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VILLAGE OF GREENPORT
COUNTY OF SUFFOLK STATE OF NEW YORK

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PLANNING BOARD
WORK SESSION

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Third Street Firehouse
Greenport, New York

April 27, 2017
4:15 p.m.

B E F O R E :

- DEVIN McMAHON - CHAIRMAN
- BRADLEY BURNS - MEMBER
- NOAH THOMAS - MEMBER
- MARY GIVEN - MEMBER
- JOHN COTUNGO - MEMBER

- ROBERT CONNOLLY - VILLAGE ATTORNEY
- PAUL PALLAS - VILLAGE ADMINISTRATOR
- GLYNIS BERRY - PLANNING BOARD CONSULTANT
- EILEEN WINGATE - BUILDING INSPECTOR
- KRISTINA LINGG - BUILDING CLERK

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2 CHAIRMAN McMAHON: I apologize for the
3 delay in starting the meeting. This is the
4 Village of Greenport meeting for Planning
5 Board Work Session for April 27, 2017.

6 First items on the agenda will be
7 public hearings on the three applications.
8 The first one is public hearing on the
9 application of Sprout Natural Parenting Inc.
10 represented by property owner Laura
11 Tancredi.

12 The applicant is proposing to open a
13 natural parenting retail store at 37 Front
14 Street as a conditional use.

15 The property is located in the
16 Waterfront Commercial District and requires
17 a public hearing.

18 This property is not located in the
19 Historic District.

20 Suffolk County Tax Map number
21 1001-5-4-23.1.

22 Does anyone from the applicant want to
23 speak?

24 MR. WILD: Ian Wild, 234 Fifth Avenue,
25 also Little Creek Oysters, I'm on the

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1 address list on the waterfront.
2

3 I addressed the Board previously. It's
4 less about this particular applicant, but it
5 applies as a comment to any Waterfront
6 Commercial applicant.

7 We were fortunate enough, some
8 perspective on it, we were fortunate enough
9 in our commercial property which is on the
10 water, it is a Waterfront Commercial space,
11 that the owners of that property had been
12 held back from developing any number of
13 commercial uses, and after so long, much I'm
14 sure to their chagrin, but the goal at that
15 time, my understanding was to preserve it
16 for some waterfront use, so as a result, we
17 found ourselves with a perfect match in that
18 we were a waterfront marine business in
19 search of land-based operations and because
20 of that restricted use, it made a piece of
21 property that otherwise would have been
22 inaccessible to a small startup marine
23 business.

24 I think that my interpretation of the
25 Waterfront Commercial District was that was

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1 the idea, that the -- you know, even the
2 first paragraph of that code was that the
3 objective of the district was to preserve
4 the maritime nature of the Village.
5

6 Certainly we all notice when you walk
7 down Front Street, we're basically at 100
8 percent approval for conditional uses, so
9 that's what I mean, I think it's less about
10 a concern of whether this applicant goes
11 through or not, but it bears some attention
12 and I think even the selfishly -- you know,
13 I've seen, I sit on the Board of Directors
14 at Long Island Farm Bureau, so I address a
15 lot of dirt-based agriculture and what we've
16 seen, I'm sure you see this in the paper all
17 the time, where we have a realtor, for
18 example, may sell a house next to farmland,
19 they show pictures of green grasses and
20 everything like that, and the homeowner buys
21 this house next to preserved farmland only
22 to discover come spring that there is a
23 tractor and manure and actual farming
24 happening on that property, and it becomes a
25 neighborly conflict.

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1
2 So the secondary piece that I hate to
3 see is actual marine business tends to be
4 wet, smelly, dirty, loud, it can be a little
5 funky, and we need some balance to make sure
6 that things like the shipyard or whatever
7 else, as some of the larger parcels turn
8 over, like Stirling one, two, three, the
9 shipyard, Claudio's when it eventually does
10 turn, and other properties that there be
11 some consideration, I think to not only what
12 happens in that building, but how that
13 impacts the ability for neighboring, sort
14 of, last vestiges of marine businesses to go
15 about their business.

16 So I think that that's my general, more
17 of a general comment, but it certainly
18 applies to this building as it directly
19 abuts us\and that the right of way
20 throughway, you know, Eileen knows certainly
21 was a bone of contention between Claudio's
22 and the owners of our property and is a busy
23 traffic-way and we have to figure out how to
24 make that work, I think, in the waterfront
25 dock and what kind of boats are pulling in

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1
2 there and how that functions as sort of a
3 quiet backwaters of the area, but with our
4 dock infrastructure on the main pier, the
5 east pier, there is brand new potential for
6 increased marine, waterfront marine usage,
7 whether it's boat dealership or fish
8 processing like we do or wholesale of, you
9 know, I think it's useful just to apply that
10 to your deliberations when you think about
11 conditional uses, especially in a multi-unit
12 building. We've certainly seen this in
13 other developments where certain, if you're
14 gonna, if everything is gonna be waived,
15 maybe there's portions of areas that need to
16 be restricted for Commercial Waterfront or
17 certainly when new big parcels turn over,
18 the day that someday comes when the shipyard
19 or Claudio's or Stirling one, two, three is
20 before this Board. I think a stream of
21 uninterrupted 100 percent approvals of
22 conditional uses is not gonna be in our
23 benefit as a marine community.

24 That's my only two cents.

25 CHAIRMAN McMAHON: I think you have a

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1 very valid point. I do think, as you noted
2 though, there is basically a 100 percent
3 approval and has been for many years. I
4 think there are probably a number of things
5 the Village could do to promote the maritime
6 industry here, though I don't know that -- I
7 hear what you're saying. I feel it might
8 not be -- there is an established precedent
9 essentially saying that this is the
10 direction that the Village has been going.
11 I think if you want to change, make it a
12 higher bar to set to approve conditional
13 uses that it would be something that the
14 actual code would need to be changed, rather
15 than us just making a decision on our own to
16 change policy.

18 MR. WILD: Sure. I in effect agree
19 with that and I spent a lot of time with
20 various trustees and board members sort of
21 with this thought, certainly looking at the
22 LWRP as a guide of where, you know, like to
23 go, and it does seem to sort of be at odds
24 and even for your time, I think, this
25 evening in that, you know, you have two, at

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1
2 least two public hearings on a thing that if
3 they're forgone conclusions that they're
4 always gonna be so, this body should advise
5 Code and Zoning Board and Village Board that
6 you're essentially wasting your time by
7 needing to do this and that you should wipe
8 the Commercial Waterfront District from the
9 map because otherwise you're really, you're
10 kind of eating up some time for yourselves
11 and for everybody else with extra hurdles
12 that these applicants have actually had a
13 number of hurdles to jump through, which if
14 we're saying is an unnecessary hurdle
15 because we're just gonna approve every
16 nonconforming use or permit, you know,
17 conditional.

18 Some of my only feedback here is really
19 related to our own experience in that we
20 found a building owner for the startup, a
21 building owner that had been frustrated by
22 roughly ten years of applications before
23 various boards here for businesses that had
24 always gotten a lot of pushback because they
25 were not maritime uses and there was a real

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2 determination not to let an iconic building
3 like the bait shop fall into gift shop kind
4 of territory, so I think it was nice because
5 it was an iconic building, but just because
6 it's an iconic building shouldn't be the one
7 reason that a building owner is put to a
8 greater test or that every other building
9 should be put to a lesser test. I think the
10 point of code is that it should enable
11 somebody who is buying a building to look at
12 it and go, these are my expectations and
13 everything else from there is an adjustment,
14 or somebody that is looking at a rental
15 property and know, okay, these are my
16 expectations and I should know, or even a
17 home and say, you know, I bought my house
18 next to a home that didn't have four other
19 houses on it, now it has four other houses.

20 The point of these codes is to give us
21 some idea for long term as we purchase or
22 lease property. I think we've seen that
23 from a residential thing where we're
24 starting to get some of this under control,
25 where lots next to our personal house went

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1 from proposed two and three subdivisions
2 down to none, and that's because there was
3 some idea that the original code was meant
4 to be our guide both as the people who
5 established there before and used it as a
6 guide to what they might expect as they move
7 forward.
8

9 CHAIRMAN McMAHON: With regard to your
10 building in particular, I think it was
11 largely the response from the community was
12 so --

13 MR. WILD: Please don't let it fall
14 away.

15 CHAIRMAN McMAHON: Exactly, and I think
16 that particular building might have had that
17 scrutiny in a public hearing because it was
18 already an established maritime use, people
19 didn't want that to change.

20 I think the point of public hearings is
21 to get that response because sometimes the
22 members of the Village are okay with it in
23 one place and not in another, so I think it
24 does still serve a function, and I think the
25 public hearing, you know, I wouldn't

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1
2 necessarily recommend doing away with public
3 hearings on variances as a recommendation to
4 Village Board because it's what allowed you
5 to get into your property, it's the reason
6 it was --

7 MR. WILD: Sure, but if we're only
8 gonna hold that to one property owner in the
9 entire coastal community, then it's sort of,
10 that's spot zoning.

11 CHAIRMAN McMAHON: It is essentially,
12 and I think this point, if we're going to
13 say, you know, to now hold these two
14 applications at a higher standard than we've
15 held any --

16 MR. WILD: And I prefaced by saying
17 that I felt like, you know, there is 100
18 percent conversion on Front Street, so I get
19 that.

20 My greater concern is there are a
21 number of large properties that will be in
22 front of this Board and it will be time for
23 this Village to figure out if they like
24 continuing to advertise the maritime history
25 or if they're willing to move on to a

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2 different description of what it is, but if
3 there's any way to encourage some continued
4 business, I think there needs to be some
5 mechanism and this Board, while yes,
6 extended conversations with the code and
7 trustees, which I agree with, this Board is
8 sort of the public's gateway for those who
9 don't sit on those committees or don't go to
10 the, you know, this is sort of -- I hate to
11 come up and speak during one specific
12 application, but I think it's relevant, and
13 this one happens to be neighboring me and
14 now has, you know, it has a short-term
15 rental apartment that is going to certainly
16 be affected by scents and smells and sights
17 of Commercial Waterfront property, so I have
18 reactions to concerns over what that means
19 for a working waterfront.

20 CHAIRMAN McMAHON: I would have to
21 check the code, but my first thought is, I
22 don't believe short-term rentals are allowed
23 anywhere, accessory apartment above a
24 commercial building in the Village anywhere.

25 MR. WILD: Even if it's long term, I

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1 think, you know, there was forever, there
2 was a waterfront sort of service place there
3 and it's fallen away now, but that means
4 that we certainly, you know, have to figure
5 out how to be great neighbors, but there
6 will be cultural impact that I think is
7 worth a thought.
8

9 I know that's not the application
10 before the Board, but I do appreciate your
11 time.

12 CHAIRMAN McMAHON: Thank you.

13 Does anyone have any comment or
14 questions?

15 MS. TANCREDI: Hi. Laura Tancredi.
16 I'm the owner of Sprout at 37 Front Street.

17 Thank you guys for your time. I
18 actually haven't been to a public hearing
19 before, so I wasn't exactly sure of the
20 process. I wrote something, I want to get
21 you acquainted with the business that we're
22 presenting, and obviously any interaction or
23 questions you have will be more comfortable
24 than me just speaking to you, and of course
25 I'd like to address what Ian said.

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2 Obviously I'm incredibly excited to
3 bring Sprout to Greenport. It is a natural
4 parenting store that I had owned and run in
5 the State of Vermont for about seven years.
6 We had two locations, so we're small and
7 independently owned and very happy to be
8 here in this community now.

9 Our largest areas of focus are natural
10 pregnancy, birthing products, nursing bras,
11 slings, wooden and handmade toys, organic
12 and eco-friendly clothing and more.

13 Before I go into more detail about the
14 store and hopefully you'll have some
15 questions, I do want to address Ian. I
16 appreciate him coming up here. I do know
17 Ian, I know he's very active in the
18 community, obviously more so than I am and
19 he's been here a lot longer. I have spoken
20 with Eileen, I am aware obviously of the
21 conditional use request that we have of this
22 building. As Ian said, 90 to 100 percent of
23 these Commercial Waterfront properties are
24 already, you know, being used for
25 conditional use and obviously we have a

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1 precedent in our building where we had the
2 barbershop, we have the ice cream store
3 there and before we had the juice shop, so I
4 know that at this point, one, I have
5 building ownership, hopefully that would
6 ease the transition process, and two, we
7 have the precedent of that.
8

9 I can tell you that the back unit of
10 our building has been empty for more than
11 six or seven months and to address Ian's
12 concern in relationship to this particular
13 property, we have had no maritime businesses
14 approach us needing space, so I think that
15 if we were to look at the concept of many of
16 these zoned businesses that are Waterfront
17 Commercial right now, if we were to hold to
18 this standard for, I have a 350- and a
19 450-square-foot space, so they're very
20 small, I think we would not have the vibrant
21 downtown Greenport community we have if they
22 had to be filled with maritime businesses.
23 Of course, in fact, had I been approached
24 for either of these spaces for something
25 that needed waterfront use, I would be happy

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2 to entertain it, and I think what Ian is
3 proposing that maybe even the next step to
4 his life is to find some of those
5 businesses, if there are missing spaces and
6 connect them with people like myself who
7 have property, but that has not happened,
8 and I think if we're held to that standard,
9 we probably will sit with two empty
10 commercial spaces for a very, very long time
11 because unfortunately nobody has come
12 knocking at the door, so I would be happy to
13 entertain that and I would have been, but
14 nobody has come which is, in fact, why we've
15 decided to reopen the business in the
16 community.

17 I'll tell you a little bit about
18 Sprout. The concept grew out of my personal
19 parenting philosophy. I birthed two of my
20 three children at home. I cloth diapered
21 all three of them, and I breastfed them for
22 a total combined of seven years; so this
23 personal philosophy of how I parented is
24 really what struck me and wanted me to bring
25 the store to concept so that I could connect

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1 community and families and provide a
2 resource and outlet for people who believed
3 in this philosophy of parenting which has
4 often been an alternative way into more of a
5 mainstream area.
6

7 And from that grew Sprout in 2006 when
8 I opened my first store.

9 It's not very often that a new mother
10 can come into a downtown area and be able to
11 walk into a safe space where she can sit in
12 a nursing chair which we have, she can
13 change diapers if she needs to, she can
14 utilize her space in sort of a community
15 space and a safe place. The beautiful thing
16 about our store is that all of our product
17 line is above 36 inches, so when you enter
18 into the store, we have nothing low, so if a
19 mother comes in to nurse a newborn baby and
20 she has a toddler with her, she has no fear
21 of actually having that child reach any
22 products because we keep everything up high
23 and we have all of the inventory up high,
24 but we have little play spaces down below,
25 we're really aware and conscious of what

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1
2 it's like for a new parent to have access
3 and a safe place to be.

4 We have designated play cubbies, and we
5 have a changing table, like I said.

6 I've recently gotten in touch a couple
7 months ago when we decided to open the store
8 with Elizabeth Morrison, she is your local
9 doula and midwife in training in Greenport,
10 so if you know anybody who needs a doula or
11 midwife, she is the one you would come to
12 and I've spoken with her extensively about
13 this community and the needs of natural
14 parenting here. And we have been in close
15 contact about specific product lines that
16 she needs for her clients here on the North
17 Fork.

18 I also had run into Liz Casey, she runs
19 and started the Peconic Community School,
20 and I met her accidentally and
21 serendipitously at Burton's Books one day,
22 and spoke with her, and she got me in touch
23 with a parent at the school, Erica, who will
24 be working at Sprout.

25 One of my goals and what we had always

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1
2 done in the stores in Vermont is to ensure
3 that rather than having seasonal help, what
4 we do is we have educated parents who work
5 in the store to help create that community
6 feel and who are very, very well versed in
7 natural parenting. So we have already made
8 these really important connections with
9 that.

10 When I looked at this store space which
11 is one-third of the size of the space of the
12 stores I had in Vermont, it felt very small,
13 and I was unsure about whether we could
14 utilize the space in the way we wanted to
15 create community, and when I walked into
16 Burton's Books one day -- and I'm almost
17 done here and let you go, but I thought this
18 was a really interesting story. In the back
19 of my mind I thought, am I ready to open
20 Sprout in Greenport, am I ready to open a
21 third store? I have three kids. I'm very
22 busy and I run a nonprofit as well, and I
23 overheard two women standing in Burton's
24 Books and they were chatting about running,
25 and I'm a runner, so I thought, well, can I

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1 chime in on this conversation? And I went
2 over and I gave them my information and I
3 said, if you have a running community in
4 Greenport, please let me know because I
5 would absolutely love to join in on that
6 when I can. They look in my demographic
7 exactly. I could tell they have kids. They
8 were in my age group; they were in their 40s
9 and I looked at her and I said, if you don't
10 mind, I'm opening a natural parenting store
11 right down in the ally that I used to have
12 in Vermont, and I'm looking for other
13 community members who might like to work in
14 the store, and Liz looks up at me, and I
15 didn't know her at the time and she said,
16 oh, do you mean Sprout, and I said yes, how
17 did you know, and she said, I used to live
18 in Burlington, Vermont, and I was your
19 customer there.
20

21 It was sort of a sign from the gods for
22 me, and when she introduced me to Erica who
23 will be working there, she said, oh, I knew
24 your store in Brattleboro, Vermont, she
25 said, I looked for a house there at one

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1 point.

2 We're a very, very tiny independently
3 owned store. This is something that really
4 felt like it was in the stars and aligned.
5

6 And as I further researched and got to
7 know the community members, I realized that
8 this type of parenting, it really is
9 ingrained in certain parts of the East End
10 that you may not know about because it's
11 really not mainstream, but I feel like we
12 can be a strong resource and asset to those
13 parents in the community. So that's my
14 little blurb on why this sort of felt meant
15 to be for me.

16 We will also have a lot of books and
17 resources. We focus on lots of wooden and
18 natural toys, but we have books and
19 resources. We'll be carrying as many of
20 those as we can in Spanish and other
21 languages so that we make sure that we
22 integrate all aspects of the community and
23 parents that way as well.

24 I did reach out to this new community
25 and support system to let them know about

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1 the public hearing. I actually ended up
2 having three different women, none of whom I
3 have met, but who have all now heard about
4 the mission and vision of our store and all
5 three of them independently wrote letters
6 and they asked if I would present them
7 tonight at the public hearing, so you could
8 hear their voice, not from myself but from
9 members of the community, so I've submitted
10 those to you individually. I'm happy to
11 read one or all of them if you guys would
12 like to hear and then if you have questions
13 about the store I can address that.

14
15 CHAIRMAN McMAHON: I've read them
16 personally. I generally don't read letters
17 myself, you're free to if you'd like.

18 MS. TANCREDI: I'll read the first one,
19 how about that?

20 CHAIRMAN McMAHON: Sure.

21 MS. TANCREDI: This was written
22 April 24th from Kate Turza (phonetic). She
23 says: To the Village of Greenport Planning
24 Board, I am writing to you in support of the
25 proposed Sprout Natural Parenting store at

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1
2 37 Front Street. As a postpartum doula,
3 member of the Long Island Doula Association,
4 board member of Long Island Birth Network,
5 Board Member of East End Birth Network and
6 mom of three young children on the East End,
7 I'm excited to have a supportive space for
8 new and expecting families. Early
9 parenthood is such a vulnerable time for
10 most families and our seasonal communities
11 of the East End have limited resources for
12 young families. It is something that both I
13 personally and other families have struggled
14 through and voiced concern over the lack of
15 support. The prospect of Sprout Natural
16 Parenting so conveniently located and
17 filling this need is both exciting and
18 needed in our community.

19 I hope that you see the amazing
20 potential that Sprout is offering your
21 community and the extended community here on
22 the East End. I look forward to visiting
23 both the Store at 37 Front Street and your
24 beautiful Greenport community with my family
25 in the near future.

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2 I submitted three of those letters to
3 you so that you have them, and I would love
4 it if you have any questions about the
5 store, the mission and the vision.

6 CHAIRMAN McMAHON: Thank you.

7 One thing I will speak to that you
8 mentioned in the beginning responding to
9 Ian's concerns, I think the Village can zone
10 any way they'd like, but if business isn't
11 there to support it, it's not there to
12 support it.

13 MS. TANCREDI: Right.

14 CHAIRMAN McMAHON: The reason they've
15 all turned, this code was written many years
16 ago and this was a predominantly fishing
17 village at a time. It was a whaling village
18 at first. Whaling became illegal, it was no
19 longer that. Shipbuilding, I believe during
20 World War II, in fact, the population we had
21 then was a thriving shipbuilding industry,
22 became very depressed particularly in the
23 '70s and '80s and there was not a lot of
24 industry here at all, it became much more
25 focused on tourism and encouraging people to

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1
2 come visit and spend money, and those are
3 the businesses that have thrived. That's
4 all.

5 MS. TANCREDI: We have one more space,
6 so if there is a maritime business that
7 needs a small space in the Waterfront
8 Commercial District, we do have one.

9 Thank you.

10 CHAIRMAN McMAHON: Thank you.

11 Would anyone like to speak?

12 (No response.)

13 Okay. If not, we will be addressing
14 the actual application that was submitted,
15 the first item, but if no one else would
16 like to speak, I'm going to close out the
17 public hearing. Anyone, last chance.

18 (No response.)

19 Okay. I will motion that we close the
20 public hearing.

21 Do I have a second for that?

22 MS. GIVEN: Second.

23 CHAIRMAN McMAHON: All in favor?

24 MS. GIVEN: Aye.

25 MR. COTUNGO: Aye.

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1 MR. THOMAS: Aye.

2 MR. BURNS: Aye.

3 CHAIRMAN McMAHON: Motion carries.

4 Second item here is public hearing on
5 the application of Truffle and Snail, LLC,
6 represented by Michael Affatato.
7

8 The applicant is proposing to open a
9 cheese shop at 19 Front Street as a
10 conditional use.

11 This property is located in the
12 Waterfront Commercial District and requires
13 a public hearing.

14 This property is not located in the
15 Historic District. Suffolk County Tax Map
16 number 1001-5-4-29.

17 Is there anyone who would like to speak
18 with regard to this application?

19 (No response.)

20 Going once, twice.

21 (No response.)

22 Okay. I don't have any comments at
23 this time.

24 Again, this will be on the agenda, the
25 actual application is item number 2 or --

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1
2 it's on here somewhere.

3 If no one has any comments, I'm going
4 to make a motion that we close the public
5 hearing on this item.

6 MR. AFFATATO: I have a question.

7 CHAIRMAN McMAHON: Please take the
8 podium. Anyone who would like to speak,
9 please just write your names.

10 MR. AFFATATO: Michael Affatato, 105
11 Love Lane, Mattituck.

12 The question was, are we allowed to
13 approach the Water Department now and start
14 at least getting a head start on things
15 because the current tenants were there until
16 July 1st and obviously we'll miss the
17 summertime which is not the end of the world
18 because we're still very busy on Love Lane.
19 I know Greenport's very active in autumn, so
20 my question was, just from lack of
21 experience with a new building like this, is
22 there anything we can do to save time?

23 CHAIRMAN McMAHON: With regard to
24 building permits, that would be a question
25 better suited -- I don't know what you can

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1 and can't do, generally you can do
2 ministerial repairs to the property, but any
3 structural changes that require a building
4 permit, you would need an approved building
5 permit before you can do that.
6

7 MR. AFFATATO: As far as utilities, the
8 Water Department, so on and so forth?

9 CHAIRMAN McMAHON: I don't know the
10 specifics of that. If you have any specific
11 question, I would say, you can meet with the
12 Village Administrator or the Building
13 Inspector.

14 MR. PALLAS: Whatever specific, if you
15 want to give us a call or stop by, we can go
16 over that and see what can and can't be
17 done.

18 MR. AFFATATO: That's all the questions
19 I have.

20 Thank you very much.

21 CHAIRMAN McMAHON: Does anyone else
22 have any comments with regard to this
23 application for public hearing?

24 (No response.)

25 Okay. I'm going to make a motion that

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1 we close the public hearing on this item.

2 Do I have a second for that?

3 MS. GIVEN: Second.

4 CHAIRMAN McMAHON: All in favor?

5 MR. BURNS: Aye.

6 MR. THOMAS: Aye.

7 MR. COTUNGO: Aye.

8 MS. GIVEN: Aye.

9 CHAIRMAN McMAHON: Motion carries.

10 Item number 3, public hearing on the
11 submission of the preliminary plat as
12 submitted by the applicant, James
13 Olinkiewicz for the subdivision of property
14 located at 621 Main Street and 624 First
15 Street, the former Methodist church.

16 Suffolk County Tax Map number
17 1001-2-6-49.1.

18 Would anyone like to speak?

19 MR. DOWLING: Chris Dowling, 617 First
20 Street. I live just across the street from
21 the proposed property there.

22 This is an interesting property because
23 it's, you know, the Historic Review Board,
24 they gave him the go-ahead to go and
25

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2 demolish half the church, which is kind of a
3 bummer when the committee that's in charge
4 of preserving historic places lets somebody,
5 tear down, you know, a 1929s structure for
6 personal gain. I just, you know, we're
7 losing a really nice piece of the Village
8 because of this, you know, we kind of bought
9 on First Street because it's a beautiful
10 street, it's wide, it's open. There's not a
11 lot of traffic. It's a safe neighborhood,
12 of course, most of Greenport is safe, and we
13 look at this beautiful old church and now
14 we're gonna see one of the best looking
15 parts of it removed. We don't know what's
16 gonna go up in their place because
17 unfortunately, he's not going in front of
18 you for site plan review, he's going there
19 to, you know, to, you know, subdivide, so we
20 don't know what's gonna happen there.

21 I have some questions about the
22 subdivision because it is not going to site
23 plan review. The church is gonna be, part
24 of the church is gonna be knocked down, and
25 that structure is not gonna be a

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2 single-family home because by code, a
3 single-family home has a place to prepare
4 meals. The Historic Committee allowed him
5 to knock down the part of that building that
6 was a kitchen, so there's no kitchen in
7 there, so he's gonna have to renovate to
8 make that become a single-family home, which
9 means he really has to come in front of you.

10 I think there's a lot of things on this
11 property, you know, the setbacks on the
12 front, the side, north side, there's a lot
13 of stuff, by him changing the property
14 lines, there's a lot of things that really
15 should go in front of the ZBA as well, so I
16 think this has to be looked at very
17 carefully, not just breezed through.

18 It seems like Mr. Olinkiewicz has been
19 in front of this Board many times. I think
20 he's probably one of the largest property
21 holders in the Village, and I think -- and a
22 lot of people complain about a lot of his
23 properties and I think this Board should
24 take a little more scrutiny than previous
25 Boards at this property, it's a big one and

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2 it's a lot in the Village.

3 Thank you.

4 MS. GROSSMAN: My name is Sharyn
5 Grossman, and I live directly across the
6 street, and I looked at a beautiful 1920s
7 facade as well as the church and I also want
8 to go on record that there are many people
9 on the block that I've spoken to who do not
10 want it taken down. And what's gonna happen
11 as was explained to me isn't clear as to
12 actually how far this person can go with
13 this property. So I just want to go on
14 record saying that I don't think the 1920s
15 facade should be knocked down.

16 Thank you.

17 CHAIRMAN McMAHON: Thank you.

18 Anyone who wants to speak, please take
19 the podium.

20 MR. CORWIN: My name is David Corwin,
21 C-O-R-W-I-N. I live in the 600 block of
22 Main Street and First Street.

23 First I'd like to ask you about the
24 mechanics of this public hearing. It's
25 called a preliminary sketch plan, plat plan;

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2 is there gonna be another public hearing
3 after this?

4 MR. PALLAS: As I understand the code,
5 there is no requirement for a second
6 hearing.

7 MR. CORWIN: So this will be the only
8 public hearing on what is called a
9 preliminary plat?

10 MR. PALLAS: Correct.

11 MR. CORWIN: The plat can change, then
12 would you have to have another public
13 hearing?

14 MR. PALLAS: Yes.

15 MR. CORWIN: Looking at this plat plan,
16 we have, some of us have before us, there is
17 one lot with three nonconforming, I'll use
18 the word, uses, it's really not the right
19 word, three nonconforming uses. One is the
20 church itself which is has no real setback
21 from the street. It's four feet back from
22 Main Street where a setback requirement
23 would be 30 feet or the average of the
24 houses on the street, and the parsonage is
25 two feet away from the lot north of it. The

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1 front of the parsonage is 11 feet setback
2 where it should have 30 feet or the average
3 of houses in the neighborhood.
4

5 Now you're taking one lot with three
6 nonconforming uses on it and breaking it up
7 to three lots, one of which, the church,
8 will have a nonconforming use front yard
9 setback and that would be lot number three.
10 Lot number one, you have two nonconforming
11 uses, one side yard setback and one front
12 yard setback.

13 My question is, how can you take one
14 lot whether it's got three nonconforming
15 uses or not and say, oh, yeah, you can go
16 ahead and break it up into three lots
17 without saying you got to go before the ZBA
18 first and get variances for those
19 nonconforming uses? Three nonconforming
20 uses, hey, you can get away with them when
21 it's one lot, but when you break it up and
22 make it two lots, three lots, those
23 nonconforming uses, as I see it, have to be
24 thought through all over again.

25 I asked the Village Administrator, how

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2 did this come about? He said, when we
3 talked about it and the Building Inspector
4 said, gee, they're existing, they're
5 existing. Fine, they're existing for one
6 lot, but they can't be existing for three
7 lots.

8 Now, as I understand it, if this is the
9 only public hearing you're going have on the
10 preliminary plat and you close it tonight,
11 you have 60 days to make your decision. If
12 you don't make a decision in the 60 days,
13 the applicant gets his submission granted.
14 It's a subdivision, it says subdivision 60
15 days, which means you've got to make your
16 decision should you close the hearing
17 tonight at your next meeting because as
18 meetings fall, often you'll have one that's
19 30 days away, one that's 32 or 34 days away,
20 so you can't let this thing drag on, that's
21 what I wanted to say here.

22 I'd like to go over a little bit about
23 how the Zoning code came to be, in my
24 opinion. During World War II, the shipyard
25 Greenport Basin Construction Company had

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2 2,000 people working for it. They were
3 building landing crafts and they were
4 building yard tugs, yard minesweepers and
5 tugboats. I guess they had two shifts,
6 2,000 people, a lot of them, not in the
7 community, had to come in the community,
8 travel then was difficult because they
9 weren't making new cars, gasoline and rubber
10 were rationed, so a lot of existing
11 buildings, one-family houses were broke up,
12 we'll make it a two-family house, maybe
13 we'll make it a three-family house, we'll
14 rent to the shipyard workers, patriotic
15 thing to do. So that left a lot of broken
16 up houses.

17 Then the Village Board, prior to that,
18 there was no zoning codes. In 1949 the
19 Village Board said, gee, we need a zoning
20 code, and what they had to do was
21 accommodate a lot of these broken up houses,
22 they couldn't just say R-1 Residential
23 one-family, they had to somehow accommodate
24 broke up for apartments, so they said R-1
25 and R-2. So that's how we came to the

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2 current code that has R-1 and R-1 in my
3 opinion.

4 I'd like to run down what's there now
5 on the 600 block between Main and First
6 Street. We start at the northwest corner,
7 of the block which is First and Broad
8 Street, there is a two-family house, the
9 owner lives next door. If you go south on
10 First Street, the next house, there is a
11 one-family house with two families, it's
12 occupied by brothers. You go to the next
13 house which presently is Pollack, it's a
14 one-family house, it's rebuilt after the
15 fire. The next house is the Methodist
16 parsonage, it's a one-family house, it's
17 said to have two families now, two of them
18 brothers and there is generally up to six
19 cars, possibly more associated with it.
20 Then there is a parking lot with a proposed
21 structure, to be turned into a proposed
22 structure. Then there's what I'll call, to
23 me it's the Horton house, but I'll call it
24 the VanTyle house which is a two-family
25 house. I don't know the occupancy of that.

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2 Then south of VanTyle is a lot. Then you
3 have the southwest corner of the block which
4 is a two-family house, I don't know the
5 occupancy. Then you go to the southeast
6 corner, it was Claudio (phonetic), I don't
7 know the name now, it's a two-family house,
8 I don't know what the occupancy is of that
9 house. Then you got to Sparky Coyle's house
10 which is how I know it, it's, I believe his
11 daughter's house now, multi-family, there's
12 three or four units there. As you travel
13 north, you go to Growcock, two-family house,
14 it appears vacant now. I know she was doing
15 some work on it, apparently work stopped and
16 it appears vacant. Next is the church which
17 is the proposed one-family.

18 Now, let me digress a moment, as I have
19 been coming to these Planning Board
20 meetings, I've heard one-family kicked
21 around for I think just about every one of
22 those structures on the Methodist church
23 property. Mr. Olinkiewicz said one-family
24 once, and I don't want to put words in his
25 mouth, but that's what I heard. Mr. Prokop

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1
2 said one-family, what anybody is referring
3 to I don't know, but they're currently
4 holding out at one-family.

5 If you go north of the church, there is
6 McDonald, that's a one-family house with an
7 occupied converted horse stable, so there's
8 two families there. North of that, there is
9 a yellow house which is multifamily, three
10 families, presently there's five cars there,
11 that's down from six cars two months ago.

12 I bring these cars up because what you
13 end up with is parking lots in back of these
14 structures, and if you live next door to a
15 parking lot, it's not that great, I got to
16 tell you.

17 If you go to the northeast corner,
18 there is a one-family house, that's where I
19 live.

20 So that's 15 parcels, one existing lot,
21 one proposed lot, four family houses with
22 two of the one-family occupied by two
23 families, a one-family house with a studio
24 that's occupied and the studio, of course,
25 was originally a horse stable. If you go in

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1 that, you say that with a very steep
2 staircase that would never make the building
3 code. There are five two-family houses, the
4 church and two multifamily structures.
5

6 So that whole lot, Methodist church is
7 set up for a church, and who is to say that
8 there won't be a demand for a church with
9 the changing demographics we're experiencing
10 now?

11 I want to make a note, when I said, the
12 first house I mentioned, the landlord lives
13 next door. Where the landlord lives is
14 important because there is a big difference
15 between an owner-occupied two-family house,
16 two-family house with the owner close by and
17 a two-family house with a landlord who lives
18 in another town.

19 So my suggestion is, I have two things
20 that I think you need to follow up. One is,
21 I think this application has to go to the
22 ZBA because you're making new lots with
23 nonconforming uses and the applicant could
24 move the parsonage, the applicant could move
25 the church and get a side yard setback.

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2 Finally, once again, I don't know
3 whether it's gonna be one-family or
4 two-family. I've heard different stories
5 from different people, but the way I came
6 away with it, and I don't know if it's
7 accurate, the church, lot number three was
8 going to be one-family, the parsonage lot
9 number one was gonna be a one-family house
10 which as I pointed out has two families
11 living in it now, and lot number two, I took
12 to be was going to be a two-family house. I
13 would like to suggest that lot number two
14 have a covenant, matter of fact, all three
15 lots have a covenant that they're to be used
16 as one-family houses and one-family houses
17 only.

18 Again, the ZBA should be consulted on
19 these nonconforming uses and the structure
20 should all hold out as one-family.

21 Thank you.

22 MS. POLLACK: Hello. My name is Karen
23 Pollack. I live at 630 First Street in
24 Greenport.

25 I'm sorry, I'm just getting off work, I

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2 had some prepared notes. I'm not sure if
3 this was a public hearing or not, but I did
4 want to comment on the subdivision for the
5 church property.

6 That property has been historically
7 used as a church and parsonage and so in its
8 entirety it's been used for one family.

9 However, yes, the square footage is there
10 for a subdivision, I can understand that,
11 but now we're talking about instead of a
12 large lot being used as a one-family, we're
13 talking about splitting it up and making it
14 three separate lots.

15 I wanted to point out that there are
16 many lots, many houses in the area that are
17 being used either illegally or legally in
18 excess of two-family use. I had the
19 addresses in my notes which I can provide to
20 you by e-mail or at the next meeting, but
21 there are quite a number of them that are
22 being used as either three- or four-family.
23 Some were in existence before the current
24 zoning regulations were in effect and some
25 are just being used that way, probably

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1
2 illegally, and in order to balance the
3 number of homes that are being used in
4 excess of two-family, I would also like to
5 suggest that if this three-lot subdivision
6 is granted that the homes on those three
7 lots be used as single-family only.

8 To change an existing lot that's been
9 historically used as a one-family and change
10 it into three lots that will accommodate
11 two-family homes a piece, you're looking at
12 a change from a one-family situation to a
13 six-family situation.

14 Already I've noticed that the former
15 parsonage is occupied. There are currently
16 between four and six cars parked there for
17 that house for the residents of that house
18 pretty much all the time. I can only
19 imagine how many car are gonna be involved
20 if the subdivision goes through for three
21 two-families.

22 Thank you very much.

23 CHAIRMAN McMAHON: Would anyone else
24 like to speak on this public hearing?

25 MS. GROSSMAN: One more question. Just

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2 so that I'm understanding, we could be here
3 talking, but it isn't gonna make a
4 difference because it seemed to me like what
5 you explained was a (unintelligible). No?
6 If we don't have another hearing, you know,
7 there are people who are unhappy about the
8 way that it's going. I think it would be
9 proper to have another hearing and give
10 other people a chance to talk.

11 MS. GIVEN: Can I ask where you got the
12 opinion that --

13 MS. GROSSMAN: Talking to various
14 people on my block.

15 MS. GIVEN: That it's a done deal?

16 MS. GROSSMAN: You said --

17 MS. WINGATE: I did not say that. You
18 asked me if you could see the plans, I
19 suggested you go to Village Hall --

20 MS. GROSSMAN: Did I hear that there is
21 not going to be another hearing?

22 MS. WINGATE: Tonight is the hearing,
23 this is the public hearing.

24 MS. GROSSMAN: Is it possible that
25 there are going to be some amendments to

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1 that plan or --

2
3 CHAIRMAN McMAHON: This plan is not
4 approved in any way.

5 MS. GROSSMAN: Okay. Good.

6 CHAIRMAN McMAHON: It's a public
7 hearing where we can hear everybody's
8 thoughts and we'll discuss it. It's another
9 agenda item where we actually go into it
10 again at this meeting. I believe we accept
11 additional public comments for another ten
12 days or 15 days after the close of the
13 hearing.

14 Is that correct?

15 MR. PALLAS: I have to check. There is
16 also no requirement to close the hearing
17 either.

18 CHAIRMAN McMAHON: But there is still
19 possibility where covenants and restrictions
20 can be placed or it could be denied or it
21 could be approved as is, there's nothing
22 settled by any means.

23 MR. DOWLING: Chris Dowling, 67 First
24 Street again.

25 My neighbor, Janet Rowland at 621 First

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2 Street, I believe she wrote a letter to the
3 Board, but I'd like to read it aloud for
4 everybody.

5 As I cannot attend tonight's meeting in
6 person, I'll write about some of my concerns
7 in reference to the building project and
8 removal of the church properties on First
9 Street and also Main Street.

10 I live at 621 First Street directly
11 across the street from those properties.
12 Some of my concerns are caused by what I see
13 occurring in what used to be a minister's
14 house or rectory that it seemed to have
15 become inhabited by a very large number of
16 people. I do not know if it's the legal
17 amount for what it is, I believe one-family
18 homes, so I am not making any accusations
19 here. I'm aware of the need for affordable
20 housing in this community. However, I'm
21 making a request until you have sufficient
22 staffing oversight abilities to check on
23 legal habitation, that you put a limit of
24 one-family on these new buildings and
25 renewed building that Mr. Olinkiewicz is

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1
2 developing on First and Main Street.

3 Thank you for your attention in this
4 matter. Janet Rowland, 621 First Street,
5 Greenport, New York.

6 I think that seems to be a common thing
7 with us is that we are afraid already
8 because I do see anywhere from five to seven
9 cars and large commercial trucks on this
10 property every night, and I know in
11 residential sections, I believe it's in the
12 code, no trucks over 20 feet are allowed to
13 be parked on residential properties. It's
14 in the parking code.

15 So we're seeing large trucks parked in
16 there and once, you know, there is a house
17 on that empty parking lot, now where are
18 these trucks gonna go and all these cars.
19 They're gonna be crowding the street, so
20 we're gonna have issues.

21 That is a very small house, I've been
22 in it. I don't know where they're sleeping
23 enough people for all those vehicles. I
24 think it's fair to ask for a covenant that,
25 you know, these houses all be restricted if

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2 it does go though to single-family homes
3 because that way it will not change the
4 street much, you know.

5 It's gonna be sad seeing the church
6 gone, but, you know, you are the Planning
7 Board and you guys make the plan for how the
8 Village changes and appears, so we request
9 that you keep Greenport Greenport, and don't
10 change it too much. Like you said, 100
11 percent change in the Waterfront Commercial
12 use, you know, approvals of, you know,
13 nonstandard uses, it's 100 percent,
14 basically means that you're saying goodbye
15 to our waterfront communities, waterfront
16 businesses, so I think you guys need to step
17 up and say how you want Greenport to go
18 because if you keep saying, you know, you
19 can have what you want, you can have what
20 you want, sure, we'll let you have something
21 that's not marine, but commercial in there,
22 then these landlords can ask exorbitant
23 rates that a guy who might have a marine
24 commercial business can't afford to put into
25 it because they're asking 2,000, \$2,400 a

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2 month for rent for something that a guy who
3 is fishing can't afford. You guys set the
4 precedent, and we ask that you do the right
5 thing for Greenport.

6 Thanks.

7 CHAIRMAN McMAHON: Anyone else like to
8 speak?

9 MR. CORWIN: David Corwin, C-O-R-W-I-N.

10 One thing that's not on the preliminary
11 plat plan and you might say, well, it's the
12 site plan would take care of that, not the
13 plat plan, but on the preliminary plat plan,
14 you have two driveways, one off Main Street
15 and one off First Street for the large
16 parking lot there. Now, when that driveway,
17 when First Street was constructed, of
18 course, they tore down Mrs. Angel's
19 (phonetic) house, they wanted parking for
20 the church, they did what seems like every
21 church does, they put in an asphalt parking
22 lot rather than do drainage, they just took
23 the sidewalk out, let the water run out into
24 the street. Of course they're not supposed
25 to do that, and of course if Mr.

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2 Olinkiewicz, if the applicant is allowed to
3 build on lot two, he is going to have to
4 tear up the asphalt driveway and make some
5 changes, but I think you have to give
6 consideration to the applicant putting the
7 sidewalk back the way it's supposed to be
8 and putting drainage in for any proposed
9 parking and the parking lot now because the
10 Village of Greenport is facing problems with
11 multiple sewage, septic storm water sewage
12 is what it's about. New York State said
13 you've got water running down into the
14 creek, into the bay, the creek, Stirling
15 Creek and you have got to do remedial work
16 to every road end. Of course where the
17 water comes from is partly these asphalt
18 parking lots with discharge directly to the
19 street.

20 So that's the consideration if none
21 other, with the preliminary plat
22 (unintelligible).

23 Thank you.

24 MR. OLINKIEWICZ: Good evening,
25 everyone. James Olinkiewicz, 624 First

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1 Street, the Methodist church or the old
2 Methodist church because now that it's been
3 de-sanctified, it's actually considered a
4 private residence.
5

6 We have had a few discussions. I have
7 people in the audience that are worried
8 about some things.

9 First thing I would like to say is that
10 in regard to my tenants, there are four cars
11 in that parking lot for the tenants that
12 live there. There are two brothers, their
13 two wives and their four children. That is
14 allowed under the codes, hands down all the
15 time, related family. Yes, they have four
16 cars, each husband and wife has a car.
17 Okay. I have a car, my wife has a car, my
18 daughter has a car, my son has a car. If it
19 was Corwin up here or Costello or somebody
20 else, it wouldn't even be a talk about cars
21 if they had four cars for each of their
22 children or a car in their yard. The cars,
23 yes, there are four cars there, and yes, the
24 tenant did park his commercial truck for
25 three days. As soon as I found out about

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2 it, I went and told him he cannot be parked
3 by parsonage; it's not allowed by the zoning
4 code.

5 So secondly, I did state originally
6 when we first came here and came with the
7 first plat that the church building, even
8 though it was people that were telling me
9 that I should convert that to multifamily, I
10 can't do that in my heart, and I told that
11 to everybody over and over again.

12 It's impossible to renovate a
13 7,200-square-foot building as a one-family
14 house, so the only way to make that work is
15 to tear the back addition wings off, which
16 I've gone to the Historic Board, they've
17 seen it, they understand what's happening,
18 and save the original 1880 sanctuary. We're
19 gonna save all the stained glass, all the
20 church, we're not dividing the upstairs
21 parsonage into rooms at all. We're using
22 the classrooms in the basement, we're gonna
23 put a couple ingress and egress windows in
24 there and put a couple of bedrooms down in
25 the basement and we're redoing the two

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1
2 bathrooms downstairs and we're gonna find a
3 spot in the upstairs parsonage to put a
4 kitchen. So we're gonna make that a
5 one-family house, as I have told everybody
6 over and over again.

7 The existing parsonage, we have no
8 plans to split to a two-family house at all.
9 We have said that over and over again. I
10 have left the option open on the third lot
11 if I would like to construct a two-family
12 home. I would like to thank Mr. Corwin for
13 pointing out how many were in the
14 neighborhood so that I'm not out of sorts
15 with the neighborhood. I hadn't done my
16 research on that, I didn't realize there
17 were so many two-families around.

18 But that has to go to Historic Board as
19 well. Anything I build there, not only
20 after I get through you, if I want to build
21 something else, it has to go up to Historic
22 Board, we have to have hearings again, we
23 have to go through everything again.

24 As for the parking lot, there used to
25 be a house there, in 1970 the Angel house

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1 was there. It was bulldozed, torn out and
2 it was a parking lot, so for the Village
3 originally, there was another home there.
4 It's only been in the last forty years that
5 a home hasn't been there. I do agree that
6 the drainage coming off of the parking lot
7 is an issue going into the road. We're
8 gonna have to make two separate driveways,
9 we're gonna have to rebuild the curb and
10 we're gonna have to rebuild the sidewalk
11 going through that area to be in compliance
12 with the rest of the Village.
13

14 I feel that the subdivision, originally
15 I had come to the Board and I was talking
16 about a four-lot subdivision with a flag
17 lot. After talking with Glynis and a few
18 other people in the Village on my thoughts
19 about it, it came to be that, you know what,
20 I might be trying to stick too many acorns
21 in the hole for the winter; so I changed my
22 application to make it a three-lot
23 subdivision so that the grandeur of the
24 existing church and the sanctity of the
25 church that we're keeping is being held. I

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1 mean, it's gonna be on a double-size lot
2 with plenty of room around it. We're
3 already filed with the Federal Government
4 Preservation Board of New York State to get
5 a grant to help us restore the outside and
6 bring the church back to grandeur, take all
7 the vinyl siding off, sand it all down,
8 clean it, repaint it, fix all the siding, so
9 we're trying to bring the church back to do
10 the right thing. Tearing out the back,
11 nobody likes to see that that back has to
12 get torn down. I'm a saver of properties,
13 right, my thing is if we took the old Mason
14 Town, wanted to tear it down, we managed to
15 save that, bring it back. It's gonna be
16 another vital part of this Village, right,
17 it's been restored to what it was.

18 That's our attempt in what we're trying
19 to do here, yes. Does it make good
20 financial business sense to be able to build
21 another house where there had been a house,
22 yes. I would like to build a nice Victorian
23 house there to go with the neighborhood that
24 replaces what the Angel house -- I even
25

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1 asked the Village if they had pictures of
2 the exact Angel house so I could replicate
3 that, so it went back to what was existing;
4 but there's no photos of that that I've been
5 able to find, so if anybody has them, please
6 come forth with them.
7

8 I'd like to restore that part of the
9 Village. I don't think what I'm doing is
10 wrong. I feel that there are one-family
11 houses, you know, yes, my tenants have four
12 cars and that's their right, if they have
13 somebody stay over for a weekend, so there's
14 a fifth care, somebody comes from some other
15 place. They have rights, and I understand
16 that people worry about parking and stuff
17 like that. Everybody is off the street.
18 Everybody is in their parking spot. The
19 house is five bedrooms in that sanctuary, it
20 might be four bedrooms, four bedrooms and
21 then there is a little den area, but there's
22 two husbands, two wives, the two husbands
23 are brothers and their four kids.

24 That's it. I don't know what else to
25 say.

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2 CHAIRMAN McMAHON: Thank you.

3 Before anybody speaks, I need to, I
4 have an issue, I have to speak with -- we
5 need to break for executive session.

6 MR. BURNS: Can I chime in on this?

7 CHAIRMAN McMAHON: Sure. I need to
8 leave. I need to go.

9 I make a motion that we break for
10 executive session.

11 Do I have a second for that?

12 MS. GIVEN: Second.

13 CHAIRMAN McMAHON: All in favor?

14 MS. GIVEN: Aye.

15 MR. COTUNGO: Aye.

16 MR. THOMAS: Aye.

17 CHAIRMAN McMAHON: Aye.

18 (Whereupon, a recess was taken for
19 executive session at this time.)

20 ACTING CHAIRWOMAN GIVEN: We're going
21 to reconvene the meeting.

22 I'm asking at this time if anyone has
23 any additional comments on the actual
24 preliminary plat plan for this project.

25 MR. WILD: Ian Wild, 234 Fifth Avenue.

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1
2 More of a process question. I guess
3 for clarification, just so I can understand.
4 It seems like it's come up that by dividing
5 this property would create three
6 nonconforming lots which would normally be a
7 ZBA requirement.

8 ATTORNEY CONNOLLY: The lots that are
9 being proposed are conforming to Zoning.

10 MR. WILD: That's what I wasn't clear
11 on.

12 ATTORNEY CONNOLLY: The Board isn't
13 going to be creating any nonconforming lots.
14 If that was the case, it would have to be
15 referred to the Zoning Board.

16 MR. WILD: Thank you.

17 I was curious about the process because
18 it sounded like it would have been creating
19 nonconforming spaces.

20 That's including setbacks and
21 everything?

22 ATTORNEY CONNOLLY: This is for the
23 subdivision, so that's a different question.
24 This is the Board looking at it to make sure
25 this parcel of land can support the three

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1 lots that are being proposed.

2 MR. WILD: Some of those already have
3 buildings on them, right?

4 MR. PALLAS: If I may, the existing --
5 the nonconforming aspects of the existing
6 buildings are not changing. There aren't
7 any additional setback non-conformities
8 being created.

9 MR. WILD: I understand, but I think
10 the point that was raised before that we're
11 concerned with is that it's nonconforming in
12 a single property, right, so if you wanted
13 to build a new building on that property,
14 you might have to go for variance or
15 setbacks for that new building, but by
16 dividing it, you're now creating new
17 property lines, creating a lot that now will
18 have a nonconforming setback, correct?

19 MR. PALLAS: No. The setbacks in
20 question are existing.

21 MR. WILD: For the single property.

22 MR. PALLAS: But the new -- the setback
23 for the new lots will not be nonconforming,
24 so where the setbacks are not conforming,
25

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1 where the setback is nonconforming isn't
2 changing, those lines have not changed. The
3 new lines do not create a new setback
4 problem.

5 MR. WILD: Seems --

6 MS. WINGATE: Our code is very clear
7 that existing nonconforming buildings can
8 remain as is. None of the subdivisions are
9 creating any new non-conformities, any new
10 property lines laid over make conforming
11 lots with conforming envelopes on those
12 specific areas.

13 MR. WILD: Got you. Okay.

14 And I only ask some this process
15 question because we have gone through a
16 number, as you know well, a number, close to
17 four years of back and forth on properties
18 on our street, and I see this coming down
19 the pike for this street, and I know that
20 what we have seen is a lot of management of
21 process to work through hurdles and it's
22 only a concern that when I or other citizens
23 get confused about process, where things
24 should fall to the ZBA, where things should
25

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1 fall here or where the order of events, I
2 think, become really important because
3 something gets past here that doesn't, I
4 think that concern is about another hearing,
5 is there another moment since this is just
6 about lot lines instead of an actual use, I
7 think if people have concerns with this
8 particular applicant and in general that
9 it's a use of process to make us sort of
10 lose focus a little bit.
11

12 MS. BERRY: I just want to add for the
13 setback, by him eliminating the back of the
14 church, he is actually eliminating two
15 nonconforming setbacks.

16 MR. WILD: I understand that was the
17 purpose for pulling that off. I think that
18 was clear to everybody it was to make some
19 space for some of those things and then the,
20 you know, I think not going to four lots
21 with the flag lot certainly was smart,
22 especially if in the four years of effort to
23 kill flag lots on multiple properties
24 throughout the Village. I think it's
25 learned experience and should save these

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1
2 Boards some time revisiting similar
3 approaches to similar properties. This one
4 just happens to be quite a large property
5 with very unique pieces of real estate on
6 it.

7 I just wanted to make sure before we
8 sort of deep dive into specific uses of
9 buildings, cars, parking lots, you know,
10 curbs, all of those things, those don't seem
11 to be the purview of this particular
12 application. This is just lot lines, and I
13 think where people get concerned is that an
14 automatic slide, you know, what goes on
15 those lots, will that be in front of this
16 Board, I assume at some point. I think
17 that's people's questions, is by approving
18 the lot line in space, is that the end of
19 the conversation for this particular
20 property?

21 MR. PALLAS: There will be certain
22 aspects of the new construction that would
23 be for the new house, any curb cuts for the
24 existing structure, any curb cuts done for
25 that would come before this Board as well.

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2 The existing house would not, other than
3 curb cuts, I don't believe needs to come
4 back here.

5 MR. WILD: I think that's why there is
6 an elevated sense of questioning about what
7 would normally just be the lot line
8 conversation, there are these concerns about
9 covenants or buildings and now we're getting
10 into parking and getting into size of
11 buildings that normally would have fallen to
12 the next part of the process, and I think
13 that's why what would normally be a kind of
14 simple application, can I make this many
15 squares out of this bigger square, is not as
16 simple as that because it may be some of
17 these folks' last window into, or commenting
18 on what's changing in the neighborhood.

19 MR. PALLAS: I understand.

20 MR. WILD: Thank you.

21 MALE SPEAKER: Going on one of Ian's
22 questions, will the church, if this
23 subdivision goes through, then come under
24 the Planning Board again for use evaluation
25 because it is a change of use?

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1
2 MR. PALLAS: It would be going to a
3 use -- if the application for any
4 construction work involves the establishment
5 of a single-family house, it's in a
6 residential district being used as a
7 residence, there would be no, would do a use
8 evaluation for that.

9 MALE SPEAKER: Even though it is a
10 change of use from what it was?

11 MS. WINGATE: It's from conditional use
12 to conforming use, so we're headed in the
13 right direction.

14 MALE SPEAKER: Okay. Thank you.

15 MR. BURNS: Ben Burns, 172 Central
16 Avenue. I'm speaking as a person rather
17 than a board member at this point.

18 The church has been a place for worship
19 for many years, and I have worshiped there.
20 I have some investment in the building. The
21 front porch, or front steps were falling
22 apart, and I memorialized what's there in
23 the name of my wife after she passed away.
24 I don't know what Mr. Olinkiewicz is going
25 to do with the front steps, but I'm invested

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1
2 in it.

3 Not only that, I'm invested in the four
4 Methodist churches which are changing. I've
5 been a pastor of one of them for a long
6 time, for 17 years and from one time, from
7 sometime in the past, I've been a part of
8 each one of the churches, Orient, Greenport
9 and Cutchogue.

10 Change is not something I accept
11 easily, not something we can all accept
12 easily, but we're changing and this building
13 is changing and the property is changing and
14 that's fortunate on one side and unfortunate
15 on another side. It just depends upon which
16 side you're looking at.

17 I would like to see it continue as a
18 church. I would like to have seen it
19 continue as a church, but that was
20 impossible for the congregation to maintain
21 that building and eventually it would have
22 to change or be torn down.

23 I'm looking forward to working with Mr.
24 Olinkiewicz in developing, along with you
25 all, developing something that's important

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1
2 for the Village, that looks good as far as
3 the Village and makes sense for that street.

4 I think we will arrive at something
5 that everybody will be happy with because
6 I've talked with Mr. Olinkiewicz at some
7 very little length, and I believe him when
8 he says he wants to do something with the
9 building that retains its outer appearance
10 and it's place as an important building in
11 the community.

12 Having said that, there are issues,
13 technical issues which many of you talked
14 about, the size of the lots, number of
15 people in the building and so on, which we
16 will work though, and I feel confident that
17 we're gonna arrive at something that is a
18 value to the Village, continues to be a
19 value to the Village and is okay on your
20 street.

21 Thank you.

22 ACTING CHAIRWOMAN GIVEN: Anyone else?

23 (No response.)

24 I'm making a motion that we keep the
25 public hearing open.

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1 MR. COTUNGO: Second.

2 ACTING CHAIRWOMAN GIVEN: All in favor?

3 MR. COTUNGO: Aye.

4 MR. THOMAS: Aye.

5 MR. BURNS: Aye.

6 ACTING CHAIRWOMAN GIVEN: Motion
7 carries.

8 Moving on to item number 1, 37 Front
9 Street.

10 Discussion and possible motion on the
11 use evaluation application for Sprout
12 Natural Parenting Inc., represented by
13 property owner Laura Tancredi.

14 The applicant is proposing to open a
15 natural parenting retail store at 37 Front
16 Street. The property is located in the
17 Waterfront Commercial District and a public
18 hearing is required. This property is not
19 located in the Historic District.

20 Suffolk County Tax Map number
21 1001-5-4-23.1.

22 I'm going to read the comments of our
23 planner Glynis.

24 A use evaluation application is dated

25 Flynn Stenography & Transcription Service
(631) 727-1107

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1
2 March 1, 2017. A sign permit was also
3 submitted.

4 The property holds a certificate of
5 occupancy dated April 13, 1981 for retail
6 shops, one office and one apartment.

7 The proposal is for Unit R-3 as
8 depicted on an earlier plan prepared by
9 Bootleg Alley Corp but labeled Unit 2 on the
10 application form. This needs to be
11 verified.

12 The previous use of this space was as a
13 barber.

14 The proposed use is for a retail
15 storefront addressing the needs of pregnant
16 mothers, their babies and families with
17 children.

18 Retail establishment of conditional
19 uses in the Waterfront Commercial zoning
20 district. The conditional uses are
21 permitted as long as views from the water
22 are also considered when the property is not
23 adjacent to the water.

24 Toilet facilities and trash handling
25 should be clarified and the location

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1 identified.

2
3 The sign proposal is 2.58 feet by 9.2
4 feet for a total of 23.65 square feet. The
5 building is 16.2 feet wide, so the total
6 signage allowed on the facade is 24.3 square
7 feet. Signage for Ralph's Italian Ices
8 already exists, so the total square footage
9 allowed will likely be exceeded. Section
10 150-15 B and H are applicable. Time is
11 needed for the building inspector to do a
12 site evaluation.

13 I'd like to make a motion to table.

14 MS. WINGATE: No. The sign permit will
15 be going to ZBA. So it's kind of gonna pass
16 you and they're going to end up having to
17 evaluate it because it has, because Ralph
18 has so much of the square footage up, they
19 need to go to ZBA to apply for an
20 additional -- I think it's around ten square
21 feet of signage.

22 ACTING CHAIRWOMAN GIVEN: Okay. So how
23 does this Board proceed?

24 MS. WINGATE: You could work on the use
25 evaluation and leave the signage out.

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1
2 That's why we broke the two applications
3 apart.

4 ATTORNEY CONNOLLY: You can make a
5 motion to -- go in the direction of making a
6 motion to approve conditioned on approval
7 from the Zoning Board of Appeals.

8 ACTING CHAIRWOMAN GIVEN: I will right
9 after I ask if there is any discussion.

10 Does anyone have anything to say?

11 MR. CORWIN: No.

12 ACTING CHAIRWOMAN GIVEN: I make the
13 motion to accept the use evaluation
14 application as submitted by Sprout Natural
15 Parenting Inc. with the condition that the
16 Zoning Board of Appeals -- they go to the
17 Zoning Board of Appeals?

18 MS. WINGATE: For the sign.

19 ACTING CHAIRWOMAN GIVEN: For the sign,
20 Glynis?

21 MS. BERRY: It just separates it.

22 ACTING CHAIRWOMAN GIVEN: Do I have a
23 second?

24 MR. COTUNGO: Second.

25 ACTING CHAIRWOMAN GIVEN: All in favor?

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1 MR. COTUNGO: Aye.

2 MR. BURNS: Aye.

3 MR. THOMAS: Aye.

4 ACTING CHAIRWOMAN GIVEN: Item number
5
6 2, 19 Front Street.

7 Discussion and possible motion on the
8 use evaluation application for Truffle and
9 Snail, LLC, represented by Michael Affatato.

10 The applicant is proposing to open a
11 cheese shop at 19 Front Street.

12 This property is located in the
13 Waterfront Commercial District, and we just
14 held the public hearing.

15 This property is not located in the
16 Historic District.

17 Suffolk County Tax Map Number
18 1001-5-4-29.

19 I'm going to read the planner's
20 comments on this project.

21 Yes, Glynis, read them?

22 MS. BERRY: The last ones.

23 ACTING CHAIRWOMAN GIVEN: I believe I
24 have the latest.

25 MS. BERRY: Okay.

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1
2 ACTING CHAIRWOMAN GIVEN: This proposal
3 is for the retail sale of cheese and
4 prepackaged goods as well as a wine bar with
5 limited food service. Established classes
6 will also be held on the premises,
7 educational classes, excuse me, will also be
8 held on the premises.

9 Retail eating and drinking
10 establishment are conditional uses in the
11 Waterfront Commercial zoning district.

12 The conditional uses are permitted as
13 long as views from the water are also
14 considered when the property is not adjacent
15 to the water.

16 The plan has been reconfigured to
17 increase the merchandising are, reduce the
18 number of seats and to provide two handicap
19 accessible toilet rooms.

20 The new plans detail a total occupancy
21 of 37 including ten seats at a counter and
22 12 at chairs and tables. This is less than
23 referenced in New York State ICC Building
24 Code 303.1.1, thereby allowing the facility
25 to be classified as Group B occupancy,

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1
2 business.

3 The applicant is addressing the trash
4 issue by providing a trash compactor and a
5 freezer for trash use.

6 Relative to the sign permit, in
7 addition to the Workers' Compensation
8 insurance referenced on the application,
9 additional liability insurance in the amount
10 of not less than \$500,000 naming the Village
11 of Greenport as additional insured. If the
12 insurance is terminated, the license for the
13 sign will automatically be terminated.

14 Any comments?

15 MR. CORWIN: No.

16 ACTING CHAIRWOMAN GIVEN: So do they
17 have to do anything about the insurance now?

18 MS. BERRY: I would do it conditional
19 upon the Building Department receiving it.
20 I would add a condition to the approval that
21 proof of proper insurance naming the Village
22 be registered with the Building Department
23 before --

24 ACTING CHAIRWOMAN GIVEN: We're making
25 a motion to approve it or accept it?

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1 MR. CORWIN: With that condition.

2 ACTING CHAIRWOMAN GIVEN: Approve it?

3 MS. BERRY: That's up to you.

4 ATTORNEY CONNOLLY: Use evaluations are
5 something particular to this Village, so the
6 way I would deal with this, if you're going
7 to vote on it that you're approving the use
8 as accepted with that condition.

9 MS. GIVEN: I make a motion that we
10 approve the use evaluation application for
11 Truffle and Snail, LLC as presented with the
12 condition that they provide the stated
13 insurance as required to the Building
14 Department.

15 Do I have a second?

16 MR. THOMAS: Second?

17 ACTING CHAIRWOMAN GIVEN: All in favor?

18 MR. THOMAS: Aye.

19 MR. COTUNGO: Aye.

20 MR. BURNS: Aye.

21 ACTING CHAIRWOMAN GIVEN: Item number
22 3, 621 Main Street and 624 First Street.

23 Discussion and possible motion on the
24 submission of the preliminary plat submitted
25

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1 by the applicant for the subdivision of
2 property located at 621 Main Street and 624
3 First Street, the former Methodist church.

4 Suffolk County Tax Map number
5 1001-2-6-49.1.

6 Since we've held over the public
7 hearing, we'll table this. We won't go
8 forward with this, correct?
9

10 MR. PALLAS: Correct.

11 ACTING CHAIRWOMAN GIVEN: I make a
12 motion that we table this application until
13 the next meeting.

14 MR. THOMAS: Second.

15 ACTING CHAIRWOMAN GIVEN: All in favor?

16 MR. COTUNGO: Aye.

17 MR. THOMAS: Aye.

18 MR. BURNS: Aye.

19 ACTING CHAIRWOMAN GIVEN: 34 Front
20 Street.

21 Motion to accept the use evaluation
22 application of Porters Hospitality Corp.,
23 represented by corporate owners Andrew
24 Harbin and Douglas Roberts.

25 The applicants are proposing to open

Flynn Stenography & Transcription Service
(631) 727-1107

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1
2 the former Rhumblin restaurant, located at
3 34 Front Street, as Andy's Restaurant. The
4 property is located in the Commercial Retail
5 District, and is a permitted use. The
6 property is not located in the Historic
7 District.

8 Suffolk County Tax Map Number
9 1001-4-10-30.

10 Doug.

11 MR. ROBERTS: Evening, Madam Chair and
12 members of the Board.

13 So we're back. We have a plan, just
14 for a refresher, last month we came here
15 saying we were gonna change nothing, but we
16 were requested to provide a plan of the plan
17 non-changes, changed nothing from the
18 approved prior use, not from what was
19 actually happening vis-a-vis the back patio.

20 We have, you have gotten the plan. We
21 also submitted our sign permit application.
22 Our intention is not to ask for any
23 variances on signage in terms of coverage or
24 anything like that. I understand that
25 there's a calculation that has to happen

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1 relative to square footage or area of
2 coverage, so I guess we're hoping to -- we
3 don't want more signage than is required,
4 than is allowed in the code.
5

6 The new ask we have of you, which I
7 gave to you earlier, I gave you a picture of
8 what we're asking for before the meeting.
9 We understand the major, one of the major
10 challenges with the previous operations of
11 this property was the illegal use of the
12 back patio. We are 100 percent committed to
13 using this within law, code, et cetera, and
14 with approval from this Board, so there
15 is -- as we were kind of -- we came to you
16 last month and said we were gonna haul
17 everything out of there and use it as
18 storage and empty space. In the new plan we
19 did, since we were making a plan, we decided
20 to make a couple of changes, including a
21 dumpster, we're gonna put the dumpster, the
22 previous tenants had the dumpster offsite,
23 we're putting the dumpster in the corner of
24 the back patio. We're gonna build a little
25 structure around it with doors to the

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1
2 outside so the hauling company can come and
3 take the waste away, but it won't be seen
4 from inside that courtyard. The courtyard
5 is essentially storage and non-use, no
6 customers can go there. We will chase
7 people away, we've got surveillance cameras
8 so we can see what's going on back there.
9 It's just gonna be where we put the trash
10 and recycling.

11 We are asking you if -- as we're trying
12 to figure out how to comply with this
13 request, apparently the previous tenant
14 built in place the large bar structure on
15 wheels. It's just a big long rectangular
16 bar. It's on wheels. We would have to take
17 it a apart or destroy it to haul it, and so
18 we would like to ask you for permission to
19 store it in the corner of that back lot.
20 We'll cover it in shrink wrap or something
21 attractive, so it is not going to be used.
22 I gave you pictures before the meeting of
23 where it's stored. It's really off to the
24 east side of the wheelchair ramp and so
25 we're asking if it's all right with you, if

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1 you tell us it's not all right, we'll pay
2 the money to have it hauled and whatever,
3 but we're hoping that if this all goes
4 well -- I want to mention to you, my partner
5 Andy Harbin had to work tonight and he gives
6 his apologies for not being here and I'm
7 representing both of us.
8

9 If this were all to go well, we may
10 come to you next winter and ask for
11 permission to use the back patio in some
12 way. We're not intending to do that now,
13 but we would like to store this piece of
14 equipment back there in case that becomes
15 something that becomes viable and we come
16 ask you for permission to do that and then
17 we have that piece of equipment there
18 instead of having to go buy a new one. Got
19 a couple pictures where we're gonna store
20 it, so that's the only new thing, otherwise
21 you've got the drawing and plan. It's not a
22 permanent structure, it's a temporary
23 structure on wheels, so it's not part of the
24 structure per se.

25 MR. COTUNGO: What would you use it

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1
2 for, a bar; what is it?

3 MR. ROBERTS: The previous tenant built
4 in place, they built it inside the structure
5 because you can't get it out without pulling
6 it apart. They used it as a bar. You can
7 see it's in bad disrepair.

8 MR. COTUNGO: Why are you saving it,
9 it's kind of ugly?

10 MR. ROBERTS: Refinished on the top, it
11 could be -- if you refinish the top, it
12 could be used again. It's gonna just be a
13 big piece of furniture under shrink wrap
14 while we're operating this year. That's our
15 request.

16 MR. COTUNGO: It looks like the same
17 kind of design as that storage shed. The
18 people who built this bar illegally, did
19 they build that storage shed illegally too;
20 do you know? This shed over here because
21 that looks like it was added the same time
22 as this --

23 MS. WINGATE: That's been there.

24 MR. COTUNGO: It's not part of the same
25 people who built these other bars, they

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1
2 didn't build the shed?

3 MS. WINGATE: No. That goes back a
4 couple of restaurants.

5 MR. COTUNGO: Couple of restaurants.

6 MR. ROBERTS: Yeah, there's a walk-in
7 back there, there's a walk-in fridge back
8 there.

9 MR. COTUNGO: Okay.

10 ACTING CHAIRWOMAN GIVEN: Anybody,
11 anything else?

12 Should I read Glynis' comments?

13 MS. BERRY: Either read or if you want
14 me to summarize for you. Go ahead, I think
15 there's a couple of issues.

16 ACTING CHAIRWOMAN GIVEN: The property
17 holds a certificate of occupancy dated
18 September 20, 2012 for an A-2 occupancy or a
19 restaurant with a seating capacity of 84. A
20 C of O dated March 15, 2011 lists assemblies
21 on the first floor and an office with
22 storage on part of the second floor.

23 A C of O dated 1/8/2002 does not allow
24 use of the rear portion of the second floor
25 nor the third floor.

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2 The former use was as the Rhumbline, a
3 restaurant. When the former restaurant
4 expanded into a rear terrace area,
5 complaints resulted. The applicant proposes
6 to use only the interior restaurant space.
7 A plan dated April 13, 2017 by Robert Brown,
8 architect, depicts the seating layout.

9 While the plans indicate that a maximum
10 occupancy of 77 persons is intended, the
11 actual count of depicted seats incorporating
12 15 linear feet of bench, ten people, in the
13 section by the windows and side benches at
14 the booth is equal to 83 which is compliant
15 with the existing C of O, but not with the
16 building code space allocation formula.
17 Calculating the seats by sub-area in the
18 section with tables and chairs is over
19 capacity using the 15-square-foot per person
20 designation. We suggest keeping the
21 77-person maximum occupancy by reducing the
22 seats in the dining section.

23 The rear access from the parking lot is
24 the ADA accessible route. The existing ramp
25 hand-railing is not correctly designed and

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1 should be remade.

2
3 Also it appears that the swing of the
4 rear door was reversed as it does not match
5 the existing floor plan. The reversal
6 reduces clearances out the latch side
7 affecting compliance with code. Either the
8 door swing should be restored or the ramp
9 and landing adjusted to meet required
10 clearances.

11 MR. ROBERTS: This is the first I'm
12 hearing these comments, so can I ask a
13 couple of questions?

14 I'm just curious, is it typically, do
15 you share these with the applicants before
16 the meeting or do we find out here?

17 Interesting.

18 Can I ask questions about that? The
19 swing of the door, it currently opens, yeah,
20 currently it opens out, the opposite
21 direction from this plan.

22 MS. BERRY: Right.

23 MR. ROBERTS: So we need to flip the
24 door back?

25 MS. BERRY: Just have your architect

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1
2 look at it because I think the fact that
3 they reversed it, I didn't go up and
4 measure, so you should just check it, and if
5 you look at your two plans, the swing is
6 different on the two plans, so I think what
7 happened is they installed it correctly and
8 then somebody reserved it for some reason.

9 MR. ROBERTS: Right. Okay.

10 MS. BERRY: Just have your architect
11 check to make sure they've got the proper
12 clearance on the latch side for handicap
13 access.

14 MR. ROBERTS: For ADA, okay.

15 MS. BERRY: And then we can make that
16 conditional upon approval.

17 MR. ROBERTS: Okay.

18 MS. BERRY: The other thing is, you
19 mentioned 77 persons, but when I counted
20 seats, when you have a bench, you have to
21 count a foot-and-a-half per person, so when
22 I did that, I got 83 people. Now, that's
23 compliant, the total number is compliant
24 with the C of O, the existing C of O, but
25 when I did subsections and looked at the

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1 seating, the part that has the dining tables
2 and chairs looked too tight for the number
3 that were in there.
4

5 MR. ROBERTS: Toward the back?

6 MS. BERRY: The main dining part.

7 MR. ROBERTS: Adjacent to the bar?

8 MS. BERRY: Right.

9 So it just needs a little bit of
10 adjustment. I don't think the total number
11 is wrong, but I think that section looks a
12 little crowded.

13 MR. ROBERTS: I want to make sure I
14 understand, so the section where the dining
15 area is too crowded is based on?

16 MS. BERRY: Fifteen square feet per
17 seat.

18 MR. ROBERTS: And that's a Village
19 code?

20 MS. BERRY: That is a building code.

21 MR. ROBERTS: There is a New York State
22 code that says you can only have 15 --

23 MS. BERRY: -- square foot per seat
24 when you use tables and chairs.

25 MR. ROBERTS: So I'm sorry, 15

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1 square -- when you use tables and chairs
2 versus a bench?
3

4 MS. BERRY: That's what I was just
5 thinking if a bench is fixed, it's not clear
6 because then you count the occupancy for
7 one-and-a-half, so I believe -- I would just
8 check the seating to make sure you have got
9 enough space.

10 MR. ROBERTS: Okay.

11 MS. BERRY: The bench makes it unclear
12 for me in this setting because the building
13 code applies 15 square feet for movable
14 chairs and tables, so that's usually what we
15 apply here, so in my calculations, this is,
16 it's like one table too many kind of; but
17 it's actually seven seats, so it's a little
18 too tight.

19 If you just look at the plan and there
20 is a gray area because of the bench and how
21 to interpret that, so --

22 MR. ROBERTS: I'm not an expert in New
23 York State restaurant seating code, so I
24 guess I need to understand what I'm supposed
25 to ask my architect to do.

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2 Can you repeat what you said earlier
3 where you said that we're within the C of O,
4 we're under 84, right? I think you said
5 we're at 83.

6 MS. BERRY: Yes. You're 83, so you're
7 under the existing C of O and you're under
8 the total that I calculated for the space,
9 but that was because you could have put a
10 little more at the bar, but the area that
11 looked tight was the dining area.

12 MR. ROBERTS: Okay.

13 MS. BERRY: If you subdivide -- you
14 know, by putting that wall in, in a way
15 you're defining an area so it makes it --

16 MR. ROBERTS: The previous tenant had
17 the same exact plan with the wall. They
18 didn't actually build the wall, but they had
19 it in the plan, we are not adding any tables
20 or seats, so was the previous tenant not in
21 compliance with this law?

22 MR. COTUNGO: You're adding the
23 benches, it says proposed benches.

24 MR. ROBERTS: Okay, so the bench
25 changes everything?

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MS. BERRY: Yes.

MR. COTUNGO: I think that's where the confusion is with the benches because you can fit more people on benches than seats.

MR. ROBERTS: But if a guy is sitting at a bench without a table in front of him, does that count?

MS. BERRY: If you count the seats for these tables, it's more than the 15 per square foot for that area. It's partly because the benches going around the edges and also the tables are very close.

MR. ROBERTS: Shall we move tables out of that area and then we are complaint because of the 15 --

MS. BERRY: Yes.

MR. ROBERTS: Okay. I think I got it. Thank you.

MS. BERRY: I don't have a problem with the total, even my calculations which were higher than yours still met the C of O, so I'm okay with the total.

MR. ROBERTS: Okay. I think I understand that one.

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Handrail?

MS. BERRY: The hand-railing is not to code. It doesn't even extend to the whole ramp.

MR. ROBERTS: My architect will understand how to get us ADA compliance.

MS. BERRY: Exactly.

MR. ROBERTS: We certainly want to comply with that.

MS. BERRY: You can just make a condition that accessibility was addressed.

ACTING CHAIRWOMAN GIVEN: And the door swing and the seating.

MR. ROBERTS: The number of seats in a specific section based on density of seats.

ACTING CHAIRWOMAN GIVEN: So I have three conditions.

MS. BERRY: You can combine the door swing and the railing to just deal with the accessibility, bring it to the Building Inspector.

MR. ROBERTS: Are we able, Madam Chair, to make these provisions and submit them in the next couple of days so we can be on next

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1
2 week?

3 MR. PALLAS: Yes.

4 ACTING CHAIRWOMAN GIVEN: Yes.

5 MR. PALLAS: You could actually approve
6 it with those conditions if you choose to.

7 ACTING CHAIRWOMAN GIVEN: I make a
8 motion to accept and approve the use
9 evaluation of Porters Hospitality Corp on
10 the conditions for the door swing and the
11 railing and accessibility in relation to
12 those two items and the seating in that one
13 section that you discussed, and you bring
14 that to the Building Department.

15 Do I have a second?

16 MR. THOMAS: Second.

17 ACTING CHAIRWOMAN GIVEN: All in favor?

18 MR. THOMAS: Aye.

19 MR. COTUNGO: Aye.

20 MR. BURNS: Aye.

21 MR. ROBERTS: Do we have a ruling on
22 whether we can leave that temporary rolling
23 structure, it's not a structure, temporary
24 rolling piece of furniture. We'll do
25 whatever you want.

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2 ACTING CHAIRWOMAN GIVEN: Go ahead,
3 Eileen.

4 MS. WINGATE: Temporary means temporary
5 and sometimes temporary goes on too long. I
6 might ask the Board to define or be specific
7 about how long it will take you to re-home,
8 re-locate or make a decision upon said piece
9 of furniture so that it doesn't linger.

10 MR. ROBERTS: We're only asking this
11 because if it goes well, if we're terrible
12 at this, it's someone else's problem, but if
13 this goes well, we may want to ask to do
14 this in the back patio and come and get real
15 approval and do something nice back there
16 that we think would be great for the Village
17 and would fit general site plan, so if you
18 want it gone within 30 days, if you're
19 willing to give us until next spring. We're
20 not gonna use it.

21 MR. PALLAS: We wouldn't have an issue
22 with that.

23 MR. COTUNGO: So next spring.

24 ACTING CHAIRWOMAN GIVEN: A year from
25 today, we're in spring.

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1
2 MR. ROBERTS: So it's either gone by
3 May, April, whatever this is or we're coming
4 for another application.

5 ACTING CHAIRWOMAN GIVEN: Yes.

6 MR. ROBERTS: Very fair. Thank you.

7 ACTING CHAIRWOMAN GIVEN: Do I need to
8 make a motion to that?

9 MR. COTUNGO: It's another condition.

10 ACTING CHAIRWOMAN GIVEN: I make that
11 another condition of this approval that that
12 structure is either brought to a use
13 approved by this Board or removed a year
14 from today.

15 MR. ROBERTS: Piece of furniture, it's
16 on wheels.

17 ACTING CHAIRWOMAN GIVEN: All in favor?

18 MR. COTUNGO: Aye.

19 MR. THOMAS: Aye.

20 MR. BURNS: Aye.

21 ACTING CHAIRWOMAN GIVEN: Item number
22 5, 429 Sixth Street.

23 Motion to accept the application of
24 Michael A. Kimack, agent for Sixth Street
25 LLC.

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1
2 you prepare it, so it could go to ZBA next
3 round.

4 MS. BERRY: I think you need to discuss
5 what the issues are and make a clear
6 recommendation of what the Board is
7 comfortable with.

8 ACTING CHAIRWOMAN GIVEN: I'm reading
9 your comments?

10 MS. BERRY: It's a place to start, but
11 it's up to you.

12 There are issues and for the
13 subdivision, the Planning Board should make
14 their recommendations.

15 ACTING CHAIRWOMAN GIVEN: Okay, but
16 there is no one here on behalf of this
17 application; am I correct in that?

18 MS. WINGATE: That's correct.

19 ACTING CHAIRWOMAN GIVEN: How come I
20 can't table it on that basis?

21 MS. WINGATE: You can.

22 ACTING CHAIRWOMAN GIVEN: That's what I
23 want to do.

24 MS. WINGATE: Okay.

25 ACTING CHAIRWOMAN GIVEN: I make a

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1 motion that we table this application due to
2 the fact that there is no one here
3 representing this application.
4

5 Do I have a second?

6 MR. COTUNGO: Second.

7 ACTING CHAIRWOMAN GIVEN: All in favor?

8 MR. COTUNGO: Aye.

9 MR. THOMAS: Aye.

10 MR. BURNS: Aye.

11 ACTING CHAIRWOMAN GIVEN: Item number
12 6, 127 Adams Street.

13 Motion to accept the use evaluation
14 application of Aldo's Coffee Company, LLC,
15 represented by Managing Partner, James D.
16 Radosevic.

17 I'm sorry if I'm mispronouncing your
18 names, people, I apologize.

19 The applicant is proposing to open a
20 retail sales store. The property is located
21 in the Commercial Retail District and is a
22 permitted use. This property is not located
23 in the Historic District.

24 It's designated Suffolk County Tax Map
25 number 1001-4-9-28.2.

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1
2 Is anyone here representing that
3 application?

4 MR. RADOSEVIC: Yes.

5 ACTING CHAIRWOMAN GIVEN: Would you
6 like to take the podium?

7 State your name and address for the
8 record, please.

9 MR. RADOSEVIC: My name is James
10 Radosevic, Aldo's Coffee Company.

11 ACTING CHAIRWOMAN GIVEN: May I read
12 our planner's comments?

13 MR. RADOSEVIC: Absolutely.

14 ACTING CHAIRWOMAN GIVEN: Thank you.

15 The application was received the date
16 of April 20, 2017 and is for a use
17 evaluation for a cafe meeting limitations of
18 the State Department of Agriculture and
19 markets food processing similar to the
20 operation they currently have on Front
21 Street.

22 They will limit seating to 16 seats.
23 The applicant proposes to serve coffee and
24 baked goods which will be generated onsite.
25 Per 150-9-A, eating and drinking is a

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1 permissible use in the commercial retail
2 zoning district.
3

4 The applicant intends to install a new
5 hot water heater, three-compartment sink,
6 grease trap and two to three hand washing
7 sinks.

8 The former uses of this space were for
9 storage and a retail clothing store.

10 The space allocated for seating is 16
11 by 52 feet, 7 inches, which equals 842
12 square feet allowing space for up to 56 even
13 though the interest is to only have 16.

14 Plumbing fixtures. As per table 401.1,
15 restaurants shall have one water closet for
16 75 people per sex. As per 403.2, separate
17 facilities shall be provided for each sex
18 unless the occupancy is less than 15.

19 Exemption 2, a utility sink is required.

20 Accessibility. Renovations with change
21 in occupancy are expected to provide an
22 accessible route and expected limit on cost
23 to 20 percent of the renovation cost. As
24 per 705.1.9, accessible toilets are expected
25 to be provided unless technically

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1
2 infeasible.

3 Please add dimensions for corridor and
4 door widths. The proposed plan only
5 provides one toilet room but three stalls.
6 Two are needed, both of which should be ADA
7 compliant.

8 She has other comments as to how will
9 the garbage be handled, what are the hours
10 of operation? Please show the grease trap
11 location on your plans and please provide
12 the full input of the kitchen to scale.

13 MR. RADOSEVIC: Okay.

14 MR. PALLAS: We will provide copies.

15 ACTING CHAIRWOMAN GIVEN: We'll provide
16 copies.

17 Okay. Does anyone have any comment?

18 MR. COTUNGO: We'll wait for his
19 comments.

20 MR. RADOSEVIC: There is a utility
21 closet with utility sink at the end of the
22 main hallway. All the plumbing has to be
23 updated in that space, so that would be part
24 of what we will be doing. There is a large,
25 as you saw in the plan, a large washroom.

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2 As you said, it has three stalls right now,
3 our hope would be to maybe do that sort of
4 cabin style so we would create two male and
5 a female with a common wash sink area.

6 MS. BERRY: You can't do that.

7 MR. RADOSEVIC: We can't do that?

8 MS. BERRY: No.

9 MR. RADOSEVIC: So we would have to
10 divide that into -- I'm not sure we can
11 divide that space, I'm not sure it would be
12 feasible to divide that into two rooms.

13 MS. BERRY: Once you have an occupancy
14 over 15, then you have to provide two
15 separate, and you can't have a shared
16 laboratory.

17 I tried once before, it didn't pass.

18 MR. RADOSEVIC: Okay.

19 So we'll reach out to you to talk about
20 how we can make that work.

21 MS. BERRY: Or your architect.

22 MR. COTUNGO: You should probably go
23 over all these items with your architect and
24 come back with a new plan.

25 MR. RADOSEVIC: Okay.

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1001-5-3-12.2.

State your names for the record.

MR. DeCARLO: My name is Frank DeCarlo and this is my wife, Dulcinea Benson.

ACTING CHAIRWOMAN GIVEN: I'm going to read the comment as per our planner for the project.

The property holds a certificate of occupancy dated June 19, 2003 for commercial use.

Part of the structure sits on the pier directly over the water. Its most recent use was as the restaurant Scrimshaw and prior to that it was a gift store.

Eating and drinking establishments are conditional uses in the Waterfront Commercial Zoning District.

The restriction of 150.11 C 1C shall apply for a 1,140-square-foot building and 544-square-foot outside eating area for a total of 1,684 square feet is well below the 50 percent limit of use of the full (unintelligible) 50 percent equals approximately 3,091 square feet.

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2 The exception of 150-11 C-1 and C-2
3 applies allowing year-round use due to the
4 age of the building.

5 Of issue are the actual limits of the
6 lot relative to the Wharf. The survey
7 indicates that the property line is close to
8 the building edge. Ownership/recognized use
9 of the Wharf should be clarified. With the
10 outdoor seating allowable conditional upon
11 approval of the owner of the Wharf.

12 The proposed restaurant intends to use
13 the same seating arrangement as the former
14 restaurant with 75 seats inside and 36 seats
15 outside for a total of 111 seats.

16 The second floor is used for storage,
17 employee lockers and office.

18 The project is in the Historic District
19 so any signage and changes to the exterior
20 appearance need to be approved by the
21 Historic Preservation Commission, and it was
22 at their April 17, 2017 meeting.

23 Thank you.

24 Does anyone have any comments,
25 questions or would you like to hear from the

Flynn Stenography & Transcription Service
(631) 727-1107

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1
2 applicant?

3 MR. COTUNGO: Do you have anything to
4 add?

5 MS. BENSON: We just wanted to add
6 about the Wharf ownership, Rosen's
7 (phonetic) contacted Judge Price and he is
8 in the middle of working on that. He
9 already filed with Suffolk County, so we
10 know that that's conditional, but we do hope
11 to expedite that before June 1st.

12 MR. PALLAS: We can't do anything until
13 we get that finalized. You can -- it's two
14 different issues. You could work on the
15 interior restaurant itself, just not the
16 Wharf because there is no proof that they
17 have rights to use it, as I see it.

18 ACTING CHAIRWOMAN GIVEN: The Village
19 might be able to approve --

20 MR. PALLAS: We can't approve it if --

21 ATTORNEY CONNOLLY: -- ownership is not
22 clear.

23 MR. PALLAS: The restaurant itself, the
24 building itself is clear, so that part of it
25 can be approved or not approved.

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1
2 ACTING CHAIRWOMAN GIVEN: As used for a
3 restaurant.

4 MR. PALLAS: Correct.

5 ACTING CHAIRWOMAN GIVEN: I can make a
6 motion to accept the application for the
7 restaurant portion of --

8 MS. BERRY: -- the inside use, and
9 maybe outside conditional upon --

10 ATTORNEY CONNOLLY: -- proof of
11 ownership.

12 ACTING CHAIRWOMAN GIVEN: So I can make
13 the motion to accept and approve the use
14 evaluation application of Barbabianca Corp
15 as submitted for the inside restaurant use
16 and the maybe outside on the condition that
17 proof of ownership is received in a timely
18 manner.

19 Do I have a second?

20 MR. THOMAS: Second.

21 ACTING CHAIRWOMAN GIVEN: All in favor?

22 MR. COTUNGO: Aye.

23 MR. THOMAS: Aye.

24 MR. BURNS: Aye.

25 ACTING CHAIRWOMAN GIVEN: Item number

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1
2 8, Front and Third Streets.

3 MR. PALLAS: The only -- you can
4 discuss it certainly, but I just wanted to
5 make sure, I think I spoke to everybody,
6 that you received the draft resolution and
7 if you'll provide any comments or concerns
8 you have to us as soon as possible so we can
9 make sure that it meets your concerns by
10 next week.

11 ACTING CHAIRWOMAN GIVEN: Does anyone
12 want to discuss this tonight?

13 MR. COTUNGO: No.

14 ACTING CHAIRWOMAN GIVEN: So do I need
15 to table this item?

16 I make a motion that we table item
17 number 8 on the agenda.

18 Do I have a second?

19 MR. COTUNGO: Second.

20 ACTING CHAIRWOMAN GIVEN: All in favor?

21 MR. COTUNGO: Aye.

22 MR. THOMAS: Aye.

23 MR. BURNS: Aye.

24 MR. PALLAS: Madam Chair, before you
25 move to the next item, I apologize, on items

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1
2 number 1 and 2, at least to me it wasn't
3 clear whether you voted to just accept the
4 applications or approve them. I just want
5 to make sure because the subsequent
6 applications were accepted and approved. I
7 don't believe that the motion actually said
8 to accept and approve, so I just want to
9 clarify what the intent was on those.

10 ACTING CHAIRWOMAN GIVEN: I believe it
11 was just to accept item 1 and 2. Right?

12 MR. PALLAS: I just want to make sure.
13 You can approve them, there's nothing to
14 prevent you from doing that.

15 ACTING CHAIRWOMAN GIVEN: I stand
16 corrected, I think it was accepted and
17 approved.

18 MR. PALLAS: The first one definitely
19 wasn't.

20 ACTING CHAIRWOMAN GIVEN: Wasn't.

21 MR. PALLAS: If that's your intent, if
22 it's your intent to approve that, please
23 clarify that with a motion.

24 ACTING CHAIRWOMAN GIVEN: I'm sorry,
25 repeat yourself.

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1 MR. PALLAS: If your intent is to
2 approve it, we need a motion to do that.
3

4 ACTING CHAIRWOMAN GIVEN: Not item 1.

5 MR. PALLAS: Okay. Just making sure.

6 ACTING CHAIRWOMAN GIVEN: May I go
7 forward with item number 9?

8 MR. PALLAS: Yes.

9 ACTING CHAIRWOMAN GIVEN: Thank you.

10 Item number 9, motion to accept the
11 minutes of the March 30, 2017 Planning Board
12 meeting.

13 Do I have a second?

14 MR. THOMAS: Second.

15 ACTING CHAIRWOMAN GIVEN: All in favor?

16 MR. COTUNGO: Aye.

17 MR. THOMAS: Aye.

18 MR. BURNS: Aye.

19 ACTING CHAIRWOMAN GIVEN: Item number
20 10, motion to approve the minutes of the
21 March 2, 2017 Planning Board meeting.

22 Do I have a second?

23 MR. THOMAS: Second.

24 ACTING CHAIRWOMAN GIVEN: All in favor?

25 MR. COTUNGO: Aye.

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MR. THOMAS: Aye.

MR. BURNS: Aye.

ACTING CHAIRWOMAN GIVEN: Item number
11, motion to adjourn.

Do I have a second?

MR. COTUNGO: Second.

ACTING CHAIRWOMAN GIVEN: All in favor?

MR. COTUNGO: Aye.

MR. THOMAS: Aye.

MR. BURNS: Aye.

ACTING CHAIRWOMAN GIVEN: That
concludes this evening's meeting. We'll be
back a week from today.

Thank you all for being here and for
your participation.

(Time noted: 8:16 p.m.)

**ACTING
CHAIRWOMAN**

GIVEN: [74] 58/19
67/21 68/2 68/6
70/21 71/7 71/11
71/18 71/21 71/24
72/4 72/22 72/25
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108/8 108/14 108/18
108/23 109/3 109/7
109/11

ATTORNEY

CONNOLLY: [7]
59/7 59/11 59/21
71/3 75/4 104/20
105/9

CHAIRMAN

McMAHON: [30]

2/15 7/24 11/8 11/14
12/10 13/19 14/11
23/14 23/19 25/5
25/13 26/9 26/22
27/3 28/6 28/22 29/8
29/20 30/4 30/9
33/16 44/22 46/2
46/5 46/17 50/6
57/25 58/6 58/12
58/16

MALE SPEAKER:

[3] 64/20 65/8 65/13

MR. AFFATATO: [4]

28/5 28/9 29/6 29/17

MR. BURNS: [17]

27/2 30/5 58/5 65/14

68/5 72/2 75/20

76/17 91/19 93/19

96/9 101/9 105/23

106/22 108/17 109/2

109/10

MR. CORWIN: [8]

33/19 34/6 34/10

34/14 50/8 71/10

74/14 74/25

MR. COTUNGO: [36]

26/24 30/7 58/14

67/25 68/3 71/23

71/25 75/19 76/15

80/24 81/7 81/15

81/23 82/4 82/8

88/21 89/2 91/18

92/22 93/8 93/17

96/5 96/7 99/17

100/21 101/5 101/7

104/2 105/21 106/12

106/18 106/20

108/15 108/24 109/6
109/8

MR. DeCARLO: [1]

102/3

MR. DOWLING: [2]

30/19 46/22

MR. OLINKIEWICZ:

[1] 51/23

MR. PALLAS: [28]

29/13 34/3 34/9

34/13 46/14 60/4

60/19 60/22 63/20

64/18 64/25 76/9

91/2 91/4 92/20

99/13 104/11 104/19

104/22 105/3 106/2

106/23 107/11

107/17 107/20

107/25 108/4 108/7

MR. RADOSEVIC:

[10] 97/3 97/8 97/12

99/12 99/19 100/6

100/8 100/17 100/24

101/10

MR. ROBERTS: [33]

77/10 81/2 81/9 82/5

84/10 84/22 85/8

85/13 85/16 86/4

86/6 86/12 86/17

86/20 86/24 87/9

87/21 88/11 88/15

88/23 89/5 89/13

89/17 89/23 90/5

90/8 90/14 90/22

91/20 92/9 92/25

93/5 93/14

MR. THOMAS: [22]

MR. THOMAS:... [22]

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