [14] 1/21 8/15 29/10 30/25 31/3 31/9
32/5 32/13 36/9 37/12 37/20 38/18 46/16
49/15
built [1] 36/17
Bureau [1] 38/4
BURNS [1] 1/13
business [1] 18/25

C
call [4] 16/11 45/23 46/4 54/11
called [1] 37/6
Callie [2] 54/22 57/12
came [2] 22/7 35/19
can [33] 7/9 7/16 10/8 11/5 17/9 19/4 19/17
21/8 22/11 23/11 24/21 25/3 27/13 27/25 28/2
31/17 32/14 36/24 40/8 43/21 44/5 44/7 44/14
44/24 44/25 46/14 48/7 49/9 53/4 54/4 54/10
55/13 59/13
can't [5] 21/24 32/15 36/11 47/16 48/11
capability [1] 18/22
Carpenter [8] 2/6 8/9 8/14 24/10 31/23 31/24
32/3 32/6
carries [4] 5/21 8/8 12/19 28/23
cars [2] 36/25 45/13
case [1] 47/21
cause [1] 47/2
cedar [1] 13/24
Census [1] 38/4
CEO [1] 3/10
certification [1] 52/22
certify [2] 61/5 61/8
cetera [1] 43/17
chairing [1] 28/6
chairman [11] 1/12 3/2 4/19 7/9 7/22 23/17
23/21 26/9 28/11 28/15 28/25
change [2] 10/2 55/14
changed [3] 9/18 9/22 10/4
changes [1] 18/9
changing [1] 30/11
charge [1] 15/22
cheap [2] 46/10 46/13

children [1] 44/10
CLARKE [1] 1/16
Claudio [5] 54/20 54/21 55/18 57/10 57/11
Claudios [1] 55/5
cleaning [1] 24/10
clearly [3] 16/25 17/7 21/14
closer [2] 21/6 21/6
coastal [1] 46/5
code [8] 29/10 30/19 31/4 31/13 34/25 35/25
54/8 54/13
colored [1] 24/24
come [4] 10/19 29/24 30/4 48/23
comes [1] 10/14
coming [3] 14/25 36/23 39/8
comment [4] 12/3 32/17 42/7 42/21
comments [10] 3/24 4/7 4/16 9/4 21/21 42/17
48/16 49/6 51/21 53/9
commercial [3] 3/15 8/19 13/22
Commercial/Retail [1] 8/19
Commission [1] 27/11
communities [1] 38/17
company [3] 52/11 52/23 54/9
complaints [1] 26/21
complete [1] 30/12
completion [1] 34/13
complex [1] 23/25
compliance [1] 32/9
comply [2] 48/12 49/3
concept [2] 40/8 43/24
concern [4] 34/22 42/9 45/17 47/2
concerns [4] 23/23 24/3 33/8 38/7
concrete [4] 24/11 31/21 31/22 31/25
condition [6] 9/12 10/5 30/2 55/15 55/19
55/23
conditional [4] 3/14 6/9 9/17 17/10
conditions [3] 10/8 10/9 27/2
conference [3] 33/20 48/25 50/19
confirm [3] 7/10 17/20 27/13
confirmed [1] 52/16
conforming [4] 5/4 5/5 7/15 51/18
connected [1] 20/22
connection [2] 20/2 20/4
consider [2] 15/11 59/14
consideration [1] 34/12
constrictions [1] 36/13
construction [4] 31/8 34/2 43/5 51/2
consultant [2] 1/20 22/9
contained [2] 31/14 32/8
continue [2] 15/6 29/7
Continued [6] 3/7 5/23 8/11 12/22 33/19
50/18
contract [2] 33/23 50/23
convenience [1] 52/2
convenience [1] 24/2
convert [1] 8/15
coordinated [5] 6/21 8/24 11/7 11/12 11/23
copies [1] 22/20
copy [3] 24/2 27/25 51/24
correct [6] 26/22 38/25 40/22 54/14 55/12
60/3
corrected [2] 27/6 60/5
Corwin [6] 18/6 21/21 23/8 23/15 24/17 29/15
Corwin's [1] 18/10
cost [2] 30/16 30/19
cottage [1] 46/5
cottage-type [1] 46/5
COTUGNO [1] 1/15
couch [1] 39/14
could [2] 4/5 22/5
couldn't [1] 47/11
counterparts [1] 37/12
COUNTY [6] 1/2 3/20 6/24 9/2 14/7 23/19
couple [2] 39/3 49/9
course [2] 30/6 41/14
courtyard [1] 13/17
cover [3] 13/23 14/23 14/24
covers [1] 13/24
CR [2] 8/18 8/20

C
Crazy [3] 54/21 57/6 57/11
critical [1] 41/17
currently [3] 33/23 50/22 52/10
cute [1] 45/21

D
date [2] 17/15 24/3
dated [2] 5/24 32/20
Dave [1] 29/3
David [3] 8/12 18/6 24/16
day [2] 22/7 61/13
days [1] 12/2
deadline [1] 22/12
Dear [2] 23/16 23/21
decision [3] 19/3 19/4 19/18
deck [2] 52/13 52/19
defend [1] 36/20
defense [1] 36/20
defer [1] 15/23
deficiencies [1] 30/14
defined [1] 39/22
definitely [1] 47/15
demand [1] 37/14
denial [2] 48/11 49/24
deny [2] 48/25 50/3
Department [3] 32/14 37/13 49/16
depict [2] 25/14 55/6
described [1] 14/12
description [2] 2/3 55/19
design [1] 41/3
details [1] 19/19
develop [3] 33/22 37/2 50/21
DEVIN [2] 1/12 59/3
Devin's [1] 49/6
did [14] 3/23 7/8 10/2 18/12 23/8 23/9 29/12
31/6 31/11 36/14 40/12 40/15 49/10 51/25
didn't [4] 10/21 32/24 49/12 58/11
different [1] 41/23
digest [1] 22/10
dimensions [1] 7/12
dining [6] 13/25 39/14 39/24 40/3 43/24
47/17
direction [1] 10/12
directive [1] 49/16
directly [3] 21/7 31/24 41/11
dirt [4] 9/20 9/21 9/25 10/3
discharges [1] 31/21
disclosure [1] 20/19
discrepancy [1] 58/19
discuss [4] 14/10 21/22 33/25 50/25
discussed [8] 3/22 5/13 7/2 7/4 26/14 31/18
41/6 55/3
discussion [12] 3/7 4/16 5/23 7/19 8/11
11/15 12/22 29/8 33/19 34/20 50/18 55/2
discussions [1] 26/23
disgusting [2] 24/15 25/11
disposes [1] 11/3
District [11] 3/19 6/18 8/19 8/23 12/9 14/6
34/16 34/19 51/10 51/12 51/13
ditto [1] 35/10
do [38] 4/7 5/14 7/19 7/25 9/4 9/23 11/17
12/12 14/10 17/9 25/25 27/20 28/8 35/13
35/14 37/20 39/5 40/7 40/17 42/4 43/17 43/21
45/18 45/23 46/14 47/9 48/20 49/5 49/8 50/8
53/21 54/25 55/25 56/14 57/15 58/4 60/11
61/5
does [13] 5/3 9/14 15/15 16/24 17/6 19/13
20/3 24/18 24/20 26/5 31/15 49/2 53/8
doesn't [5] 35/25 36/15 40/4 47/18 48/12
doing [2] 17/3 20/13
Don [1] 3/9
don't [24] 9/11 15/24 17/11 17/22 18/22 21/23
23/12 26/5 29/17 32/23 35/9 36/22 40/11
40/19 41/25 42/2 44/4 44/16 44/22 45/3 51/23
53/3 59/15 59/18
done [4] 4/3 18/2 30/9 37/15
door [2] 25/10 52/14

dormitory [2] 37/8 37/9
Doug [2] 59/4 60/9
down [6] 9/19 10/14 14/25 24/21 29/12 41/9
downstairs [1] 36/6
drain [1] 25/2
drainage [2] 32/7 32/10
drawing [1] 30/7
drawings [1] 22/13
drinks [1] 19/10
driveway [1] 40/17
drown [3] 44/14 44/19 44/21
drownings [1] 44/21
ductwork [3] 27/12 27/21 32/4
dumps [1] 24/9
dwelling [1] 39/20
dwellings [1] 46/25

E
e-mail [1] 49/19
each [2] 13/21 39/22
early [1] 26/19
easier [1] 13/19
east [5] 2/9 32/4 33/16 33/17 34/3
eat [1] 40/8
eight [3] 31/2 47/15 47/16
eight-person [1] 47/15
eighth [2] 38/20 38/21
EILEEN [3] 1/21 34/25 40/13
elderly [2] 36/11 48/4
electric [2] 40/21 41/7
elements [2] 31/6 31/10
elevation [1] 46/8
elevations [2] 34/7 51/7
eleven [1] 23/22
eliminated [4] 14/4 14/13 14/14 47/14
else [3] 20/10 26/6 47/8
enclosing [1] 23/25
enforcement [4] 25/23 26/10 27/4 29/9
engineer [1] 49/21
enjoy [1] 40/9
enough [4] 9/12 22/24 52/6 59/23
ensure [1] 54/15
entered [1] 18/11
entirely [1] 19/15
entity [1] 19/15
envelope [1] 29/14
error [1] 6/20
essentially [3] 30/3 30/12 51/15
et [1] 43/17
evaluation [3] 3/8 16/17 17/8
even [3] 22/7 39/13 47/16
every [1] 38/19
everyone [3] 22/9 22/21 26/6
everything [5] 7/14 22/25 37/18 41/5 51/18
evolves [1] 20/7
exact [2] 26/20 35/12
exactly [5] 15/11 19/7 19/9 20/12 20/15
exceed [1] 6/11
except [1] 9/9
Excuse [1] 12/10
existing [5] 6/7 8/15 13/6 13/24 26/4
expect [1] 45/18
explosion [1] 26/3
expressed [1] 4/10
extend [1] 18/17
extending [1] 14/14
extension [1] 14/2
exterior [1] 13/16
extra [3] 45/12 46/11 46/15

F
facade [2] 13/15 45/22
fact [2] 20/8 45/9
fair [2] 20/9 42/20
fairness [1] 17/19
family [20] 6/18 34/2 34/16 35/5 35/7 36/8
39/8 39/19 39/20 39/21 40/8 44/8 45/11 46/13
46/14 46/19 46/20 46/23 47/25 51/9

far [4] 41/5 48/3 49/12 54/5
favor [12] 5/16 8/3 11/19 28/18 50/10 53/23
56/3 56/16 56/23 57/17 58/6 60/13
feature [1] 13/17
feel [2] 9/11 35/14
feet [5] 7/13 21/5 37/25 38/2 41/19
fence [2] 24/13 31/22
Fifth [1] 37/2
finalized [1] 17/24
Firehouse [1] 1/6
fireplace [1] 14/15
first [5] 25/17 29/16 47/13 48/4 48/6
firstfloor [1] 8/16
fit [1] 47/16
five [4] 13/7 35/5 35/20 37/21
fleshed [2] 19/16 20/6
floor [10] 8/17 13/8 13/13 34/6 42/19 47/13
48/4 48/7 51/6 51/25
floors [1] 41/19
following [3] 26/12 26/13 33/7
food [1] 19/23
foot [1] 44/22
formal [1] 40/3
formerly [1] 3/13
forward [5] 21/24 40/16 49/11 49/20 49/21
found [1] 29/25
foundation [2] 10/11 10/12
four [7] 13/6 31/10 35/4 39/5 54/21 57/6
57/11
fourth [1] 6/12
front [13] 2/4 3/6 3/12 10/23 11/3 40/18 43/9
45/14 46/3 46/8 49/12 51/24 58/10
full [6] 16/24 19/11 20/19 48/3 48/6 55/19
fully [5] 18/24 19/17 20/6 20/11 26/11
further [4] 24/5 27/7 55/3 61/8

G
garbage [6] 24/11 25/8 26/18 26/19 27/3
31/25
gate [1] 44/7
general [1] 3/25
generally [1] 7/5
generation [1] 22/13
gentleman's [1] 48/18
get [6] 27/25 36/11 40/4 49/6 53/6 53/18
getting [1] 15/13
give [1] 22/24
giving [1] 49/16
glass [1] 13/15
GLYNIS [1] 1/20
go [7] 24/21 27/10 28/4 30/6 54/7 54/7 57/4
goes [2] 10/22 36/8
going [37] 3/2 7/22 11/14 12/3 15/6 16/7
16/13 16/15 17/2 19/3 19/9 19/10 19/10 19/16
20/13 20/21 20/22 20/24 21/3 21/4 28/14
29/19 29/23 33/9 37/9 41/12 44/20 46/9 48/6
48/19 48/22 50/3 53/14 53/16 54/12 55/7
55/16
gone [2] 14/25 41/2
gonna [1] 19/5
Good [1] 60/6
got [7] 37/11 39/9 39/15 44/13 45/11 48/14
58/9
gotten [1] 30/22
grade [1] 31/2
grandkids [1] 44/3
granted [1] 6/15
great [2] 15/6 47/17
GREENPORT [11] 1/2 1/7 3/4 6/13 25/24
34/17 34/19 36/3 46/17 51/10 51/11
ground [4] 10/21 13/8 13/13 30/4
guess [7] 11/10 29/10 29/22 32/23 51/20
53/11 53/12
guys [2] 40/11 49/23

H
had [12] 7/4 7/7 9/24 12/7 12/12 15/12 23/23
29/3 30/20 49/19 49/20 52/9

H
half [3] 35/3 36/6 47/19
hand [1] 61/13
handicap [3] 10/16 13/7 13/19
hands [1] 30/11
hanging [1] 58/14
happen [2] 44/22 44/22
happened [1] 45/15
happening [1] 10/13
hard [1] 41/16
hardscape [1] 13/19
has [21] 3/11 6/3 6/9 8/14 8/21 9/18 13/5 14/3
14/16 17/14 17/20 18/18 18/21 24/13 30/18
36/9 39/15 43/2 52/19 54/6 54/7
hasn't [1] 33/8
have [81]
having [2] 44/3 48/3
he [24] 5/3 15/11 15/12 15/15 16/12 16/18
17/2 17/3 18/13 18/17 18/18 18/19 18/21 19/2
21/21 29/21 33/6 33/8 33/22 41/23 44/14 45/3
49/12 50/22
he's [7] 15/10 20/13 33/3 44/13 44/13 48/19
48/22
hear [1] 37/18
helmets [1] 16/19
help [1] 36/15
hence [1] 33/10
here [7] 9/7 14/9 19/25 29/4 36/19 36/21
46/25
hereby [1] 61/5
hereunto [1] 61/12
hieratical [1] 37/11
higher [1] 38/15
him [5] 41/25 42/2 42/4 45/18 47/25
himself [1] 44/15
his [7] 16/24 18/23 20/15 44/13 45/4 47/24
47/25
Historic [8] 3/19 6/17 8/23 12/9 14/6 27/11
34/19 51/12
home [15] 37/24 38/5 38/11 38/17 39/19
39/21 40/2 45/25 46/5 46/10 46/14 46/19
46/21 46/23 52/8
homes [3] 38/3 38/9 38/18
homework [2] 43/17 43/22
hope [1] 47/10
hoping [1] 10/19
horse [1] 29/24
hotel [1] 15/21
house [32] 34/2 35/7 35/11 35/12 35/18 35/23
36/13 36/16 37/21 37/22 38/8 38/10 40/6 41/3
41/8 41/18 41/22 42/3 42/8 42/10 43/23 44/5
44/19 45/4 45/14 45/15 45/20 47/15 47/24
49/10 51/2 51/15
houses [3] 36/23 41/24 45/10
how [7] 16/14 27/4 32/17 35/14 44/16 45/3
54/5
However [1] 26/14
HPC [2] 27/15 27/25
huge [1] 42/3
hygiene [1] 48/8

I
I'd [2] 49/6 53/12
I'll [6] 4/21 5/10 29/11 31/18 51/20 59/3
I'm [24] 4/25 7/22 11/14 15/17 21/12 21/13
28/5 28/14 29/12 29/19 35/17 37/15 37/20
37/22 38/5 40/7 41/12 44/18 45/7 46/15 46/24
50/3 53/16 55/16
I've [5] 40/24 41/2 43/25 52/5 58/9
idea [2] 25/6 53/14
illustrate [1] 25/14
important [2] 40/10 44/9
improvements [1] 32/11
in-laws [1] 38/24
Inc [5] 54/20 54/21 57/6 57/10 57/11
inches [1] 31/2
include [1] 49/12
included [3] 6/22 7/8 19/20

includes [4] 13/12 13/18 34/6 51/6
incorporating [1] 13/14
increase [1] 7/3
INDEX [1] 2/2
indicate [3] 7/11 18/13 24/19
indicated [2] 17/7 59/21
indication [1] 59/9
inn [5] 13/7 13/9 13/11 13/14 19/12
input [1] 37/11
inspector [2] 1/21 37/6
inspectors [1] 37/13
intelligent [1] 19/18
intend [2] 15/16 55/22
intended [1] 20/16
intention [2] 15/9 18/23
interested [1] 61/10
interior [1] 13/15
investing [1] 46/15
involved [1] 35/2
is [132]
isn't [2] 39/20 43/16
issue [7] 9/9 9/24 16/22 17/5 20/25 21/9
25/22
issued [1] 8/25
issues [7] 14/20 26/15 26/16 29/6 29/10
32/16 33/4
it [91]
it's [45] 4/12 4/14 6/23 10/15 10/22 10/23
11/12 11/25 12/8 12/9 15/8 15/10 15/15 16/11
16/16 18/16 18/23 19/4 20/8 21/4 21/5 21/7
22/17 24/23 25/11 26/10 29/21 36/2 36/8 36/9
36/12 37/9 39/13 39/20 41/21 41/21 41/22
42/9 42/20 42/22 43/23 44/25 45/23 47/14
58/15
it's a [1] 16/16
item [22] 2/3 3/6 5/22 7/6 8/9 9/12 11/15
12/20 33/14 33/15 33/17 35/12 50/16 55/18
56/10 56/20 57/4 57/25 59/6 59/8 60/7 60/10
items [1] 27/8
its [2] 30/18 33/8

J
Janice [2] 54/21 57/11
JAUQUET [1] 1/14
JOHN [1] 1/15
JOSEPH [1] 1/19
judgments [1] 21/12
July [6] 1/8 3/5 33/10 34/10 61/7 61/13
June [2] 6/16 8/25
Juniper [3] 54/23 57/7 57/13
just [30] 4/14 5/7 7/5 7/16 9/13 10/25 11/25
18/8 18/14 20/5 20/7 21/13 25/11 27/17 29/7
29/19 31/18 32/17 35/24 37/10 38/21 39/11
40/7 43/11 47/10 49/4 53/19 54/4 57/3 59/5

K
Kapell [1] 8/12
keep [2] 15/9 36/5
keeping [1] 17/4
kid [2] 44/12 44/12
kids [6] 39/10 43/17 44/3 44/5 44/19 44/21
kind [1] 36/7
kinds [1] 42/3
kitchen [4] 35/21 39/14 39/24 43/13
knees [1] 48/5
knocked [1] 43/4
know [47] 9/11 11/2 15/24 16/2 16/6 16/14
21/2 26/5 27/5 29/17 32/24 34/24 35/3 35/21
36/12 36/13 36/15 36/18 36/19 36/22 36/23
37/5 37/8 37/10 37/14 37/25 39/16 39/21 40/5
40/11 40/17 40/25 42/20 43/7 43/14 43/20
43/25 44/17 45/6 45/9 45/21 46/7 46/22 49/22
51/23 53/3 54/9
knowledge [1] 30/10

L
land [2] 38/13 52/3
large [1] 37/23

larger [3] 38/5 38/10 51/17
last [12] 3/22 4/20 6/20 7/2 14/20 27/9 27/22
34/25 40/25 51/21 53/10 59/20
late [2] 20/23 28/5
late-night [1] 20/23
later [1] 31/18
Latham [1] 6/3
laundry [5] 35/20 37/21 42/18 43/3 43/4
laws [1] 38/24
layout [1] 41/4
leader [6] 9/10 9/17 10/10 11/2 31/17 31/20
least [3] 22/17 30/22 31/8
leave [3] 9/13 15/12 28/16
leaves [1] 29/2
less [4] 4/22 5/12 30/10 31/2
let [3] 18/8 42/24 47/17
let's [2] 18/8 49/4
letter [11] 18/5 18/10 23/9 23/12 23/15 24/2
27/3 29/4 29/13 33/7 33/10
letters [1] 29/14
license [2] 18/17 19/12
life [1] 21/9
light [1] 24/23
like [12] 26/17 28/2 29/9 35/9 37/2 38/19
40/25 41/18 46/10 49/6 53/12 57/23
limit [1] 6/11
limitations [1] 36/10
line [2] 32/6 41/8
liquid [1] 24/24
liquor [2] 18/17 19/12
little [3] 34/24 35/23 49/11
live [5] 25/12 35/6 35/22 40/8 43/23
lives [2] 39/9 45/4
living [10] 34/24 35/5 36/7 39/13 39/23 43/7
43/11 43/14 43/24 45/12
LLC [7] 3/9 3/12 6/2 8/13 13/4 23/18 30/8
loading [2] 24/11 31/25
lobby [6] 13/14 18/12 18/15 19/9 20/3 20/22
located [12] 3/18 6/17 8/13 8/22 14/5 16/8
34/3 34/15 34/18 51/3 51/8 51/11
long [1] 45/21
look [4] 29/9 32/14 38/16 46/7
looked [1] 42/16
looking [2] 17/18 20/7
looks [1] 28/2
lose [1] 45/7
loses [1] 30/17
lot [17] 2/9 2/11 33/15 33/17 34/23 36/9 38/20
41/9 41/21 45/10 50/15 50/16 51/14 51/16
51/17 52/7 59/23
lots [2] 38/15 45/16
LUCY [1] 1/16

M
mad [2] 35/17 36/16
made [4] 16/23 18/10 24/14 25/7
mail [1] 49/19
Main [9] 2/5 2/8 5/22 6/2 12/21 20/25 21/6
23/18 29/6
maintain [1] 48/7
make [18] 4/21 5/10 7/23 10/5 11/14 19/3
19/4 19/17 28/8 28/9 28/14 42/21 47/18 49/9
50/3 53/16 55/16 57/8
making [3] 21/12 43/6 48/17
many [5] 36/24 36/25 41/9 41/24 43/10
Map [5] 3/20 6/24 9/2 14/7 23/19
marriage [1] 61/10
materials [2] 53/6 53/18
matter [2] 26/10 61/11
matters [1] 27/18
may [8] 26/8 32/5 32/25 45/7 56/12 56/12
56/22 58/2
maybe [5] 10/21 10/25 27/24 36/12 45/22
McMAHON [7] 1/12 3/2 4/19 7/22 23/17 23/21
28/25
me [9] 12/10 22/11 35/2 35/6 40/9 41/4 46/10
47/18 54/11
mean [8] 10/19 16/12 25/16 32/21 35/17 36/2

M
mean... [2] 37/23 44/15
meet [1] 31/16
meeting [20] 3/3 3/4 3/23 6/16 7/3 17/25 18/4 22/14 27/9 28/7 28/12 28/16 29/2 32/17 34/10 53/15 53/17 56/13 56/22 58/3
meets [1] 35/25
MEMBER [4] 1/13 1/14 1/15 1/16
members [2] 35/13 35/14
mention [2] 26/17 38/13
mentioned [2] 27/10 53/19
menu [2] 19/11 19/11
Merchants [3] 54/23 57/7 57/13
mess [1] 24/15
met [1] 34/25
middle [1] 10/15
might [1] 22/12
mine [1] 53/13
minute [1] 18/8
minutes [3] 56/12 56/22 58/2
misprint [1] 60/5
mockup [1] 5/7
money [1] 46/15
Monsell [7] 2/10 33/16 33/18 34/4 40/14 40/15 59/22
monstrosity [1] 42/2
monstrous [1] 38/8
month's [1] 27/15
months [1] 23/22
Moore [1] 59/4
moot [1] 11/13
more [5] 30/15 30/21 32/11 42/9 47/2
morning [1] 24/21
most [3] 38/17 41/12 44/21
motion [21] 4/21 5/2 5/11 5/21 7/23 8/8 11/14 12/19 28/8 28/10 28/14 28/23 50/3 53/16 54/19 55/17 56/11 56/21 57/9 57/25 60/10
movable [1] 40/20
move [6] 4/17 10/25 21/24 40/16 49/11 49/21
moved [2] 49/14 49/19
moving [1] 41/6
Mr [7] 15/8 15/24 18/8 18/10 18/12 23/15 29/15
Mr. [3] 21/21 23/8 26/9
Mr. Chairman [1] 26/9
Mr. Corwin [2] 21/21 23/8
much [7] 16/14 28/24 38/15 39/17 41/14 53/13 54/17
multifamily [2] 42/23 46/25
multiple [3] 26/15 26/20 39/20
multiple-family [1] 39/20
my [16] 4/10 15/15 18/16 24/2 24/3 29/21 30/9 34/22 35/8 36/4 37/19 39/8 41/18 43/24 45/17 61/13
myself [1] 14/25

N
near [1] 10/15
necessarily [2] 18/2 25/21
need [21] 16/2 16/6 16/14 16/24 17/6 17/19 17/21 17/23 19/3 19/16 19/19 22/8 27/10 28/8 28/9 39/5 48/6 52/20 56/25 57/4 59/12
needed [2] 36/20 55/6
needs [12] 9/22 10/4 16/25 20/5 20/10 21/10 21/14 49/25 52/4 52/14 55/3 59/22
neighbors [2] 20/9 40/24
new [9] 1/2 1/7 6/14 13/15 13/16 14/9 31/3 35/25 61/5
next [15] 11/16 22/7 22/12 22/13 22/23 32/16 35/12 50/14 52/12 52/14 52/17 53/2 53/15 53/17 58/19
nice [2] 37/17 46/7
Nicholson [5] 33/21 33/24 37/16 50/20 50/24
night [1] 20/23
no [15] 4/18 5/6 7/21 11/8 15/22 16/22 17/5 23/13 26/23 33/3 36/21 37/5 47/10 59/17 61/10
nobody [1] 36/18

noise [1] 20/25
noncompliant [1] 30/18
nonconformance [1] 26/4
none [1] 24/3
north [9] 14/3 14/15 31/9 31/20 32/2 35/19 36/14 42/16 43/3
not [47] 3/18 4/3 4/12 5/4 5/5 6/22 6/23 7/6 7/17 17/2 20/8 21/12 24/13 25/21 26/2 27/5 27/6 27/14 27/20 30/4 31/6 31/11 31/15 34/18 35/6 36/12 37/20 38/7 39/21 40/17 40/18 41/22 42/7 42/24 44/18 44/20 46/9 46/24 47/23 49/2 51/11 54/25 58/13 58/15 60/3 60/7 61/8
Notary [1] 61/4
notated [2] 14/16 40/23
noted [1] 60/17
nothing [3] 11/24 58/25 59/10
November [1] 12/25
now [6] 5/4 10/13 21/5 43/10 43/23 49/5
number [20] 2/3 3/6 5/22 6/24 8/9 9/2 12/20 14/7 33/14 33/15 33/17 50/16 54/18 55/18 56/10 56/20 57/4 57/25 59/8 60/10

O
o'clock [1] 24/22
O'KEEFFE [2] 61/3 61/18
Oakes [1] 3/9
observe [1] 31/6
occasions [1] 26/16
occupants [2] 15/20 40/5
off [1] 31/23
okay [16] 5/9 7/18 12/6 14/18 15/3 23/5 23/14 28/13 29/18 33/12 41/5 49/4 57/21 57/24 58/17 59/24
old [2] 8/13 29/23
on-suite [2] 39/12 44/14
once [1] 43/14
one [39] 4/5 6/5 6/6 6/18 7/6 8/16 9/9 13/7 17/13 19/13 26/17 29/12 29/16 29/19 34/2 34/8 34/16 35/4 35/6 35/21 36/21 38/19 39/12 39/23 40/20 42/17 43/2 43/3 43/11 43/12 44/7 46/13 50/14 51/9 57/2 58/12 58/13 58/24 59/2
one-family [4] 6/18 34/2 34/16 46/13
onefamily [1] 51/2
only [5] 4/12 14/17 37/9 43/2 43/12
open [2] 40/7 43/23
opened [1] 3/11
operating [1] 18/24
operation [2] 16/13 19/8
opinion [1] 35/8
opportunity [1] 17/25
opposing [1] 52/15
opposite [1] 10/11
order [3] 4/3 9/18 52/24
original [2] 25/18 29/22
other [21] 3/23 4/16 7/19 12/5 17/17 19/14 20/3 25/19 26/16 29/5 29/11 29/13 35/11 35/13 35/14 37/6 37/11 37/13 39/7 48/2 59/2
our [5] 27/19 37/12 42/11 45/4 60/8
out [3] 19/16 20/6 43/4
outcome [1] 61/11
outdoor [4] 19/24 20/20 21/2 55/21
over [6] 7/12 13/23 14/15 30/19 41/2 44/3
overall [2] 34/22 53/9
overcrowding [1] 45/10
overcrowding [4] 39/16 46/22 47/2 47/3
overhead [2] 5/8 58/14
overhead sign [1] 5/8

P
p.m [2] 1/8 60/17
package [2] 34/5 51/5
page [2] 2/3 60/8
PALLAS [1] 1/18
parcel [2] 33/22 50/22
parents [1] 38/24
parking [5] 6/6 6/7 30/25 52/5 52/7
part [8] 16/24 17/7 18/20 19/25 29/13 32/24

46/6 52/2
partial [1] 19/11
parties [1] 61/9
pass [1] 10/8
past [1] 32/5
patio [1] 13/25
PAUL [1] 1/18
paving [1] 14/16
Pelton [3] 13/4 15/24 18/13
Pelton's [1] 15/9
pending [2] 6/22 8/25
people [9] 16/19 35/22 36/16 36/25 37/3 39/2 41/11 47/16 48/4
per [1] 30/19
percent [3] 30/16 30/21 40/4
pergola [5] 13/24 14/3 14/13 14/14 14/23
period [2] 12/2 17/14
permanently [2] 16/8 17/4
permitted [1] 8/20
person [2] 36/11 47/15
personally [3] 15/2 16/21 17/5
perspective [1] 26/24
PETER [5] 1/14 12/12 28/5 28/10 28/15
phase [1] 34/21
pickup [1] 26/18
picture [2] 24/18 27/23
pictures [1] 52/18
piling [1] 55/7
pitched [2] 24/12 32/3
place [8] 2/10 33/16 33/18 34/4 35/4 54/24 55/22 57/14
placement [2] 41/8 55/20
places [1] 45/16
plan [23] 5/24 6/4 8/12 12/23 12/24 16/9 17/7 17/8 21/15 21/25 25/19 29/22 32/7 32/10 34/6 34/11 34/22 35/9 40/12 40/13 40/23 51/6 51/22
PLANNING [10] 1/4 1/20 3/4 23/16 23/22 29/4 47/22 56/11 56/21 58/2
plans [10] 7/7 7/10 14/9 17/3 17/24 18/13 34/6 41/2 51/6 51/25
plastic [2] 14/23 14/24
plywood [2] 31/5 31/7
point [4] 11/13 21/13 26/9 59/12
points [1] 49/9
pole [2] 40/21 41/7
pool [1] 44/19
pools [1] 44/20
poor [1] 30/2
porch [2] 9/25 46/12
portion [2] 4/23 5/12
position [1] 25/25
possible [1] 41/14
possibly [1] 22/25
pre [5] 33/20 34/5 48/24 50/19 51/5
pre-submission [5] 33/20 34/5 48/24 50/19 51/5
Preservation [1] 27/11
preservative [3] 31/5 31/7 31/12
preservative-treated [3] 31/5 31/7 31/12
pretty [1] 53/13
preventing [2] 11/22 11/25
previous [3] 12/24 17/15 57/2
previously [1] 5/12
probably [1] 9/16
problems [2] 24/7 48/5
Procedurally [1] 59/11
proceed [4] 27/4 27/6 27/20 42/25
proceedings [1] 61/7
process [1] 34/14
project [9] 29/6 30/8 30/14 30/15 30/20 31/15 34/7 53/9 59/25
PROKOP [1] 1/19
proof [1] 44/6
proper [4] 4/3 7/11 24/14 48/7
properly [1] 7/7
property [16] 3/18 6/17 8/18 8/21 8/22 14/5 30/11 31/15 32/5 32/8 34/3 34/15 34/18 38/14

P
property... [2] 51/3 51/8
proportion [1] 39/12
proportionate [1] 38/12
proposal [5] 13/12 13/18 13/23 20/6 37/19
proposed [11] 3/14 5/7 8/14 13/5 19/25 21/11
33/25 34/7 50/25 52/8 59/25
proposes [2] 33/21 50/21
proposing [2] 38/6 41/23
protrude [1] 32/5
provide [2] 52/17 52/21
providing [2] 13/21 16/18
Public [1] 61/4
purchase [2] 33/23 50/23
purview [2] 42/12 45/5
purviews [1] 42/14
pushed [1] 21/5
put [5] 32/13 40/16 44/7 55/22 58/18
putting [3] 44/18 46/11 46/11

Q
quality [1] 21/9
quality-of-life [1] 21/9
question [9] 5/2 7/6 7/17 15/4 24/4 54/5
54/10 57/23 58/9
questioning [1] 33/10
questions [6] 3/24 4/8 4/17 7/20 9/5 21/18
quickly [2] 22/5 29/20
quite [2] 17/12 28/5

R
R-1 [2] 6/18 34/16
R-2 [1] 51/9
rain [1] 31/14
raised [2] 9/9 14/20
raising [2] 23/23 44/3
ramp [4] 10/16 10/22 10/24 11/4
ramps [1] 13/20
rare [1] 45/2
rather [1] 25/23
ratios [1] 35/2
read [6] 23/9 23/11 29/11 29/11 29/19 31/18
ready [1] 17/12
really [8] 20/5 20/9 36/15 43/12 44/15 45/21
46/6 48/17
rear [2] 25/4 30/24
reasonable [1] 4/5
reasons [1] 42/24
rebuilt [1] 30/3
recall [1] 40/20
receive [1] 7/8
received [4] 6/9 7/10 26/20 27/13
recommendation [1] 32/15
reconstructed [1] 30/13
reconstruction [2] 30/17 30/20
record [3] 18/11 30/9 32/13
rectangle [1] 43/6
reduce [1] 60/8
redundant [1] 32/12
regard [1] 29/5
regardless [2] 19/22 27/3
regards [3] 3/24 9/5 21/22
regular [3] 1/5 18/3 22/3
regulations [2] 6/14 25/20
reject [1] 59/12
rejecting [1] 58/24
related [1] 61/8
relatives [1] 45/12
released [1] 10/23
remainder [1] 28/11
remember [2] 9/23 54/25
remodel [1] 13/6
removed [3] 52/14 52/16 52/19
removing [1] 14/22
renovate [1] 29/23
renovation [1] 13/12
rental [2] 6/5 13/10
rentals [1] 42/23

rented [3] 15/18 16/16 16/22
reporter [1] 61/4
representative [1] 9/6
represented [8] 3/9 6/3 54/20 54/22 54/23
57/10 57/12 57/13
representing [2] 8/13 13/3
requested [1] 6/4
requesting [1] 26/25
require [3] 34/8 59/9 60/2
required [3] 13/2 48/25 53/18
requirement [3] 31/16 43/5 50/7
requirements [1] 30/25
requires [2] 30/15 31/13
Residential [3] 6/19 34/16 51/9
resolution [3] 55/14 55/24 57/6
resolutions [3] 54/19 55/17 57/9
resolved [1] 24/8
resort [1] 37/14
Respectfully [1] 24/16
respond [1] 22/4
response [2] 4/18 7/21
rest [2] 28/6 28/15
restaurant [7] 14/2 20/4 21/3 23/25 29/24
30/2 32/2
restaurants [1] 19/14
retail [3] 3/14 3/16 8/19
retained [1] 47/20
review [10] 6/21 8/24 11/7 11/12 11/23 12/23
17/20 17/25 22/24 47/24
revised [1] 34/11
revisions [1] 21/25
riding [1] 16/19
right [9] 10/14 10/15 33/5 33/13 43/9 43/23
45/7 47/5 55/8
Riverhead [1] 37/7
Robert [3] 13/2 54/24 57/14
roof [1] 31/20
room [19] 6/6 6/13 8/16 35/21 39/13 39/24
40/3 42/18 43/3 43/4 43/8 43/11 43/12 43/14
43/16 44/6 47/17 47/17 52/6
roomers [1] 6/12
rooms [6] 6/11 13/10 13/11 35/20 36/7 37/21
rounds [1] 12/2
routinely [1] 24/9
run [1] 52/3
running [2] 44/5 55/8
runoff [1] 32/8
runs [1] 31/23

S
safety [1] 44/10
said [4] 34/25 40/25 59/10 59/25
sales [2] 3/17 55/21
same [6] 17/15 35/11 51/15 51/16 53/10
53/13
Sarah [1] 6/3
satisfaction [1] 27/19
saw [3] 14/25 15/5 29/16
say [3] 47/9 48/21 54/5
saying [3] 21/13 33/3 37/19
says [3] 23/16 29/21 52/4
scheduled [1] 34/9
scope [1] 19/8
screened [1] 24/13
Sea [2] 3/8 3/12
search [1] 54/6
seating [3] 13/16 19/24 20/21
second [33] 2/12 5/14 5/15 7/25 8/2 8/17
11/17 11/18 28/17 40/14 42/19 43/4 48/18
49/19 50/5 50/8 50/9 50/15 50/17 51/4 53/21
53/22 55/25 56/2 56/14 56/15 57/15 57/16
58/4 58/5 59/6 60/11 60/12
second-floor [1] 8/17
section [1] 51/13
see [12] 7/16 10/17 24/22 25/3 26/2 28/2
29/13 32/24 36/24 37/17 44/16 45/3
seem [2] 24/3 31/15
seems [2] 4/5 24/12

seen [2] 30/5 43/25
seller's [1] 52/15
sense [1] 47/18
sent [2] 40/13 49/22
sentence [1] 6/21
sentiments [1] 4/10
separate [8] 4/14 4/24 19/15 36/6 43/16
52/10 52/22 54/6
SEQRA [2] 6/21 17/14
served [3] 19/22 19/23 20/2
serving [1] 19/10
session [10] 1/5 11/16 12/4 14/21 18/3 22/2
22/3 22/16 22/23 59/7
set [2] 42/22 61/12
setback [2] 30/24 49/10
setbacks [1] 49/13
seven [1] 60/8
seven-page [1] 60/8
several [1] 13/20
shack [1] 42/5
shade [1] 41/10
she's [1] 39/9
Shipyard [1] 8/13
short [2] 24/14 42/23
short-term [1] 42/23
shorthand [1] 61/3
should [12] 6/22 9/17 16/9 30/4 30/22 31/4
32/9 32/10 32/21 47/20 52/12 54/9
show [1] 55/8
showing [1] 32/7
shown [3] 16/9 21/14 27/23
side [4] 27/12 31/9 32/2 32/4
sidewalk [3] 25/3 25/5 25/9
sign [11] 4/12 4/14 4/23 5/4 5/5 5/8 5/12
55/22 58/12 58/13 58/14
signage [1] 58/11
signs [2] 58/22 58/23
similar [2] 30/6 42/15
simply [1] 22/8
since [1] 29/11
single [10] 35/7 39/19 45/11 46/14 46/19
46/20 46/23 52/9 52/21 54/6
single-family [7] 35/7 39/19 45/11 46/14
46/19 46/20 46/23
sister [1] 39/9
site [14] 5/24 6/4 8/12 12/23 12/24 16/9 17/8
25/19 34/6 34/11 40/12 40/13 40/23 51/6
situation [4] 26/22 43/7 45/11 45/14
situations [1] 36/25
six [4] 6/11 13/9 35/5 45/13
size [7] 37/24 38/12 42/7 42/8 45/15 51/16
55/20
sizes [1] 38/14
skipping [1] 29/12
Sleeping [1] 3/13
slightly [1] 7/12
slop [3] 24/10 24/19 24/22
small [5] 36/8 36/9 41/21 41/22 44/4
so [46] 4/14 4/19 5/10 7/14 9/10 10/21 11/2
12/4 12/7 12/11 15/14 17/21 18/12 19/18
20/20 22/11 22/22 23/3 27/17 27/25 32/13
32/16 33/13 34/20 38/2 38/6 38/13 39/10
40/17 41/5 41/12 41/22 47/18 48/7 48/14 49/4
49/15 51/18 52/6 53/5 53/14 55/23 57/25
58/12 59/13 60/2
solution [1] 10/20
some [12] 8/22 10/20 17/21 19/13 20/3 21/21
23/23 26/4 30/14 32/3 32/12 59/11
somebody's [1] 43/15
something [6] 20/8 41/18 42/11 46/16 55/7
55/12
somewhere [1] 16/8
sorry [2] 4/25 15/17
sort [2] 10/14 24/23
south [4] 2/11 50/15 50/16 51/3
Southold [1] 37/7
space [11] 6/7 13/13 26/3 34/24 35/6 39/22
39/23 39/24 39/25 40/6 43/11

S
speak [3] 23/10 23/13 32/16
speaking [1] 36/22
Spirit [2] 54/23 57/13
Spirits [1] 57/7
spots [2] 52/5 52/7
sprinkler [1] 15/13
square [9] 2/7 7/13 12/20 13/4 23/18 30/8 37/25 38/2 41/19
stable [1] 29/24
staff [1] 26/24
stairs [1] 36/12
stamped [2] 7/7 7/10
stand [1] 45/8
start [2] 30/19 51/20
state [6] 1/2 6/14 31/3 35/25 57/4 61/5
stated [3] 17/21 38/23 41/4
States [5] 37/25 38/4 38/10 38/14 38/18
status [1] 30/18
stays [1] 45/22
step [1] 49/14
STEPHANIE [2] 61/3 61/18
steps [2] 49/13 49/22
still [9] 11/6 15/14 17/14 17/18 24/12 32/25 34/20 36/16 48/14
Stirling [5] 2/7 12/20 13/4 23/18 30/8
store [2] 3/11 3/16
story [1] 8/15
straight [1] 40/16
street [35] 1/6 2/4 2/5 2/6 2/8 2/12 3/6 3/12 5/22 6/2 8/10 8/14 12/21 21/2 21/7 23/19 24/10 24/13 25/6 25/12 29/7 31/23 31/24 32/3 32/6 35/19 36/14 40/14 42/16 43/3 50/15 50/17 51/4 58/10 59/7
structural [2] 31/6 31/10
structure [2] 30/13 30/17
studs [1] 31/11
style [2] 45/25 46/2
subdivided [1] 52/4
subject [3] 6/13 8/24 23/17
submission [5] 33/20 34/5 48/24 50/19 51/5
submitted [4] 4/22 7/24 32/9 34/12
such [2] 24/6 30/22
suddenly [1] 45/13
SUFFOLK [6] 1/2 3/20 6/24 9/2 14/7 23/19
suggest [2] 10/18 32/6
suggestion [1] 36/4
suite [3] 13/13 39/12 44/14
supposed [1] 55/11
Sure [1] 32/19
surprise [1] 30/5
system [1] 15/14

T
table [8] 11/11 11/15 12/16 21/19 39/14 53/5 53/15 53/17
tabled [1] 59/6
take [3] 22/25 32/14 41/9
taken [1] 61/7
takes [1] 10/10
talked [3] 40/15 40/24 51/21
talking [4] 37/15 37/22 45/24 46/21
tasting [1] 8/16
Tax [5] 3/20 6/24 9/2 14/7 23/19
technical [1] 29/5
tell [3] 20/12 22/11 59/3
tenants [2] 16/23 21/9
term [1] 42/23
terribly [1] 41/22
Texas [1] 39/9
than [7] 10/23 30/15 30/21 31/2 38/5 38/10 38/15
Thank [7] 23/6 23/7 28/3 47/6 54/3 54/17 56/7
Thanks [3] 5/9 28/24 60/9
that [146]
that's [20] 5/4 5/5 9/10 9/11 15/14 19/24 20/21 23/3 25/13 33/6 33/13 35/8 39/2 41/5 44/11 45/6 45/15 45/17 46/23 60/2

their [10] 12/4 25/4 25/10 36/12 36/17 41/7 43/17 43/21 43/22 55/9
them [15] 10/25 12/5 15/7 15/9 15/12 15/12 15/16 16/20 17/4 38/19 41/3 41/6 41/10 41/13 54/11
themselves [1] 36/20
themselves [1] 36/22
then [8] 11/11 16/16 18/10 20/24 22/25 25/21 31/23 60/7
there [40] 5/4 5/5 6/20 7/5 15/9 19/21 19/22 19/22 19/24 20/23 21/2 21/4 21/10 21/25 24/21 25/8 27/9 29/14 30/13 34/23 36/8 36/18 36/21 37/5 39/22 42/18 43/15 43/16 43/18 45/9 45/13 52/6 54/5 54/25 58/23 58/25 59/8 59/15 59/18 59/21
there's [5] 7/17 25/17 36/13 45/12 58/21
these [10] 15/18 26/14 27/18 29/9 33/4 36/23 38/15 38/23 41/11 46/12
they [22] 7/11 9/8 10/2 10/19 10/21 15/19 25/7 28/2 36/23 37/8 39/5 41/4 41/4 43/21 45/10 48/7 49/10 49/11 54/10 55/6 55/11 55/22
they're [5] 16/7 16/15 38/18 43/15 44/20
thing [3] 20/23 44/12 48/2
things [4] 9/9 21/21 25/17 46/12
think [33] 3/25 4/9 9/16 10/8 15/10 16/3 16/7 16/8 17/11 17/22 18/23 19/18 21/23 26/6 33/13 35/11 37/23 38/14 39/11 42/6 42/9 43/10 44/9 45/20 45/23 46/16 47/4 47/19 54/7 56/25 57/2 57/3 59/15
Third [1] 1/6
thirds [2] 38/3 38/9
this [70]
those [10] 10/7 10/9 14/19 26/25 27/5 27/5 27/8 32/16 36/15 51/22
though [1] 39/13
thought [3] 21/18 37/8 46/7
thoughts [2] 9/15 26/7
three [6] 6/11 35/3 36/5 41/20 52/4 52/6
three-and-a-half [1] 35/3
threshold [2] 9/21 10/3
through [1] 48/18
time [20] 4/20 8/22 11/25 17/21 21/24 22/8 22/24 24/6 26/18 27/22 30/9 37/4 40/5 40/9 41/16 43/16 48/15 48/18 58/20 60/17
title [3] 52/11 52/22 54/9
together [2] 40/9 44/8
ton [1] 35/22
tonight [3] 23/4 48/10 59/11
too [9] 10/6 17/14 36/24 36/25 37/23 39/16 43/10 49/7 49/12
took [1] 10/20
total [3] 7/12 13/9 13/10
towards [1] 24/12
town [2] 37/7 39/8
towns [1] 37/13
track [3] 25/8 38/17 47/5
track-home [1] 38/17
transcript [1] 61/6
transient [1] 6/12
treated [3] 31/5 31/7 31/12
trees [1] 41/9
tried [1] 22/4
true [1] 61/6
Trustees [1] 12/3
trying [7] 15/10 25/14 38/7 40/7 41/13 46/13 46/24
TV [3] 55/6 55/9 55/21
two [25] 8/15 10/7 12/2 12/12 22/16 23/3 25/17 27/8 29/14 31/10 35/20 36/6 37/21 38/3 38/9 38/15 39/2 39/9 39/21 41/19 41/19 41/20 51/9 58/21 58/23
two-by-four [1] 31/10
two-family [2] 39/21 51/9
two-story [1] 8/15
two-thirds [2] 38/3 38/9
type [1] 46/5

U
under [3] 10/22 33/23 50/23
understand [5] 22/6 25/25 26/9 26/11 38/6
understanding [3] 15/15 18/16 29/21
Understood [1] 39/18
unit [1] 13/8
United [5] 37/24 38/3 38/9 38/13 38/18
units [4] 13/6 13/7 13/9 13/22
unless [2] 26/25 47/12
until [9] 11/15 24/6 26/4 26/25 27/18 53/6 53/15 53/17 53/17
unused [1] 40/6
unusually [1] 26/19
up [14] 10/19 15/14 26/12 26/13 30/4 33/7 36/11 37/3 42/22 44/7 45/8 52/9 52/13 56/8
updated [2] 40/12 40/13
upon [1] 34/12
upstairs [3] 36/5 44/12 44/13
us [9] 20/9 20/12 22/10 22/24 23/8 35/19 48/23 55/21 60/7
use [16] 3/8 3/14 3/15 4/4 4/12 4/13 4/15 6/8 7/4 16/16 20/16 21/11 42/10 42/14 54/9 58/11
used [2] 31/7 40/4
uses [1] 8/19
usually [3] 38/12 38/19 44/20
utility [1] 41/7

V
vacant [9] 2/9 2/11 8/21 33/15 33/17 33/22 50/15 50/16 50/22
value [3] 30/16 30/21 46/17
variance [5] 6/15 30/23 34/8 49/25 59/10
variances [3] 59/17 59/21 60/2
verified [1] 32/11
verify [1] 52/19
very [9] 27/23 28/24 34/24 39/22 40/9 41/21 41/22 45/2 54/17
video [1] 55/21
village [21] 1/2 1/18 1/19 1/21 3/3 4/6 6/13 8/23 25/21 25/24 31/13 34/17 34/19 36/2 39/15 41/25 45/16 47/5 51/10 51/12 53/19
violation [2] 25/18 25/20
visit [1] 39/8
vote [3] 12/12 12/13 47/11

W
wait [3] 11/9 11/12 12/5
waiting [1] 11/6
walking [2] 9/19 9/24
wall [1] 31/10
want [17] 12/13 14/10 23/8 23/9 23/12 23/12 26/2 36/10 37/20 40/2 41/25 42/2 42/4 45/8 55/23 57/8 58/13
wants [5] 15/11 18/19 18/21 21/22 41/17
was [31] 4/2 5/7 6/15 7/5 7/12 8/24 10/19 15/13 27/9 27/10 29/14 29/23 29/25 30/2 30/3 30/9 32/20 35/18 35/22 36/17 42/18 42/18 46/12 52/3 54/5 55/2 55/10 58/21 59/7 59/8 60/4
wasted [1] 40/6
water [5] 10/10 13/16 24/24 31/14 44/22
watered [1] 15/13
Waterfront [1] 3/15
way [4] 35/9 43/5 45/22 61/10
WC [1] 3/15
we [81]
we'll [4] 17/23 18/7 53/5 58/18
we're [11] 3/2 11/6 17/12 20/6 29/22 34/20 47/23 48/17 53/14 57/5 58/24
we've [2] 14/14 48/14
week [12] 22/15 22/18 22/19 22/22 41/2 51/21 52/12 52/17 53/2 59/8 59/20 59/24
week's [1] 27/9
weeks [2] 22/16 23/4
welcome [1] 56/9
well [12] 14/10 18/14 26/21 38/22 39/10 40/23 40/25 42/8 44/10 49/23 52/2 52/6
went [2] 37/10 49/11

W

were [12] 3/25 14/19 14/20 18/9 21/25 38/23
47/13 47/20 53/19 55/6 55/11 59/21
weren't [1] 33/4
wetness [1] 25/3
what [25] 10/18 11/22 12/14 15/17 17/20 18/5
20/2 20/12 20/15 22/12 25/13 26/5 26/6 28/2
33/6 35/13 36/14 37/20 41/23 42/13 42/15
45/18 45/23 54/25 58/21
what's [3] 10/13 19/9 33/9
whatever [5] 18/9 21/10 21/11 36/7 42/4
whatsoever [1] 17/6
when [5] 21/5 29/24 38/13 44/2 52/3
where [10] 15/11 15/12 16/14 17/3 37/3 40/2
40/8 42/17 45/12 55/9
WHEREOF [1] 61/12
Whereupon [1] 28/25
whether [5] 7/6 12/15 17/2 18/13 27/4
which [20] 4/23 8/24 13/24 15/5 26/17 33/22
35/11 35/19 39/15 40/9 42/10 42/24 43/9 44/8
46/25 48/19 50/22 59/6 59/7 60/7
while [2] 11/6 21/4
who [2] 41/17 48/4
why [4] 33/3 33/11 39/5 41/6
will [16] 4/23 18/10 18/17 26/12 27/14 27/15
28/6 34/8 34/11 52/16 52/25 54/15 55/14
59/25 60/6 60/8
William [3] 54/20 55/18 57/10
windows [2] 51/22 51/25
WINGATE [1] 1/21
within [6] 3/18 6/17 42/11 45/4 61/4 61/6
without [1] 47/14
WITNESS [1] 61/12
won't [1] 41/9
wonder [3] 27/24 41/24 58/12
wood [1] 14/3
work [12] 11/16 12/4 14/21 18/3 22/2 22/16
22/23 28/5 29/25 41/13 46/11 59/7
works [3] 43/7 52/11 52/25
worry [1] 44/4
would [21] 10/18 10/19 15/23 17/24 19/19
22/24 25/21 26/2 26/17 27/17 35/10 41/11
42/24 46/4 46/25 49/13 51/18 52/17 55/23
57/23 59/9
wouldn't [2] 18/2 22/8
wrong [1] 58/25
wrote [1] 23/21

Y

yard [2] 25/4 30/24
yards [1] 21/6
yeah [4] 16/12 20/14 21/23 46/3
year [1] 30/10
yes [11] 7/9 15/10 15/16 21/16 21/20 24/25
25/7 25/15 33/7 39/4 53/7
YORK [6] 1/2 1/7 6/14 31/3 35/25 61/5
you [101]
you'll [1] 45/13
you're [6] 25/13 37/18 47/4 48/5 48/25 56/9
young [2] 44/10 44/13
your [11] 16/11 23/9 24/2 25/25 26/6 26/9
38/7 38/24 38/24 51/20 59/5
yours [1] 24/16

Z

ZBA [5] 6/16 34/9 48/20 48/23 50/2
zone [3] 3/16 6/19 8/20
zoning [12] 6/10 30/23 31/13 34/13 46/23
48/13 49/3 50/7 54/8 54/13 59/4 59/13