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VILLAGE OF GREENPORT COUNTY OF SUFFOLK  
STATE OF NEW YORK

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PLANNING BOARD  
SPECIAL MEETING

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Third Street Firehouse  
Greenport, New York

April 20, 2017  
4:08 p.m.

- B E F O R E:
- DEVIN McMAHON - CHAIRMAN
- BRADLEY BURNS - MEMBER
- NOAH THOMAS - MEMBER
- MARY GIVEN - MEMBER
- JOHN COTUNGO - MEMBER
- JOSEPH PROKOP - VILLAGE ATTORNEY
- ROBERT CONNELLY - VILLAGE ATTORNEY
- GLYNIS BERRY - PLANNING BOARD CONSULTANT
- EILEEN WINGATE - BUILDING INSPECTOR
- KRISTINA LINGG - BUILDING CLERK

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2 CHAIRMAN McMAHON: This is the Village  
3 of Greenport Planning Board Special meeting  
4 agenda for April 20, 2017, 4:00 p.m.

5 Item number 1 is Front and Third  
6 Streets. Continued discussion and possible  
7 motion on the application of Dan Pennessi,  
8 President of SAKD, LLC. Dan Pennessi is  
9 before the Board to discuss proposed uses  
10 and development of the site located at the  
11 corner of Front and Third Streets. The  
12 Zoning Board of Appeals has granted the six  
13 variances requested to develop the proposed  
14 site. The property is located in the  
15 Waterfront Commercial District, and the  
16 proposed uses for the site are conditional  
17 uses.

18 Suffolk County Tax Map number  
19 1001-5-4-5.

20 MR. PENNESSI: Thank you very much for  
21 making the time to schedule a special  
22 meeting. After the meeting and what we all  
23 discussed at the last meeting, we went back  
24 and we've worked with the Planning Board's  
25 consultant to make the changes that we

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2 discussed, and I don't know if you have a  
3 copy of our April 18th letter, but if you  
4 would like, what we can do is we can walk  
5 through the changes that were made to the  
6 plan and if there are any questions or  
7 comments --

8 CHAIRMAN McMAHON: That would be great.

9 MR. PENNESSI: So what we did was, most  
10 of the changes were made to the site plan  
11 A100, but just for perspective on some of  
12 the landscaping, we've created a slip page  
13 for A107 which provides a couple of shots  
14 and it generally depicts the landscaping  
15 that we have agreed to include in the site  
16 plan. Again, A107 is really just for  
17 perspective to let you see where we have  
18 added the trees and where the existing trees  
19 are along Front and Third Streets. It was a  
20 little more difficult to fill in these  
21 elevations, some of the other smaller  
22 landscaping items that I discussed with the  
23 Village, but I can point those out in the  
24 site plan.

25 So the first point was along Front

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1 Street, we've got compliance with the  
2 setback requirement of six feet from the  
3 property line and there was a comment that  
4 it was kind of barren, you can see the  
5 theater projects much further north, closer  
6 to Front Street, so we have added some  
7 landscape planters, that area will be  
8 decorative pavers. It's located kind of up  
9 on N84 on A100.  
10

11 In addition, we've noted that we will  
12 be using decorative pavers, we're not gonna  
13 use any asphalt or concrete to do that, and  
14 I mean the hardscapes mostly along Front  
15 Street and at the intersection, but also in  
16 certain areas along Third Street, you can  
17 see between the green areas along the  
18 proposed retail space, there's no decorative  
19 pavers there. If you continue south towards  
20 the parking lot, you'll see kind of thin  
21 green areas right along the western boundary  
22 of the property. What we're proposing to do  
23 there is, both north and south of the curb  
24 cut, install some sort of Evergreen,  
25 something that's gonna last the seasons, but

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1  
2 to soften it up a little bit. We've added a  
3 couple of those new trees. I don't know  
4 right now whether there is enough room in  
5 those areas, you see the new trees right  
6 outside the retail area to have that be some  
7 sort of decorative paver or whether we can  
8 get some grass in there, but we're gonna  
9 make every effort to do that, it will be one  
10 or the other.

11 And you can see it's notated with an N  
12 any trees that we plan to install. Notably  
13 on the property, we've got two located right  
14 outside the retail space. And then back in  
15 the bottom left corner, we have been able to  
16 fit a tree, and I can get to the rearranging  
17 of the parking and loading area, but we've  
18 been able to get a tree in to kind of screen  
19 the dumpster enclosure down by the Legion  
20 Hall.

21 CHAIRMAN McMAHON: And the dumpsters  
22 will also be fenced in?

23 MR. PENNESSI: Yeah, so I did not hand  
24 these out, I did not include in the plan,  
25 this is the proposal dumpster enclosure.

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2 (Handing).

3 We took the point that, you know, chain  
4 link, we agreed would not be sensible.

5 MR. COTUNGO: No, it said enclosure  
6 which is very general.

7 MR. PENNESSI: Absolutely. So we  
8 decided to be more specific and include what  
9 the dumpster enclosure would look like. It  
10 will generally look like that.

11 We've spoken to North Fork Sanitation  
12 about how to deal with the loading zone and  
13 carting, so what we plan on doing is  
14 designing that dumpster enclosure to open to  
15 the west so any of the dumpsters can be  
16 pulled out into the loading area, loaded  
17 into the container truck and taken away.

18 Again, if we get into this loading  
19 parking area, we took the point of the  
20 Planning Board's consultant. We have  
21 widened the ramp to 44 inches, and we have  
22 eliminated the sidewalk that was immediately  
23 adjacent to it in order to expand the aisle.  
24 We could not get to 24 feet, but we could  
25 get to 23 feet by eliminating that sidewalk.

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1  
2 In doing so, we pushed those northern  
3 parking spaces closer to the building.

4 ATTORNEY PROKOP: I want to make sure,  
5 you said that, unless I'm mistaken, the  
6 dumpster enclosure is gonna open to the  
7 west. It shows the opening to the east.

8 MR. PENNESSI: You're right, to the  
9 east.

10 ATTORNEY PROKOP: This is correct?

11 MR. PENNESSI: That is correct, thank  
12 you, into the loading area, that's right.

13 ATTORNEY PROKOP: The handicap access  
14 is what says up, it says clear and then up,  
15 is that the ramp?

16 MR. PENNESSI: Yes, it is.

17 So if I can kind of take you -- at one  
18 time, we were discussing possibly flipping  
19 where the handicap aisle is or reducing the  
20 size of the handicap parking space and  
21 aisle, but we looked at the code and working  
22 with the Village consultant, a 16-foot wide  
23 stall and aisle accommodates a van in  
24 accordance with the required codes so we  
25 kept the aisle to the west and that will

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1  
2 enable exiting the vehicle and then getting  
3 to the base of the ramp and up the ramp to  
4 the door there. Again, that ramp was  
5 widened from 41 inches, I think, to 44  
6 inches.

7 We noted that any exits from the  
8 parking area will be right turn only.

9 We discussed the dumpster and the  
10 dumpster enclosure.

11 We added ballad (phonetic) both between  
12 the dumpster enclosure and parking area,  
13 also the Village transformers and equipment  
14 and the parking area and we're considering  
15 adding a couple of ballad right at the end  
16 of the parking lot before you get to the  
17 theater building.

18 MR. COTUNGO: The propane tanks?

19 MR. PENNESSI: Yes, there are -- there  
20 were --

21 MR. COTUNGO: It doesn't show it.

22 MR. PENNESSI: It doesn't show, but the  
23 architect stated that it will be two --

24 MR. COTUNGO: That's the most  
25 important.

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2 MR. PENNESSI: Yes. He's noted here  
3 that there will be tanks with ballads

4 MR. COTUNGO: Is there gonna be a  
5 little wall, because I see two steps going  
6 down or three risers going down where the  
7 propane tanks are, it says down.

8 MR. PENNESSI: Yes, there will be steps  
9 onto the paver area.

10 MR. COTUNGO: So with cars, it's just  
11 gonna be a curb so they don't fall in that  
12 sunken area?

13 MR. PENNESSI: Correct.

14 CHAIRMAN McMAHON: Where are you  
15 referring to?

16 MR. PENNESSI: Above space 1.

17 MR. COTUNGO: Above space 1.

18 CHAIRMAN McMAHON: Okay.

19 MR. COTUNGO: What is the area to the  
20 east then of space 1?

21 MR. PENNESSI: That is just going to be  
22 a striped diagonal area, there's extra  
23 space, it's not wide enough to accommodate  
24 another parking space, it's approximately  
25 seven feet, ten inches wide.

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2 MR. COTUNGO: Maybe that should be a  
3 landscaped area.

4 MR. PENNESSI: It's a tough area  
5 because the wall to the theater is right  
6 there, you get a lot of shading.

7 MR. COTUNGO: Rhododendrons do well in  
8 the shade, and they're an Evergreen. I just  
9 see it as a striped area; what is it gonna  
10 be used for?

11 CHAIRMAN McMAHON: If it's not wide  
12 enough for a parking space, then it's not  
13 wide enough for a parking space.

14 MR. PENNESSI: We had hoped to try to  
15 fit another one, but we were unable to.

16 CHAIRMAN McMAHON: Okay.

17 MR. PENNESSI: The loading area, this  
18 was probably the trickiest one, so the  
19 loading area, you can see, has been  
20 relocated further east. It was in the space  
21 where 6 is located, but keeping it away from  
22 the pedestrian public sidewalk and right of  
23 way was preferable, so we moved it down into  
24 the middle. It gives it a little bit better  
25 turning radius to get back out of the

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1 parking area, and then we put spaces 6 and  
2 7, we slid to the west towards Third Street.

3 MR. COTUNGO: I'm surprised you never  
4 utilized that space before, the right of  
5 way.  
6

7 Is that Village property?

8 MR. PENNESSI: No. The property  
9 boundary goes all the way down to where you  
10 see the distances there, but it was an  
11 awkward space, so we tried to keep the  
12 parking lot somewhat symmetrical, so we had  
13 to deduce that it was going to be either a  
14 hardscape or landscaped area.

15 MR. COTUNGO: You're saying your  
16 property is all the way where it says --  
17 that means those Village transformers are on  
18 your property.

19 MR. PENNESSI: Correct.

20 MR. COTUNGO: I wonder how that --

21 MR. PENNESSI: There is an easement  
22 granted encumbering the Town property in  
23 favor of the Village. It would be put on  
24 record, I believe with the Village divested  
25 itself of the property. It may have been

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1  
2 from before, I don't have it with me, but  
3 there is an easement encumbering the  
4 property in favor of the Village for those  
5 transformers to remain and for the Village  
6 to access them if necessary to maintain  
7 them.

8 And then we just noted in the letter  
9 that as we discussed at the last meeting  
10 that the delivery hours will be restricted  
11 to a time to be determined. I would request  
12 that perhaps the Board could agree that both  
13 the applicant and the Building Department  
14 can determine those delivery hours at a  
15 future date because I don't have enough  
16 information right now to know what hours  
17 would be the appropriate hours for  
18 deliveries.

19 The last one was we just rounded off  
20 the interior of the curb cuts. They did  
21 come in at right angles before, but we  
22 rounded them off and added those landscaped  
23 areas.

24 CHAIRMAN McMAHON: Okay. I don't, I  
25 can't think of any properties offhand where

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2 we recently restricted loading zone hours.  
3 I don't know what the ideal times would be  
4 either. I mean, I assume it would be in the  
5 mornings, it wouldn't be midday anyway, but  
6 off-peak hours, but I don't know how we  
7 would make that determination.

8 MR. PENNESSI: Probably the most  
9 important item I forgot to mention is, the  
10 idea that Glynis came up with is that during  
11 the hours, the hours during which the  
12 loading zone is unrestricted, that area  
13 would be used for pickup and drop-off.

14 So we're willing to work with the  
15 Village. We anticipate that it will be  
16 mornings.

17 CHAIRMAN McMAHON: And you would want  
18 it to be available for pickup and drop-off  
19 during peak hours anyway, that makes the  
20 most sense.

21 MR. PENNESSI: Yes.

22 CHAIRMAN McMAHON: Okay. Is that all  
23 the items on the --

24 MR. PENNESSI: Yeah, these are all the  
25 items on the list, these are all the

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2 revisions that were made since the last plan  
3 you guys had reviewed.

4 CHAIRMAN McMAHON: Okay. Thoughts,  
5 questions, anyone?

6 (No response.)

7 To me, it looks like you've made all  
8 the changes that we requested. It does seem  
9 to be, I think the layout makes a little  
10 more sense with regard to the loading zone.  
11 I don't think that was an ideal spot for it  
12 in the last one. I think this is gonna  
13 allow you to actually have a useful loading  
14 zone that can actually, you know, be used.  
15 I think before you would have ended up with  
16 issues where you had to be backing out  
17 through the entire lot and into the street,  
18 but this does seem to at least give you the  
19 room to pull in there, pull back into the  
20 lot and then exit the lot facing forward. I  
21 think that makes a lot more sense.

22 MR. PENNESSI: I think the comment too  
23 about expanding the aisles, it was a good  
24 one, I mean, the more room we can give  
25 people to maneuver, the better; so it's

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1  
2 certainly a positive for the project.

3 CHAIRMAN McMAHON: How often does the  
4 Village need to access the transformers?

5 MR. PALLAS: It's relatively  
6 infrequent.

7 CHAIRMAN McMAHON: It's not on any  
8 regular basis?

9 MR. PALLAS: Not at all.

10 CHAIRMAN McMAHON: That's only when  
11 there's an issue, a problem, something  
12 arises?

13 MR. PALLAS: Yes.

14 MS. BERRY: I have a tiny, tiny  
15 comment.

16 Where the bike rack is, in response to  
17 your comments that you can't landscape, but  
18 the way it is now, if they park on the hard  
19 surface, it could block the sidewalk, so I  
20 think that's a little bit of a conflict and  
21 I think the committee needs to decide which  
22 way they want to go.

23 MR. PENNESSI: Can you just explain  
24 that more specifically? The proposed bike  
25 rack which was a requirement of the

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2 Department of Transportation's comments that  
3 related to the Zoning Board lead agency, are  
4 located just, if you're looking at this,  
5 just to the right of the front entrance of  
6 the hotel at the intersection of Front and  
7 Third Streets.

8 MS. BERRY: Now people will park the  
9 bikes this way instead of in here and could  
10 block this (indicating). It's not a  
11 sidewalk sidewalk, but the fact that this is  
12 landscaped, so I think you have to be aware  
13 and decide what you prefer. If you want  
14 green here, you're getting a little bit of  
15 blockage of this path or if you have this  
16 hardscaped, then they can park this way.  
17 That's my only comment.

18 MR. PENNESSI: That is a good point.  
19 We did note for this area, it's the fourth  
20 comment down from the top to the left of the  
21 words Front Street, we noted that that area  
22 would be either landscaped or decorative  
23 pavers. We weren't sure what it would look  
24 like, but I take your point that if they are  
25 going to have the bikes, we are gonna have

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2 the bikes parked front in, it would be tough  
3 to go over to get to --

4 MS. BERRY: Right, so I think you need  
5 to decide which way you want to go on that.

6 CHAIRMAN McMAHON: Do you access --  
7 you're gonna have signage between the bikes  
8 and the sidewalk anyway, you're gonna be  
9 pulling in from your property, beyond the  
10 property, so it's not actually gonna be  
11 blocking the public sidewalk.

12 MS. BERRY: No. So it doesn't matter  
13 either way to me, but I'm bringing it to  
14 your attention so that you do it, you make  
15 your decision the way you want it to be, but  
16 either way.

17 MR. COTUNGO: What is the purpose of  
18 all that decorative sidewalk in front of  
19 your building on your property; how do you  
20 envision that? Are you going to put chairs  
21 there, people can sit there?

22 MR. PENNESSI: We're not looking for  
23 that now, but we looked at the rest of Front  
24 Street and I think if you look down at or  
25 can picture it, from this intersection down

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1  
2 to the post office is void of any  
3 landscaping until you get to the carousel  
4 and the beginning of Mitchell Park on the  
5 south side, and if you look on the north  
6 side, I think you're void of any landscaping  
7 other than in-sidewalk trees the entire  
8 length of Front Street, so we thought that  
9 having pavers there added a bit of  
10 continuity with the remainder of Front  
11 Street, whereas along Third Street, you have  
12 much more greenery, particularly in front of  
13 the Legion Hall.

14 CHAIRMAN McMAHON: The bike racks, are  
15 they, so they wouldn't be large enough to  
16 have the bike entirely off of your sidewalk  
17 area; is that what we're saying?

18 MR. PENNESSI: It would be close. I  
19 mean it's six feet to the building wall,  
20 actually, it's even more if you look at it.  
21 There is plenty of room to come in from  
22 inside the property to park the bikes. I  
23 actually didn't give it much thought whether  
24 somebody would pull directly in, you know,  
25 behind the signage area.

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2 MR. COTUNGO: I don't think the  
3 bicycles are drawn to scale because they  
4 would be too small, if six feet is that  
5 dimension, it looks like the bicycles are  
6 three feet. I think bicycles are longer  
7 than three feet.

8 MR. PENNESSI: These are not meant to  
9 depict the bicycle, this is similarly the  
10 rack.

11 CHAIRMAN McMAHON: I'm certainly not  
12 concerned about that. There is so much  
13 access all around here, but to me it  
14 doesn't, I didn't see that being an issue  
15 for anyone, I mean for access or anything.

16 MR. COTUNGO: You don't have in to that  
17 area, it could all be landscaped, it doesn't  
18 have to be a sidewalk.

19 CHAIRMAN McMAHON: Yeah, I'm saying,  
20 you're not taking away anything that's  
21 necessary, it's just you're adding a bike  
22 rack which is a requirement, or I would say  
23 suggestion from the Department of  
24 Transportation, so I think it makes sense  
25 where it is.

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1  
2 MR. PENNESSI: I'm not sure it was much  
3 of a suggestion.

4 CHAIRMAN McMAHON: It was strongly  
5 suggested.

6 MR. PENNESSI: Yes. They actually  
7 identified that exact area for the bike  
8 rack.

9 CHAIRMAN McMAHON: I don't have any  
10 problem with that personally.

11 Does anyone have any questions,  
12 comments, thoughts here?

13 ATTORNEY PROKOP: I think that any  
14 resolution that's adopted should have a  
15 reference to the delivery hours to be either  
16 set in the resolution or determined at a  
17 later time with the approval of the Board  
18 and a discussion of the use of the roof.  
19 Those are my only two comments. That was  
20 mentioned previously.

21 CHAIRMAN McMAHON: Okay.

22 MR. BURNS: How about we ask the  
23 Village Board to begin to think about  
24 parking and delivery times?

25 CHAIRMAN McMAHON: Yeah. I would say

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1 -- I'm trying to think, there are four or  
2 five restaurants right there, I imagine  
3 they're all going to be, I mean, there's  
4 only four or five different vendors, so I  
5 imagine there is going to be some overlap  
6 between all the different -- yeah, it needs  
7 to be addressed Village-wide, but I think, I  
8 can't imagine that they're, you know, if  
9 DiCarlo is coming in and they're doing a  
10 delivery to Port or the pizza place, they  
11 wouldn't just stay parked exactly where they  
12 are and run across the street to this  
13 restaurant. DiCarlo and a handful of other  
14 -- J. Kings, that deliver out here and they  
15 generally hit all the restaurants at one.

16 MR. BURNS: I marvel that they're able  
17 to get around the Village at all with those  
18 trucks, but some kind of survey as to when  
19 would be the most available street time is  
20 in order, I think.

21 CHAIRMAN McMAHON: My experience, I've  
22 seen most deliveries tend to happen morning  
23 between, you know, early as possible, a lot  
24 of restaurants aren't open early enough to  
25

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2 accommodate anything before 10:00 a.m.;

3 there's nobody there generally.

4 I would just be, I don't know what the

5 best hours are, so I don't have a strong

6 opinion on that one way or another.

7 MR. BURNS: Nor do I.

8 CHAIRMAN McMAHON: I will defer to -- I

9 don't know -- and you're not going to know,

10 you don't know when --

11 MR. PENNESSI: I don't, but I mean,

12 perhaps to not leave it too open ended, we

13 could say that the Planning Board would

14 generally be okay with anything prior to 10

15 or 11 o'clock in the morning, at least

16 there's some guidance for the Building

17 Department or whomever it is that's going

18 to, you know, ultimately make that decision

19 and to the extent there is a Village statute

20 that's adopted, but we would be okay with

21 that if you would like to include it in the

22 resolution.

23 CHAIRMAN McMAHON: Okay. I would defer

24 to somebody who has a better gauge. I don't

25 know what the appropriate time is. I don't

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2 know what the traffic patterns are going to  
3 be. You know, I really can't speak  
4 intelligently on it, so I don't want to  
5 speak too forcefully on it.

6 Okay. With regards to roof access,  
7 what are your --

8 MR. PENNESSI: We discussed having it  
9 limited to hotel guests which is fine. The  
10 only thing I'd like to note is that there  
11 would be something that, and we can work out  
12 the language perhaps, Joe, that there is  
13 some sort of limited access for the  
14 restaurant and retail, not for the  
15 restaurant guests, but in speaking with a  
16 couple of potential users, they have  
17 expressed an interest in having a rooftop  
18 garden, not for the guests to go to, but to  
19 grow produce and things, so it would be very  
20 limited, but that's the idea.

21 CHAIRMAN McMAHON: I wouldn't have any  
22 issue with that. I think it's a good use of  
23 the space. If you have -- I do think it  
24 would be best to limit it purely either to  
25 hotel guests or just to employees, but not

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1  
2 to the restaurant. You know, you don't want  
3 to put chairs up there and be serving  
4 anything up there. I don't think that is a  
5 good precedent to set for anywhere in the  
6 Village.

7 MR. PENNESSI: Maybe we can do hotel  
8 guests and employees and restaurant retail  
9 space employees, something like that.

10 CHAIRMAN McMAHON: Yeah, I think we do  
11 have requirements against, we make it a  
12 condition of approval for all restaurants  
13 that they don't have any outside music and  
14 that would include the roof space, so it  
15 wouldn't be -- I don't know if there is any  
16 limits we would want to put on the time, you  
17 know, I don't think it would be great to  
18 have people out there 4:00 in the morning,  
19 you know, bringing some drinks up from their  
20 room and hanging out all hours of the night,  
21 so I don't know if you would be amenable to  
22 that, but I think it should be something  
23 that should be, maybe time restrictive into  
24 the evening.

25 MR. PENNESSI: Is there a noise

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1 ordinance in the Village; 11 o'clock, later?

2 MS. WINGATE: I don't recall the hours  
3 off the top of my head.  
4

5 MR. PENNESSI: We're happy to --

6 CHAIRMAN McMAHON: Okay, so I think  
7 some sort of, you know, restriction on the  
8 hours to have people up there, you know.  
9 Obviously, they're not going to be served  
10 drinks and whatnot, but if they're staying  
11 in the hotel, it's reasonable to assume that  
12 they're gonna grab some drinks and head up  
13 there and set up on the rooftop. I think  
14 it's just, as far as a noise issue, I want  
15 to make sure that it's not going on too late  
16 into the evening.

17 MR. PENNESSI: Absolutely.

18 CHAIRMAN McMAHON: Otherwise, I think  
19 the use for the restaurant to have an herb  
20 garden or something up there, I think that  
21 would be a good use of the space, beneficial  
22 for everyone.

23 Anyone else have any issues they wanted  
24 to address?

25 MR. COTUNGO: I still think it's gonna

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2 be hard to get into the loading spot as  
3 people park in number 3 and 4. I assume  
4 it's trucks, right, you see the trucks,  
5 Devin, any of those big Pepsi trucks.

6 CHAIRMAN McMAHON: It depends, they all  
7 use --

8 MR. COTUNGO: Vans can get in without a  
9 problem.

10 CHAIRMAN McMAHON: Some of them are,  
11 some of them are smaller box trucks and it  
12 really runs the gamut. J. Kings, generally  
13 tractor-trailers and they have to park in  
14 the street for wherever they go. I don't  
15 know who the vendors are gonna be, I just  
16 don't know, but it does vary in size. Some  
17 of them are, particularly some of the local  
18 ones are much smaller and I don't think they  
19 would have an issue getting in and out of  
20 there, but certainly you're not going to get  
21 a tractor-trailer in there ever, it's just  
22 not going to happen.

23 MR. PENNESSI: We sent the site plan to  
24 North Fork Sanitation and we're asking if  
25 their people could maneuver these dumpsters

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2 out of the dumpster enclosure and he looked  
3 at it and he said his guys would have no  
4 problem, at least with the container trucks  
5 to get in and out.

6 MS. GIVEN: And the Fire Department has  
7 reviewed too and has no issue; did you ask  
8 them that?

9 MR. PENNESSI: The Fire Department has  
10 nothing to do with this.

11 MS. GIVEN: No. I thought projects  
12 were sent to them.

13 MR. PALLAS: Procedurally, I don't  
14 think we have ever established anything  
15 formal. If there was a concern, we would  
16 discuss it with them. I didn't see anything  
17 in this plan that would warrant that.

18 MS. BERRY: The aisle is by far wide  
19 enough for them to get in. In fact, they  
20 have access on three sides, so it's a pretty  
21 good situation compared to some of the other  
22 sites.

23 CHAIRMAN McMAHON: I think generally  
24 most of the fire safety stuff is handled  
25 just by the virtue of the building code.

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2 MR. PENNESSI: Fourteen-foot wide  
3 access is needed, that's 23 feet.

4 CHAIRMAN McMAHON: Any other comments  
5 or questions?

6 MR. COTUNGO: Would you want to enclose  
7 the Village transformers with the same type  
8 of gates as the dumpsters, make it somewhat  
9 symmetrical and those transformers are not  
10 sightly.

11 MR. PENNESSI: I don't know if there is  
12 clearance or venting or anything associated  
13 with them, I have no knowledge.

14 MR. CONNELLY: You'd have to look at  
15 the easement too, the easement might not  
16 allow it.

17 MR. PALLAS: There is not enough space  
18 there to enclose them. There is heating  
19 issues when you enclose a transformer, they  
20 need to be well vented.

21 MR. PENNESSI: It's worth noting, I was  
22 walking around there earlier with the site  
23 plan, just trying to get perspective, you  
24 know, we are nearly in compliance with the  
25 coverage ratio, so it's different from

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1  
2 looking at the plan. I mean, this is going  
3 to be largely a parking lot at this point,  
4 almost 60 percent of the site will be the  
5 parking area.

6 And on the south side where you're  
7 talking about and the access, I don't  
8 believe that the Village easement encumbers  
9 the Legion Hall, but even with the setbacks,  
10 I don't think anything will be built there.  
11 There is quite a bit of room between the  
12 southerly boundary between this property and  
13 the Legion Hall and the Legion Hall  
14 improvements currently. They have their own  
15 setback requirements that they have to meet  
16 if there was anything ever done there, but  
17 it's not like we have with the theater and  
18 the proposed building on the south side,  
19 there's quite a bit of room there.

20 CHAIRMAN McMAHON: Okay.

21 Anyone have any other questions?

22 MR. COTUNGO: Does the Village require  
23 a drainage engineer being that this is  
24 almost a hundred percent impervious  
25 surfaces? I would be very concerned about

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2 where all the water from the roof and the  
3 parking lot is gonna go. Is there a Village  
4 requirement for a drainage engineer to  
5 review the plans? Obviously these aren't  
6 the drainage plans. I assume you are going  
7 to have drainage plans by an engineer; does  
8 the Village have a consultant who reviews  
9 those drainage plans?

10 MR. PALLAS: We don't have a consultant  
11 routinely. If we had a concern, when we get  
12 to the building permit stage, if it didn't  
13 appear to be adequate, we would certainly  
14 discuss that with the applicant to try to  
15 find a solution if we felt it was a problem  
16 which we have done on various applications  
17 recently.

18 MR. COTUNGO: Again, because this is so  
19 much impervious surface I'd be concerned.

20 MR. PALLAS: That's all part of the  
21 normal building permit review.

22 MR. PENNESSI: When I reviewed the  
23 prior applications for the property, there  
24 was a drainage plan. It is impervious  
25 today, but certainly as part of the CDs with

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1 drainage plan voted on by the Village.

2  
3 CHAIRMAN McMAHON: That would be  
4 something that when the building permits are  
5 issued, that it would be a requirement.

6 MR. PALLAS: Yes, absolutely. No  
7 permit would be issued unless that was  
8 covered.

9 CHAIRMAN McMAHON: Okay. That's fine  
10 for me personally. If the Building  
11 Department, it fits the Building Department  
12 guidelines, then that's the way it's meant  
13 to be done.

14 Anything else; questions, comments?

15 (No response.)

16 So we are, as far as I can see, we have  
17 addressed all the planning concerns we  
18 raised at the last meeting. You are  
19 scheduled to be on our agenda at our regular  
20 meeting.

21 That's two weeks from today?

22 MR. PALLAS: Next week you have a --

23 CHAIRMAN McMAHON: We have our regular  
24 work session.

25 MR. PALLAS: And then the week after is

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1 the regular session.

2 MS. BERRY: You can vote today.

3 CHAIRMAN McMAHON: No.

4 MR. PALLAS: There's nothing to prevent  
5 it. It's up to you ultimately.

6 CHAIRMAN McMAHON: I don't know what  
7 everyone else's thoughts are. I thought we  
8 would be doing it at the regular meeting.

9 MR. PALLAS: Again, that was the plan.  
10 You know, again, it's up to you ultimately.

11 CHAIRMAN McMAHON: I don't see any  
12 other issues, I mean, for -- possibly if  
13 nothing but transparency's sake, I think it  
14 would probably be best to have it at the  
15 regular meeting and not a special meeting  
16 that we generally don't do for other  
17 applicants. So I think for that reason  
18 alone, it might be best to do it at the  
19 regular, to vote at the regular session.

20 I don't know if anyone else has any  
21 thoughts on that.

22 MR. PENNESSI: That's the May 4th  
23 meeting?

24 MR. PALLAS: There is a work session

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2 next Thursday as well again. That's more of  
3 a normal routine meeting which, again, it's  
4 up to the Board if they choose to vote, they  
5 can vote at a work session, it's entirely up  
6 to them if that's the plan.

7 MS. GIVEN: Our regular session.

8 CHAIRMAN McMAHON: I think the regular  
9 session just for transparency's sake, I  
10 think that would be best. I don't  
11 personally, I don't see any reason why we  
12 wouldn't be going forward at this point. I  
13 don't know everyone else's views on that,  
14 but that's my general feeling.

15 MR. PENNESSI: Thank you.

16 MR. BURNS: If we're gonna hold extra  
17 meetings like this, I'm gonna put in for  
18 overtime.

19 CHAIRMAN McMAHON: You get  
20 time-and-a-half for your volunteer service.

21 MR. PALLAS: It would be helpful, we  
22 could prepare a draft resolution for the  
23 work session so you can see that we've  
24 addressed the conditions that you discussed.

25 CHAIRMAN McMAHON: Yes, that would be

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1  
2 great. We can agree on that, and we can  
3 have -- I don't think we're actually ready  
4 to vote tonight because they do still need  
5 to work out a couple of the things, you  
6 know, what the restrictions on the loading  
7 zone will be, checking on the noise  
8 ordinance and the restrictions on that, I  
9 don't think we're really quite ready  
10 tonight, but hopefully those are minor  
11 things that we can work out between now and  
12 the regular meeting.

13 MR. PENNESSI: That would be great if  
14 we could work out the language and work out  
15 a resolution for the work session.

16 ATTORNEY PROKOP: Call Rob, he'll work  
17 out the language.

18 MR. PENNESSI: Then if we could get a  
19 resolution and take a look at it next week  
20 and perhaps we could have a vote and  
21 adoption of the resolution at the May 4th  
22 meeting.

23 CHAIRMAN McMAHON: That would be the  
24 plan.

25 Is there any other, before we move on

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1  
2 and close the meeting, does anyone have any  
3 other business they want to address?

4 (No response.)

5 Okay. I'm going to make a motion that  
6 we adjourn the meeting.

7 Do I have a second for that?

8 MS. GIVEN: Second.

9 CHAIRMAN McMAHON: All in favor?

10 MR. COTUNGO: Aye.

11 MR. BURNS: Aye.

12 MR. THOMAS: Aye.

13 MS. GIVEN: Aye.

14 CHAIRMAN McMAHON: Motion carries.

15 (Time noted: 4:42 p.m.)  
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C E R T I F I C A T E

STATE OF NEW YORK )

)ss:

COUNTY OF SUFFOLK )

I, STEPHANIE O'KEEFFE, a Reporter and Notary Public within and for the State of New York, do hereby certify that the within is a true and accurate transcript of the proceedings taken on April 20, 2017.

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 20th day of April, 2017.

Stephanie O'Keefe

STEPHANIE O'KEEFFE