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.

BEFORE:

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

Item Number 1, 29 Front Street.

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

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

The property is not located within the Historic District.

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

We discussed this at the last meeting. Did we have any other comments or questions with regards to this? I think in general we were all...
in agreement that the application was not done in the proper order, but the actual use that is being applied for seems to be a reasonable one that could be accommodated with the Village.

Do we have any comments or questions?

MR. JAUQUET: I think you expressed my sentiments.

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

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

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

(No response.)

CHAIRMAN McMAHON: So we accepted the application last time.

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

ATTORNEY PROKOP: I'm sorry,
ATTORNEY PROKOP: Does he have a sign that's not conforming now? There is a sign there that's not conforming?

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

ATTORNEY PROKOP: Okay. Thanks.

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

Do I have a second for that?

MR. BURNS: Second.

CHAIRMAN McMAHON: All in favor?

MR. JAQUET: Aye.

MR. BURNS: Aye.

MS. CLARKE: Aye.

MR. COTUGNO: Aye.

CHAIRMAN McMAHON: Motion carries.

Item Number 2, 817 Main Street.

Continued discussion and action on the amended site plan dated April 20, 1992.
Applicant 817 Main Street LLC, represented by Sarah Latham, has requested an amendment to the site plan to allow for the addition of one rental room and the addition of one parking space to the existing parking area.

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

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

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

Suffolk County Tax Map number 1001-2-1-25.
We discussed this at the last meeting, again the actual increase in use had been discussed and, I believe, generally approved. There was just a question as to whether or not one item of the plans had been stamped properly and included. Did we receive --

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

CHAIRMAN McMAHON: So everything is conforming with that.

ATTORNEY PROKOP: Can I just see?

There's not a question.

CHAIRMAN McMAHON: Okay.

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

(No response.)

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

Do I have a second for that?
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MS. CLARKE: Second.

CHAIRMAN McMAHON: All in favor?

MR. JAUQUET: Aye.

MR. BURNS: Aye.

MS. CLARKE: Aye.

MR. COTUGNO: Aye.

CHAIRMAN McMAHON: Motion carries.

Item Number 3, 211 Carpenter Street.

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

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

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

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

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

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

CHAIRMAN McMAHON: Does anybody have any thoughts?

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

MS. CLARKE: And walking down into the dirt.

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

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

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

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

ATTORNEY PROKOP: No, we have to wait.

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

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

Do I have a second for that?

MS. CLARKE: Second.

CHAIRMAN McMAHON: All in favor?

MR. COTUGNO: Aye.

MS. CLARKE: Aye.

MR. BURNS: What is preventing the coordinated review?

ATTORNEY PROKOP: Nothing is preventing it, it's just the time
period. It rounds another two days.

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

MR. BURNS: Okay.

CHAIRMAN McMAHON: So we had --

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

Excuse me.

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

MR. JAUQUET: On what?

CHAIRMAN McMAHON: On whether to

table it.

MR. JAUQUET: Aye.

MR. BURNS: Aye.

CHAIRMAN McMAHON: Motion carries.

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

Continued discussion on the
application for site plan review. An
amendment to the previous site plan
approved on November 4, 2015 is
required. The applicant, Robert I. Brown, architect, is representing Stirling Square LLC, Brent Pelton.

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

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

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

The proposal for cover over the existing cedar pergola which covers the dining patio at the American Beech
restaurant and the extension of the
wood pergola to the north has been
eliminated.

The property is located in the
Historic District.

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

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

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

CHAIRMAN McMAHON: Okay.

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

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

MR. BROWN: The plastic cover is
gone, I saw it coming down myself
MS. BERRY: Okay. I have another question.

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

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

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

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

MR. PALLAS: For no charge?

MR. BROWN: I would have to defer to Mr. Pelton, I don't know the answer to that.
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
addressed whether or not he is going to be doing it, and where he plans on keeping them permanently. Again, I personally have no issue with it whatsoever, but it does need to be on the plan and clearly indicated as part of the site plan evaluation.

MR. BURNS: Can we do a conditional approval?

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

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

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

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

CHAIRMAN McMAHON: I don't think we'll be able to approve this. We need finalized plans that we would have opportunity to review before a meeting.
It wouldn't necessarily be done between the work session and the regular meeting.

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

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

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

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

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

MR. BROWN: I believe he wants the capability of being able to. I don't think it's his intention to have a fully operating bar as another business.
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CHAIRMAN McMAHON: Again, he is going to need to make a decision before we can make a decision and it's gonna --

MR. BROWN: About?

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

Also, if there is alcohol being served there, regardless if there is any food or beverage being served there, is the outdoor seating that's proposed here part of that? Is that in
connection with what is being served in the lobby or does that have some other connection to another restaurant?

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

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

CHAIRMAN McMAHON: Yeah.

MS. CLARKE: Exactly what his intended use is.

CHAIRMAN McMAHON: Because if the --

MS. CLARKE: Full disclosure.

CHAIRMAN McMAHON: So the outdoor seating area, if that's going to be connected to the lobby, is that going to be a late-night thing; is there going to be -- again, because then it becomes an issue for noise on Main
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Street. I know there is outdoor restaurant activity going on already, it's been going on there for a while now, but when it's pushed 30 feet closer or 30 yards closer to Main Street, it's directly across from apartments and it can be a quality-of-life issue for tenants there. It needs to be whatever the application, whatever the proposed use is. I'm not making any judgments on that at this point, I'm just saying all of that needs to be clearly shown in the plan.

MS. CLARKE: Yes.

CHAIRMAN McMAHON: Anyone have any thought or questions?

MR. BURNS: Table this?

CHAIRMAN McMAHON: Yes. I believe Mr. Corwin has some comments, things he wants to discuss with regards to this application. I don't think -- yeah, we can't move forward at this time because there were revisions to the plan.
between the work session and the regular session.

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

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

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

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

ATTORNEY PROKOP: It's at least a week.

CHAIRMAN McMAHON: It is a week.

ATTORNEY PROKOP: And with copies for everyone.

CHAIRMAN McMAHON: So a week before the next work session, that would give us enough time to review everything and then possibly take
ATTORNEY PROKOP: So that's two weeks from tonight.

MR. BROWN: Okay.

Thank you.

CHAIRMAN McMAHON: Thank you.

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

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

CHAIRMAN McMAHON: Okay.

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

Dear Chairman McMahon, I wrote the Planning Board eleven months ago raising some concerns I had with the approval of the American Beech restaurant complex. I am enclosing a
copy of my letter for your convenience.
To date, none of my concerns seem to have been addressed. I question any further approvals for acceptance of applications until such time as the problems with American Beech are resolved.

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

Respectfully yours, David S. Corwin.

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

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

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

MR. CORWIN: Yes.
MR. JAUQUET: And the drain, you can see the wetness on the sidewalk from the alley, from their rear yard across the sidewalk and onto the street; is that the idea?

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

MR. JAUQUET: From their door --

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

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

MR. CORWIN: Yes.

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

I do understand your position that
you would not want to see additional approvals or explosion of the space until some existing nonconformance is addressed, but I don't know, what does everyone else think, what are your thoughts?

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

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

From a staff perspective, we are requesting that unless and until those...
conditions that are articulated in that letter and the garbage, regardless of how we proceed on enforcement, whether those, you know, if those are not corrected, that you not proceed with any further approvals.

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

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

ATTORNEY PROKOP: The ductwork that we asked about the last time is actually shown in that picture very accurately, and I wonder if maybe we can get a copy of that to the HPC so
they can see what it looks like.

Thank you.

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

Do we need to make a motion?

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

CHAIRMAN McMAHON: Okay.

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

MR. BURNS: Second.

CHAIRMAN McMAHON: All in favor?

MR. JAUQUET: Aye.

MR. COTUGNO: Aye.

MR. BURNS: Aye.

MS. CLARKE: Aye.

CHAIRMAN McMAHON: Motion carries.

Thanks very much.

(Whereupon, Chairman McMahon)

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leaves the meeting.)

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

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

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

MR. JAUQUET: Okay.

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

He says, it's my understanding that the original plan, I guess we're going back, was to renovate the old horse stable come restaurant bar when work began, it was found that the
restaurant was in poor condition, and
it was essentially rebuilt from the
ground up. This should not have come
as a surprise to anyone as we have seen
similar course of action go back to the
drawing board.

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

If a project requires more than 50
percent of the cost of the value of the
structure in reconstruction, it loses
its noncompliant status and has to
start over again as per code. The cost
of the reconstruction project had to be
more than 50 percent of the value and
as such should have at least gotten a
variance from the Zoning Board of
Appeals for rear yard setback and
parking requirements. The building is
less than eight inches above grade in accordance to New York State Building Code. It should have preservative-treated plywood and structural elements. I did not observe preservative-treated plywood used in the construction. On at least the north side of the building, the structural elements, two-by-four wall studs did not appear to be preservative-treated.

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

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

The leader from the north roof discharges to concrete apron -- onto the concrete apron behind the fence on Carpenter Street, then runs off directly on Carpenter Street. The concrete loading garbage area to the
north side of the restaurant appears to be pitched to Carpenter Street. Some of the ductwork on the east side of the building may protrude past the property line on Carpenter Street. I suggest that a drainage plan showing that all runoff is contained on the property should be submitted in compliance with the drainage plan and should be verified before any more improvements.

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

MR. PALLAS: Sure.

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

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

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

MR. JAUQUET: Right.

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

MR. JAUQUET: Okay.

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

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

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

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

Bryan Nicholson is before the Board to discuss the proposed

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

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

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

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

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

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

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

My concern with the overall plan
is that there is a lot of bedrooms to
very little living space and, you know,
Eileen last said it met the code for
the ratios that are involved. To me, you know, three-and-a-half bathrooms and four bedrooms in one place for living for a family of five or six to live in one space, to me is not appropriate for a single-family house. That's my opinion.

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

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

MR. COTUGNO: I agree with you.

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

MR. COTUGNO: Just because it meets New York State Code, that doesn't
MR. JAQUET: My suggestion is to keep the three bedrooms upstairs and half bath downstairs and two separate rooms for living for whatever kind of family goes in there. It's a small lot, it's a small building, and it has limitations, and if you want to argue that an elderly person can't get up the stairs, you know, maybe it's not their house, you know, there's constrictions.

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

And, you know, there is nobody from that block, you know, here to defend themself if defense is needed, but there is no one here on the block speaking for themselves. I don't know if they know these houses are coming in, but all I can see is too many people, too many cars and situations.
develop like we have on Fifth Avenue
where the people are up in arms all the
time.

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

Anyway, I'm done talking.


Nice to see you all again.

I hear you with everything you're
saying. If this is my proposal for
what I want to do, I'm not building a
house with two laundry rooms and five
bedrooms. I'm talking about a house
that you think is too large. I mean,
the average size home in the United
States is 2,600 square feet, you know,
this is 1,750 square feet, so basically
two-thirds of all homes in the United
States according to the Census Bureau
are larger than this home that I'm
proposing to build, so I understand
your concerns, but I am also not trying
to build a monstrous house, basically
two-thirds of homes in the United
States are larger than this house.

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

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

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

MR. NICHOLSON: Correct.
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MS. CLARKE: That's two people, a couple.

MR. NICHOLSON: Yes.

MS. CLARKE: Why do they need four bedrooms?

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

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

MR. NICHOLSON: Understood, but this is a single-family home, this isn't a multiple-family dwelling, it's not a two-family home and, you know, there is a very defined space for each one of the -- for living space, for kitchen space, and for dining room space.
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If you want to build a home where
you have a formal dining room that
doesn't get used 98 percent of the
time, you know, by the occupants in a
house, that is wasted, unused space,
and I'm just trying to do an open
concept where family can live, eat, and
enjoy time together which to me is very
important.

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

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

MR. JAQUET: I don't, but I
recall. This is one with the movable
electric pole?

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

I've talked to the neighbors as
well, and, you know, like I said last
week, and I've gone over the plans of
the house with them, the design, the
layout, they stated to me that they are
okay with everything so far and that's
why I discussed with them the moving of
the utility pole and their electric
line, the placement of the house on the
lot, we won't take down as many trees
in the back, shade for them, because
these are the people it would directly
affect the most, so I'm going into this
trying to work with them and, of
course, you as much as possible on
this.

MR. BURNS: I have a hard time
being critical of anyone who wants to
build something like that. My house is
1,700 square feet, two floors, two
apartments, three bedrooms, two baths,
and it's on a very small lot, it's a
very small house, so it's not terribly
different from what he is proposing,
and I wonder if many of the houses in
the Village -- we don't want him to
build a monstrosity, we don't want him
to build a huge house with all kinds of
whatever, nor do we want him to build a
shack.

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

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

ATTORNEY PROKOP: Similar to what
we looked at with the North Street
application where one of the comments
was that there was a laundry room on
the second floor on that application,
you know, the Board, it's a fair
comment for the Board to make if the
Board believes it's being set up for
multifamily or short-term rentals, both
of which would be reasons to not let
the application proceed.
MR. JAUQUET: This one only has one laundry room, North Street, we knocked out the second laundry room. In a way, the construction requirement of making a 40-by-20 rectangle, you know, works with the living situation in the back and another room in the front which you have as a bedroom right now. I think this is too many bedrooms for just one room for the living space, it really is only one room. You are in the kitchen, in the bedroom, and the living room all at once, and, you know, somebody's, they're all there all the time, there isn't a separate room for kids to do their homework, et cetera.

MR. NICHOLSON: There are bedrooms.

MR. JAUQUET: I know but --

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

MR. JAUQUET: I know, I've seen --
MR. NICHOLSON: -- also when raising kids or having grandkids over, you don't have to worry about small kids running around the house, you can baby-proof a room, you basically have one baby gate you can put up and it allows the family to be together which I think is important and also for safety of young children as well.

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

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

MR. JAUQUET: You know --

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

MS. CLARKE: It can.

MR. NICHOLSON: It can, but it's
MR. BURNS: I don't see how he lives in his house is within our purview.

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

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

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

MR. NICHOLSON: Are you talking the style of the home?
MR. JAUQUET: The style, the front, yeah.

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

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

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

ATTORNEY PROKOP: As the single-family home.

MR. NICHOLSON: As a single-family home, and if you are talking about, you know, overcrowding, this is a single-family home, that's the zoning for it. I'm not trying to build multifamily dwellings here which would...
cause overcrowding or more of a concern
of overcrowding --

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

MR. NICHOLSON: Thank you.

Appreciate that.

MR. JAUQUET: Anybody else?
Do you have anything to say?

MS. CLARKE: No, I just hope --

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

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

MR. BURNS: We are the Planning
Board, we're not the Architectural
Review Board, we approving his house
for him and his family.
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MR. NICHOLSON: The other thing as far as having a full bathroom on the first floor, for elderly people who have bad knees or have problems, you're going to need a full bath on the first floor so they can maintain proper hygiene.

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

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

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

MR. JAUQUET: Say that again.

ATTORNEY PROKOP: He's going to have to come back to us after the ZBA. This is a pre-submission conference and you're required to deny
the application because it does not comply to zoning.

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

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

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

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

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

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

MR. JAUQUET: This denial is because it needs a variance from the
I'm going to make a motion to deny the application.

MS. CLARKE: Second.

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

Do I have a second?

MS. CLARKE: Second.

MR. JAUQUET: All in favor?

MS. CLARKE: Aye.

MR. BURNS: Aye.

MR. COTUGNO: Aye.

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

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

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

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

Bryan Nicholson is before the Board to discuss the proposed
construction of a onefamily house on
the property located south of 525
Second Street.

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

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

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

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

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

I guess I'll start with, from your
comments last week, you talked about
the windows on the plan, those have
been added in. I don't know if you
have that copy in front of you for the
floor plans, I did add all the windows
in, as well as part of the convenance for the run of the land when it was subdivided, it says it needs three parking spots, I've also added that as well, so there is enough room for three parking spots for the lot for the proposed home.

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

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

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

MR. NICHOLSON: That is an order that is in the works and I will have
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. JAQUET: 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
was any discussion that, of anything
that needs to be discussed further in
this application.

MS. CLARKE: I believe Claudio's
needed to depict the TV or they were
going to have something on the piling
right, a running show or --

MR. JAUQUET: Where their TV
was --

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

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

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

Do I have a second?
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 --
the previous one, I think --

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

MR. JAUQUET: I want to make 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.

Do I have a second?

MR. BURNS: Second.

MR. JAUQUET: All in favor?

MR. BURNS: Aye.

MR. COTUGNO: Aye.

MS. CLARKE: Aye.

MR. JAUQUET: Okay.

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

MR. JAUQUET: Okay.

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

Do I have a second?

MS. CLARKE: Second.

MR. JAUQUET: All in favor?

MR. BURNS: Aye.

MS. CLARKE: Aye.

MS. BERRY: I've got a question.

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

ATTORNEY PROKOP: It's not on the agenda.

MS. BERRY: Okay.

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

What was that again, there's two signs?

MS. BERRY: There are two signs in the application, one we're rejecting, but there is nothing wrong with the
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
require variances, so apparently that's not correct.

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

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

MR. JAUQUET: Thanks, Doug.

Item Number 10, motion to adjourn.

Do I have a second?

MS. CLARKE: Second.

MR. JAUQUET: All in favor?

MS. CLARKE: Aye.

MR. BURNS: Aye.

MR. COTUGNO: Aye.

(Time noted: 5:58 p.m.)
CERTIFICATE

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'Keeffe

STEPHANIE O'KEEFFE
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47/13 47/20 53/19 55/6 55/11 59/21
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