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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

March 30, 2017
4:08 p.m.

B E F O R E :

- DEVIN McMAHON - CHAIRMAN
- BRADLEY BURNS - MEMBER
- NOAH THOMAS - MEMBER
- MARY GIVEN - MEMBER
- JOHN COTUNGO - MEMBER
- JOSEPH PROKOP - VILLAGE ATTORNEY
- GLYNIS BERRY - PLANNING BOARD CONSULTANT
- EILEEN WINGATE - BUILDING INSPECTOR
- KRISTINA LINGG - BUILDING CLERK

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2 CHAIRMAN McMAHON: We are going to
3 begin the meeting. Village of Greenport
4 Planning Board Work Session for March 30,
5 2017.

6 The first item on the agenda is item
7 number 1, 311 Front Street.

8 Motion to accept the use evaluation of
9 Weiskopf Real Estate Holdings, Inc.,
10 represented by Jonathan Weiskopf as lessee.
11 The applicant is proposing to open an art
12 gallery and design showroom at 311 Front
13 Street. This property is located in the
14 Commercial Retail District and is a
15 permitted use. This property is not located
16 in the Historic District.

17 Suffolk County Tax Map number
18 1001-6-2-20. I'm going to begin with the
19 notes prepared by Glynis Berry, our planning
20 consultant.

21 A use evaluation application is dated
22 2/8/17. A sign permit has not been
23 submitted at this time. A document signed
24 by Bette Weiskopf authorizes Jonathan
25 Weiskopf to apply for permits.

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2 The property holds a certificate of
3 occupancy dated September 20, 1979 for
4 retail on the first floor and storage on the
5 second floor. The most recent use was as an
6 office for Cast.

7 The proposed use is for a retail
8 establishment selling art and home
9 furnishings. Operation will be eight hours
10 a day, six days a week. Potential use of
11 the site during the evening for events and
12 receptions are anticipated. This use needs
13 to be clarified due to use limitations. A
14 sculpture garden is planned for the
15 backyard.

16 If the property is maintained as a
17 mercantile use, no changes are required.
18 The building is not currently accessible.
19 Twenty percent of capital expenditures on
20 the facility are expected to be dedicated to
21 improving handicap accessibility. While no
22 compliance actions are required if the
23 existing occupancy and structure are used,
24 it would be advisable to develop a plan as
25 to how to accommodate accessibility moving

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1 forward.

2 MR. WEISKOPF: Good afternoon.

3 CHAIRMAN McMAHON: Good afternoon.

4 MR. WEISKOPF: Should we address the
5 accessibility issue?
6

7 CHAIRMAN McMAHON: Sure. Yeah, if you
8 have any thoughts or plans.

9 MR. WEISKOPF: I can describe the
10 property a little bit and propose a solution
11 to --

12 CHAIRMAN McMAHON: Okay.

13 MR. WEISKOPF: -- some accessibility
14 which there is none at the moment.

15 So the front door is the only public
16 entrance. There is, however, an entrance on
17 the back of the building which was a house
18 built in the 1860s, there's a -- it's fully
19 gated around the yard. The entrance to the
20 back door is through a gate in the driveway
21 which will not be unlocked during business
22 hours, though someone during business hours
23 will obviously always be present and could
24 make accommodations for anyone that needs to
25 come up the driveway in a wheelchair or

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1 something like that. However, the driveway
2 is also not wheelchair accessible. I can
3 hardly squeeze out of my car in the driveway
4 and get through between my building and my
5 neighbor's, so if someone came up the
6 driveway in a wheelchair, the gate could be
7 opened, and I could have a portable ramp
8 present to assist in entering and exiting
9 the space.
10

11 CHAIRMAN McMAHON: Okay. My
12 understanding of ADA compliance is that
13 reasonable measures need to be taken. I
14 don't know what the metric for that is.

15 MS. BERRY: It's usually, the guide is
16 20 percent of any expenditures that you do
17 to upgrade the building you try to do as
18 much as you can to gradually increase the
19 accessibility.

20 CHAIRMAN McMAHON: Do you have any
21 major renovations planned for the space?

22 MR. WEISKOPF: We're doing repairs.
23 There were a couple of emergency repairs.
24 The roof was leaking, and I put in the new
25 back door that actually opens. There was a

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2 sliding doors, now on the back is a French
3 door that opens out, so I have a full
4 six-foot opening out the back deck.

5 CHAIRMAN McMAHON: Glynis, would roof
6 repair fall under ministerial repairs that
7 would not be part of the renovations?

8 MS. BERRY: I mean I think the intent
9 is to gradually make things accessible, so
10 if you can have a plan for within X amount
11 of time to consider that temporary ramp, I
12 think --

13 MR. WEISKOPF: The temporary ramp I can
14 do immediately.

15 MS. BERRY: Okay. I think that's
16 great.

17 MR. WEISKOPF: Yeah, for sure before we
18 open, I can have that present.

19 CHAIRMAN McMAHON: With regard to the
20 use, it was home to Cast for a long time, I
21 think art gallery. I don't see any issue
22 there personally, retail space. I know
23 there is a distinction between -- do you
24 plan to host any events there because there
25 is a limited capacity there?

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2 MR. WEISKOPF: We would do openings for
3 the, you know, at the beginning of each
4 exhibition which is five times a year.

5 CHAIRMAN McMAHON: Okay. I think you
6 are limited by just the occupancy of the
7 building. I don't have it off the top of my
8 head but --

9 MR. WEISKOPF: If I recall, Eileen and
10 I had calculated it was in the sixties
11 between the inside and the outside.

12 MS. WINGATE: Occupancy is limited by
13 the number of bathrooms. In his case, there
14 is just one second floor bathroom which will
15 limit his occupancy for an opening to about,
16 I think it was about sixty.

17 ATTORNEY PROKOP: Because of the
18 access, isn't it limited because of the
19 access, Glynis, and square footage? Why
20 don't we just say event will be limited to
21 the occupancy as determined by the building
22 permit?

23 MS. BERRY: And the square footage.

24 ATTORNEY PROKOP: And the square
25 footage.

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2 MS. WINGATE: Yeah, and the bathrooms.

3 CHAIRMAN McMAHON: That's how they all
4 work so that's --

5 MS. BERRY: Why don't we just say that
6 events will be limited to the occupancy as
7 determined by --

8 CHAIRMAN McMAHON: By the Building
9 Department, okay. That's how they all work,
10 so.

11 Does anyone have any questions for the
12 applicant?

13 MS. BERRY: And for mercantile use
14 because that is the existing C of O, if he
15 changes the category, than it opens up a
16 whole --

17 CHAIRMAN McMAHON: Okay. My suggestion
18 is that we accept the application if we have
19 any other -- unless anyone has any other
20 issues or questions or comments.

21 ATTORNEY PROKOP: I think an occupancy,
22 you know, the discussion was that it could
23 not be used as a gallery, but it could be
24 used for retail, and I think that the
25 occupancy should be determined by next week

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2 so we can include it in the decision.

3 CHAIRMAN McMAHON: Okay.

4 ATTORNEY PROKOP: And also the use of
5 the second floor would be limited to
6 storage. That's your application?

7 MR. WEISKOPF: Second is storage and
8 private staging area for the exhibitions
9 that will take place on the first floor.

10 ATTORNEY PROKOP: So I noticed that you
11 have the -- this is a comment because I was
12 involved in the discussion about the use but
13 the use in the application is for retail,
14 but the name is still, the project name is
15 still Gallery, so I don't know -- it would
16 have to be, the use would have to be shifted
17 towards retail.

18 MR. WEISKOPF: Okay.

19 ATTORNEY PROKOP: Just to make sure.
20 Thanks.

21 MR. WEISKOPF: Sure.

22 CHAIRMAN McMAHON: So we need
23 clarification on occupancy and the
24 aforementioned clarifications that it will
25 be used as retail space. There is a fine

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1 distinction between retail and gallery, but
2 there is a distinction, so we need to be
3 clear about that.
4

5 If there is no other comments, I'd like
6 to make a motion the accept the application,
7 and we would vote on it next week unless any
8 other issues arise.

9 Do I have a second for that?

10 MR. COTUNGO: Second.

11 CHAIRMAN McMAHON: All in favor?

12 MR. BURNS: Aye.

13 MR. COTUNGO: Aye.

14 MS. GIVEN: Aye.

15 MR. THOMAS: Aye.

16 CHAIRMAN McMAHON: Motion carries.

17 Thank you.

18 MR. WEISKOPF: Thank you very much.

19 ATTORNEY PROKOP: Do you want to
20 discuss the time of the next meeting; are we
21 going to meet at 5 o'clock next week or 4
22 o'clock?

23 CHAIRMAN McMAHON: I hadn't considered
24 that.

25 MS. WINGATE: The next meeting is

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2 pretty light, it's the following work
3 session you're going to have two or three
4 public hearings.

5 CHAIRMAN McMAHON: Yeah, I think we'll
6 make that decision at the end of this
7 meeting.

8 The reason the meeting was moved up was
9 because of the number of items we had for
10 discussion, we thought it was going to make
11 it pretty lengthy, so we tried to move it up
12 a little bit. If at the end of the meeting
13 it seems like we're gonna need more time
14 next week, then we will make it 4 o'clock;
15 otherwise, we'll just keep it at 5:00, but
16 we'll discuss that before we close out the
17 meeting.

18 Item number 2, 131 Third Street.

19 Motion to accept the use evaluation

20 application of Isaac Israel. The
21 applicant is a real estate agent
22 representing Goldberg's Famous Bagels and
23 the property owner.

24 The applicant is proposing to rent the
25 north space of 131 Third Street. The

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1
2 intended use for the space is Goldberg's
3 Famous Bagels.

4 The property is located in the
5 Commercial Retail District, and is a
6 permitted use.

7 The property is not located in the
8 Historic District.

9 Suffolk County Tax Map number
10 1001-6-2-23.2.

11 All right. I'm going to start with our
12 notes from our consultant Glynis.

13 A use evaluation application is dated
14 3/6/17. James Olinkiewicz representing 131
15 Third Street, Greenport, Inc. authorized the
16 applicants to apply to the Village on his
17 behalf with a document dated March 4, 2017.

18 A sign permit dated 3/6/17 was also
19 submitted.

20 The proposal is for 40 seats, which is
21 a lower number than previously approved, but
22 with the addition of a takeout section. The
23 use is a permitted use.

24 The sign submitted meets the size
25 requirements of the code, but no indication

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1 of where the sign will be mounted was
2 supplied. It needs to comply with the
3 20-foot maximum height referenced in section
4 150-15, subsection H of the Village code.
5

6 Marcel.

7 MR. ISRAEL: I'm Marcel Israel. I'm
8 actually representing Mark Goldberg and Jim
9 Olinkiewicz today.

10 CHAIRMAN McMAHON: Do you have any
11 comment or --

12 MR. ISRAEL: You know, our only real
13 comment was, we were hoping to get our
14 approvals to be open for Memorial Day
15 Weekend, June 1st the latest. We have
16 street parking, there is parking in the
17 rear, that's really all we had.

18 CHAIRMAN McMAHON: Yeah, we discussed
19 at length the parking situation for that
20 building previously, it was exempted because
21 the building was existing prior to 1991, so
22 it didn't have any requirements for parking.

23 It seems pretty straight forward to me
24 unless the use that we discussed previously
25 was hotel space. I don't know if anyone

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1
2 else has any questions or concern, comments.

3 MS. BERRY: Where is the sign going,
4 how many feet?

5 MR. ISRAEL: How many feet is the sign
6 going in the air?

7 MS. BERRY: Yes, above the ground.

8 MR. ISRAEL: So the sign is going to be
9 just below the second-story railing, I want
10 to tell you that's probably, without
11 measuring it, it's probably about 12 feet.

12 CHAIRMAN McMAHON: So we have the --

13 MS. WINGATE: Yes.

14 CHAIRMAN McMAHON: For those who don't
15 have a picture in front of them, it's a sign
16 above the entrance it appears it would be
17 lighted. I don't know offhand what the
18 Village recommendations are with regard to
19 lighting signs.

20 ATTORNEY PROKOP: It can't be backlit.

21 CHAIRMAN McMAHON: It can't be backlit
22 but can it be lit from above?

23 MS. BERRY: I have to double check, but
24 my understanding is, you can have a light
25 shining on it so it can be illuminated, but

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1 it can't be an internally lit sign.

2 Right?

3 MS. WINGATE: Yes, if you look at the
4 picture, there's four hanging, and that's
5 perfectly legit.
6

7 CHAIRMAN McMAHON: Okay. I personally
8 don't have any issue. I mean, does the
9 square footage of the sign fit the code?

10 MS. WINGATE: (Nodding head.)

11 CHAIRMAN McMAHON: I don't have any
12 issue with the use of the signage or the
13 location of it. I don't know if anyone else
14 has any concerns or questions.

15 MR. BURNS: I wonder if locating the
16 lights that high would be received from the
17 street and maybe not useful for traffic, if
18 they were more bent toward the sign away
19 from the street. I don't know lights, so
20 I'm just guessing.

21 MR. ISRAEL: That hasn't been fully
22 determined yet. They have been put here so
23 that it shows there is lighting. They
24 haven't picked a specific light as of yet.

25 CHAIRMAN McMAHON: Are you suggesting

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2 it should be something that's hanging toward
3 the sign as opposed to just shining out onto
4 the street; is that what you're saying?

5 MR. BURNS: Just a suggestion.

6 MR. COTUNGO: Are you open at night?

7 MR. ISRAEL: Business hours are going
8 to be 6:00 a.m. to 3:00 p.m. seven days a
9 week, but it would be nice to have
10 illumination on it, so people can see it's
11 there.

12 CHAIRMAN McMAHON: Do we have -- I
13 don't have in front of me a copy of the sign
14 application; do we have a sign application?

15 MS. WINGATE: We really weren't
16 expecting this photograph to show up today,
17 so there isn't an official sign application.

18 ATTORNEY PROKOP: I think that the
19 lighting should be shown. I think that they
20 should decide the lighting and show it as
21 part of the application.

22 CHAIRMAN McMAHON: So if you can,
23 between now and -- well, as soon as
24 possible, there is a formal sign application
25 at Village Hall.

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2 MS. WINGATE: We do have it, we just
3 weren't expecting this today.

4 CHAIRMAN McMAHON: We do have it.
5 Okay.

6 MS. WINGATE: I'll get it to all of
7 you.

8 CHAIRMAN McMAHON: If you could, I
9 guess my only issue or Ben's suggestions
10 would be clarification of what the lighting
11 is.

12 MR. COTUNGO: It should also be more
13 accurate because this photograph can't be
14 accurate because then the lights would be
15 mounted into the gutter.

16 MR. ISRAEL: Correct, the lights --
17 there is no gutter there because there is a
18 second floor above it, so that's just --
19 what you're seeing is, you know, there's --
20 there is a gutter there. Okay. So I'll get
21 that straightened out.

22 CHAIRMAN McMAHON: As soon as you can,
23 you can get that to Eileen so she can get it
24 to us before the next meeting, so we can
25 have a chance to look at it. I don't see

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2 that as a huge issue personally, but it is
3 something that does need to be clarified.

4 Otherwise I don't see, you know, the
5 use was what the, you know, we discussed at
6 length.

7 Does anybody have any questions or
8 comments?

9 (No response.)

10 So I'm going to make a motion that
11 we

12 Accept the application and the sign
13 application as submitted, the sign
14 application meets the --

15 MS. WINGATE: I have a question for
16 you.

17 CHAIRMAN McMAHON: Sure.

18 MS. WINGATE: Was there a sign
19 application in your packet?

20 MS. GIVEN: I have one.

21 MS. WINGATE: You do have one.

22 CHAIRMAN McMAHON: I don't --

23 MS. WINGATE: Then everyone has one,
24 you didn't look hard.

25 CHAIRMAN McMAHON: That's what I said,

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1
2 it might be --

3 MS. WINGATE: I just wanted to know
4 that.

5 CHAIRMAN McMAHON: So I'm going to make
6 a motion to accept the use evaluation
7 application and the sign application as
8 submitted and we will discuss and possibly
9 vote on it next week.

10 MS. GIVEN: Second.

11 CHAIRMAN McMAHON: In the meantime,
12 detail on the light so we can have that set
13 for next week.

14 MR. ISRAEL: Absolutely. Not a
15 problem.

16 CHAIRMAN McMAHON: So I made a motion
17 to --

18 MS. GIVEN: I second it.

19 CHAIRMAN McMAHON: You second it. All
20 in favor?

21 MR. THOMAS: Aye.

22 MS. GIVEN: Aye.

23 MR. BURNS: Aye.

24 MR. COTUNGO: Aye.

25 CHAIRMAN McMAHON: Aye. Motion

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1 carries. Thank you.

2 Item number 3, 37 Front Street.

3 Motion to accept the use evaluation
4 application and schedule a public hearing
5 for Sprout Natural Parenting Inc.,
6 represented by property owner Laura
7 Tancredi.
8

9 The applicant is proposing to open a
10 natural parenting retail store at 37 Front
11 Street.

12 The property is located in the
13 Waterfront Commercial District and a public
14 hearing is required. This property is not
15 located in the Historic District.

16 Suffolk County Tax Map number
17 1001-5-4-23.1.

18 Again we'll begin with our notes from
19 the planning consultant.

20 A use evaluation application is dated
21 3/1/17. A sign permit was also submitted.
22 The property holds a certificate of
23 occupancy dated April 13, 1981, four retail
24 shops, one office and one apartment.

25 The proposal is for Unit R3 as depicted

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1 on an earlier plan prepared by Vince
2 Annabel, Bootleg Alley Corp., but labeled
3 Unit 2 on the application form. This needs
4 to be verified.
5

6 The previous use of this space was as a
7 barbershop. The proposed use is for a
8 retail storefront addressing the needs of
9 pregnant mothers, new babies and families
10 with children.

11 Retail establishments are conditional
12 uses in the W-C Zoning District. The
13 conditional uses are permitted as long as
14 views from the water are also considered
15 when the property is not adjacent to the
16 water. That's from section 150-11,
17 subsection C2 and subsection C1-D of the
18 Village code.

19 Toilet facilities and trash handling
20 should be clarified and the locations
21 identified.

22 The sign proposed is 2.58 feet by 9.2
23 feet for a total of 23,65 square feet. The
24 building is 16.2 feet wide, so the total
25 signage allowed on the facade is 24.3 square

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2 feet. Signage for Kaplan Italian Ices
3 already exists --

4 MS. WINGATE: It's Ralph's.

5 CHAIRMAN McMAHON: Ralph's Italian Ices
6 already exist, so the total square footage
7 allowed would be exceeded. Sections 150-15B
8 and H are applicable.

9 I would just add to that, my
10 understanding is that when you have multiple
11 businesses within one footprint, then the
12 total signage allowed is limited by the
13 building and not by the individual tenants,
14 so that's something that, if there is a
15 conflict there, that's something that would
16 need to be worked out amongst the lessees
17 with the landlord, that would be beyond our
18 capability to just approve the signage as
19 is.

20 Is there a representative from the
21 business that would like to speak?

22 (No response.) Okay. So we do
23 need to have a public hearing for this,
24 correct, it's a retail commercial, so as a
25 requirement it's a conditional use and

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1 public hearing is required.

2
3 I personally don't have an issue with
4 the use of the space, but signage is
5 something that would need to be remedied
6 before we would be able to approve the sign
7 application, but as far as the use
8 evaluation application, I don't see an issue
9 there, but we are required to have a public
10 hearing, so if anyone has any issues or
11 concerns, they would be able to voice it
12 then.

13 Would anyone from the audience like to
14 speak at this time?

15 MR. WILE: Hello. Ian Wile, Little
16 Creek Oysters, next door neighbor and also
17 234 Fifth Avenue.

18 Just for clarification on the public
19 hearing, that is a scheduled item
20 separately, correct?

21 CHAIRMAN McMAHON: Yes.

22 MR. WILE: I can reserve comments, I
23 guess for that. I just wanted some
24 clarification on that.

25 CHAIRMAN McMAHON: If you want to share

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2 any thoughts now, you're free to.

3 MR. WILE: Mostly with regard to, as
4 one of the last pieces of some commercial,
5 the Waterfront Commercial District that's
6 actually still waterfront and commercial.
7 We really sort of found ourselves there
8 accidentally just a few years ago and now
9 being a piece of that and sort of retaining
10 a little bit of that, we would like to see
11 some focus on usage in terms of trying to
12 retain or encourage waterfront businesses
13 because otherwise there is no
14 differentiation between what I would see as
15 the Commercial Retail or Commercial District
16 and Waterfront Commercial, and we see what
17 that can do is maybe escalate rental rates
18 in some buildings and basically dis-enabling
19 small startups in waterfront buildings. We
20 think that some of the ability to have,
21 whether it's marine hardware or, like, we
22 process shellfish, we ship shellfish, we
23 retail shellfish, we do have a tastings bit,
24 but we also have been able to develop an
25 interstate shellfish processing and shipping

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1
2 business because of being settled into a
3 waterfront commercial because if that had
4 been zoned anything else, we would have seen
5 the available rental rates on that building
6 go higher than we would have probably been
7 able to sustain and we would have found
8 ourselves in another place, and I think that
9 the waterfront is what makes this particular
10 environment pretty interesting, but we're
11 seeing if you walk down that, what is that
12 district, there is Preston's, us and
13 everybody else is sort of conditional use,
14 so any opportunity, obviously free market
15 wins, but any opportunity to think about
16 usage and access to the water that's a
17 public right of way that we all sort of work
18 hard to maintain and, you know, I've come to
19 love it, so I was trying to see how we can
20 encourage some of those spaces.

21 CHAIRMAN McMAHON: Speaking for myself,
22 I think you have a very reasonable position.
23 I do think however, that is a broader
24 question of zoning that would probably be
25 better brought to the Village Board and if

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1
2 you feel something should be, a limitation
3 to the exception permissible for Waterfront
4 Commercial should be limited, that would
5 really be their purview as opposed to ours
6 because ours is sort of working within the
7 constructs of the code as it's prepared by
8 the --

9 MR. WILE: Right, but these uses are
10 conditional.

11 CHAIRMAN McMAHON: They are absolutely,
12 and I hear what you're saying. I just think
13 that --

14 MR. WILE: We would just ask -- I
15 remember being here and being helped through
16 our process and I find this to be a very
17 cooperative and important board and not
18 obstructionist, I really think it does
19 amazingly difficult work, and I know that
20 one of the things that we were tasked when
21 were trying to develop was, how are you
22 going to rise to meet some of these goals of
23 the LWRP and Planning and the code as it is
24 laid out and it made us think about some of
25 our approaches and we tailored some of what

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2 we might have liked to have done and how we
3 might have liked to have built with that in
4 mind and we use the code for our business
5 choice as opposed to always asking for
6 something to go differently, and I think
7 that's just, that would be my point, just
8 put that into deliberations.

9 I know that the building owner should
10 be able to progress as they can and you
11 can't force somebody to start a marine
12 business if they're not going to start one,
13 I understand that too, but if we eliminate
14 the spaces that are available for that,
15 they're definitely not coming.

16 CHAIRMAN McMAHON: I hear what you're
17 saying.

18 MR. WILE: Thank you very much.

19 CHAIRMAN McMAHON: Thank you. Does
20 anyone else have any comments or
21 questions?

22 MS. WINGATE: Did you want to schedule
23 the hearing?

24 CHAIRMAN McMAHON: I guess we'll
25 schedule it. We have a couple public

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1 hearings, I suggest we do them all at the
2 same time, I would think probably work
3 session would be best, so we have the public
4 hearing, talk out whatever issues we need to
5 discuss and still have an opportunity the
6 take action on the items the following week
7 at the regular session. That would be the
8 next work session which would be, looks like
9 that would be the last Thursday of April
10 which is the 27th.

11 I'm going to make a motion to schedule
12 the public hearing for this application.

13 Actually, I think we need to probably
14 accept the application first.

15 I'm going to make a motion that we
16 accept the use evaluation as submitted.

17 Do I have a second for that?

18 MS. GIVEN: Second.

19 CHAIRMAN McMAHON: All in favor?

20 MS. GIVEN: Aye.

21 MR. THOMAS: Aye.

22 MR. BURNS: Aye.

23 MR. COTUNGO: Aye.

24 CHAIRMAN McMAHON: Motion carries. The

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1 sign application, I don't feel comfortable
2 accepting at this time because it would
3 almost, it would clearly be double the
4 exceeded allowable signage. That's an issue
5 that would need to be worked out between the
6 lessees of the building as to how they are
7 going to share --

8
9 MS. WINGATE: We have been discussing
10 going to Zoning.

11 CHAIRMAN McMAHON: Yeah, or if they
12 want to go to Zoning and get a variance.

13 If they have the option to go to the
14 Zoning Board for a variance, actually so I
15 think, yeah, I mean I think then we would,
16 maybe it would be in their best interest to
17 accept and deny the sign application so they
18 can go to the Zoning Board for a variance.

19 I'm going to make a motion to accept
20 the sign application as submitted.

21 MS. GIVEN: Second.

22 CHAIRMAN McMAHON: All in favor?

23 MS. GIVEN: Aye.

24 MR. THOMAS: Aye.

25 MR. BURNS: Aye.

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MR. COTUNGO: Aye.

CHAIRMAN McMAHON: We can vote on it next week with the other items.

ATTORNEY PROKOP: Can I make a suggestion?

CHAIRMAN McMAHON: Sure.

ATTORNEY PROKOP: If you vote on it tonight, it gets them into the ZBA cycle, if I'm not mistaken, for this month.

MS. WINGATE: That would be helpful.

CHAIRMAN McMAHON: I mean, my inclination is to deny it for the reasons already stated. If that helps them along with the process of having a hearing before the ZBA.

I'm going to make a motion to deny the sign application based on the fact that it exceeds the allowable square footage.

Do I have a second for that?

MR. BURNS: Second.

CHAIRMAN McMAHON: All in favor?

MS. GIVEN: Aye.

MR. THOMAS: Aye.

MR. BURNS: Aye.

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1 MR. COTUNGO: Aye.

2 CHAIRMAN McMAHON: Motion carries. Do
3 we have a vote on the use evaluation; did we
4 do that already?
5

6 ATTORNEY PROKOP: We accepted it
7 already. We're all set.

8 CHAIRMAN McMAHON: Move on to the next
9 item on the agenda.

10 Motion to accept the use evaluation
11 application of Porters Hospitality Corp., 34
12 Front Street, represented by corporate
13 owners Andrew Harbin and Doug Roberts.

14 The applicant is proposing to open the
15 former Rhumblin Restaurant located at Front
16 Street as Andy's. The property is located
17 in the Commercial Retail District, and is a
18 permitted use. The property is not located
19 in the Historic District.

20 Suffolk County Tax Map number
21 1001-4-10-30. We'll begin with notes from
22 the planning consultant. A use evaluation
23 application is dated 3/5/17. A sign permit
24 has not yet been submitted.

25 In a document dated March 6, 2017, Josh

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2 Goldstein authorizes Porters Hospitality
3 Corp. to apply for permits.

4 The property holds a certificate of
5 occupancy dated September 20, 2012 for an
6 A-2 occupancy for a restaurant with a
7 seating capacity of 84. A C of O dated
8 March 15, 2011 lists assembly on the first
9 floor and an office with storage on part of
10 the second floor. A C of O dated 1/8/2002
11 does not allow use of rear portion of the
12 second floor nor the third floor.

13 The former use was as The Rhumblin, a
14 restaurant. When the former restaurant
15 expanded into a rear terrace area,
16 complaints resulted. The applicant proposes
17 to use only the interior restaurant space
18 with the same table layout as existing. New
19 entrance doors and interior partitions are
20 proposed.

21 The drawing submitted did not have a
22 recognizable scale, nor were dimensions
23 provided. The applicant is requested to
24 supply a revised plan with the proposed
25 seating arrangement, dimensions and scale.

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2 The entry doors should be ADA accessible.

3 Also, please indicate whether or not a
4 toilet exists on the second floor and how
5 part of the second floor will be used.

6 MR. HARBIN: Hi. I'm Andy Harbin, 212
7 Flint Street.

8 MR. ROBERTS: Doug Roberts, 133 Sixth
9 Street and I'm the president and he's the
10 secretary of Porters Hospitality Corp.

11 Mr. Chairman, thank you for the
12 opportunity. Do you want us to answer your
13 questions directly?

14 CHAIRMAN McMAHON: Anything you would
15 like to share.

16 MR. ROBERTS: So your specific request,
17 there is no toilet upstairs.

18 CHAIRMAN McMAHON: Okay.

19 MR. ROBERTS: There was one approved
20 sometime back. The question for us is, do
21 we need to come for, if we wanted to add
22 that, do we have to come to be approved
23 again or not? I don't know.

24 MS. BERRY: I would say yes because
25 it's actually an issue when they're above

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2 food production, so keep it without or you
3 have to submit construction documents that
4 meet code that make sure --

5 MR. ROBERTS: Right.

6 MS. BERRY: So you would have to
7 reapply.

8 MR. ROBERTS: The upstairs, there was a
9 question on Mr. Berry's, not about the
10 upstairs, it's storage only, just storage.
11 No living, no anything, just storage.

12 CHAIRMAN McMAHON: Is there still
13 office space up there, or is it just purely
14 storage?

15 MR. ROBERTS: There is one in there
16 that apparently was used as an office at one
17 point but --

18 CHAIRMAN McMAHON: You have no
19 intention of using it?

20 MR. ROBERTS: No. Storage room.

21 CHAIRMAN McMAHON: Okay.

22 MR. ROBERTS: We got, we put scale and
23 dimensions, the doors were all over 35
24 inches. We are not planning any new
25 entrance doors, I think that's -- I think

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2 the last people put in -- the last people
3 made it ADA accessible, so if you remember
4 the site there, in the back there's a ramp
5 and there is an ADA accessible toilet right
6 there and all the doors are at least 36
7 inches.

8 CHAIRMAN McMAHON: So as you indicated
9 in your plan, you said you're only going to
10 be using the interior space. The previous
11 occupant had, I believe applied for and
12 received approval for the awning, a
13 temporary awning or temporary cover that was
14 there. I don't know if that was ever
15 installed, but they did put a full bar back
16 there with --

17 MS. WINGATE: I was at the property
18 this week and there still is a full bar back
19 there, and I was hoping that you guys would
20 solve that problem and make it go away.

21 MR. HARBIN: We have no intention of
22 using that.

23 CHAIRMAN McMAHON: That would
24 obviously, that would need to be removed as
25 that was all built without permission from

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2 anyone; it was just put up.

3 MR. HARBIN: We intend to make the
4 appearance nice. I don't know if we'll
5 cover it in some way. There is a cooler, a
6 beer cooler behind there that we will remove
7 and we'll make it so it is pleasant to the
8 eye but not usable at all. I don't know if
9 we're gonna hire somebody and rip the whole
10 thing out, we're trying to do this in the
11 most cost effective way.

12 CHAIRMAN McMAHON: Yeah.

13 MR. HARBIN: Of course, it behooves us
14 for it to look nice, and it doesn't look
15 nice to have an empty old water stained bar
16 standing there.

17 CHAIRMAN McMAHON: Yeah.

18 MR. HARBIN: But whatever you think we
19 should do, that's what we'll do.

20 MS. BERRY: Two things. That backyard
21 really should be part of this application,
22 so you should decide how you're using that
23 space and show it to us. And also if that
24 is the main handicap approach, you need to
25 be sure that it's open to the public during

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2 your open hours and not locked.

3 MR. HARBIN: It would never be locked.

4 MR. ROBERTS: Understood.

5 CHAIRMAN McMAHON: Do you plan to keep
6 the back gate there?

7 MR. HARBIN: At this time, I believe
8 we're going to keep that.

9 CHAIRMAN McMAHON: But it would be
10 opened from either way, the gate will swing
11 both ways for --

12 MR. HARBIN: If that's what you prefer.

13 CHAIRMAN McMAHON: I'm just thinking
14 about the fire code also as far as an exit.

15 MR. COTUNGO: You need it as an exit.

16 MR. HARBIN: It is --

17 CHAIRMAN McMAHON: But then if that's
18 your handicap access, you would also need to
19 not just have the push bar on the inside
20 going out, I believe it's, I could be
21 mistaken, but you would need to have access,
22 if that's your handicap access --

23 MR. HARBIN: It has to swing both ways.

24 MS. BERRY: It doesn't have to swing
25 both ways, but you need to make sure that

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2 it's opened to somebody wanting access
3 during business hours.

4 MR. ROBERTS: Understand.

5 MS. BERRY: So how it's done, you need
6 to look at and maybe, I don't know, so you
7 -- we are just saying make sure if that is
8 your handicap access, make sure it's
9 accessible during public hours.

10 MR. ROBERTS: Okay, it will be.

11 MS. BERRY: Another thing is, your last
12 C of O was for 84 seats, and the sketch
13 which didn't even identify the number of
14 seats on it, you didn't have totals, so I
15 did a quick count and I get more seats in
16 your drawing than the C of O, so is this
17 what you're applying for, the higher number
18 than the old C of O?

19 MR. ROBERTS: It should come out right
20 to 84. We added two rounds which are --

21 MS. BERRY: Maybe I -- I just did it
22 quickly here, but I got 92.

23 MR. HARBIN: We had 82.

24 MR. ROBERTS: Yeah, are you counting
25 the --

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2 MS. BERRY: Maybe I missed something.

3 MR. ROBERTS: Are you counting the
4 couch?

5 MR. COTUNGO: You need to update the
6 plan with dimensions, it's gonna be to
7 scale, you're gonna have all the seats on
8 there, you're gonna have the handicap ramp,
9 you're gonna have the number of occupants.

10 MR. ROBERTS: We only submitted it
11 yesterday, so you probably haven't seen it
12 yet.

13 CHAIRMAN McMAHON: So we will need a
14 chance to take a look at it.

15 MR. HARBIN: Everybody should have a
16 copy.

17 MR. ROBERTS: We got Glynis'
18 recommendations last week and --

19 MS. BERRY: I think your occupancy
20 number needs to be clear and then we have to
21 look at that against the square footage. If
22 after this, you want to talk to me for a
23 minute.

24 MR. ROBERTS: Thank you.

25 MR. HARBIN: Sure, yes.

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2 MR. ROBERTS: Our intention is to be at
3 the capacity of the previous C of O.

4 But a question, we have a waiting area
5 with couches in the front, do those count as
6 occupancy?

7 Okay. That might be why we're over.

8 MS. BERRY: That's probably it.

9 MR. ROBERTS: We'll fix it. Sorry.

10 And may I respond to the use of the back?

11 CHAIRMAN McMAHON: Yes.

12 MR. ROBERTS: The back space, we're not
13 going to use it at all. There was -- look
14 --

15 CHAIRMAN McMAHON: Okay. But just show
16 that on the plan, just say this is --

17 MR. ROBERTS: Right, the inside --

18 CHAIRMAN McMAHON: -- part of the full
19 site plan.

20 MR. COTUNGO: The handicap --

21 CHAIRMAN McMAHON: And if that is your
22 handicap access just show that that's where
23 your access is.

24 MS. BERRY: If you intend to put
25 coolers up there, that should be part of the

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1
2 plan.

3 ATTORNEY PROKOP: The cooler was never
4 approved and the cooler needs to be on the
5 site plan somewhere, so the cooler -- we
6 understand you're taking away the outside
7 use which is good because it had a limited
8 term which expired a while ago anyway, but
9 the cooler itself needs to be shown
10 somewhere on the plan and receive approval.

11 MR. HARBIN: Unless we remove it.

12 ATTORNEY PROKOP: Unless you remove it,
13 so whatever you want to do.

14 Then there is other comments on, in
15 Glynis' notes. One of the things is that
16 she said that the plan proposes new entrance
17 doors and interior partitions so you need to
18 clarify what you said tonight with that.

19 MR. ROBERTS: Sure. We do plan
20 interior partition as drawn on the plan, the
21 entrance doors are already there.

22 MR. HARBIN: We are not proposing any
23 new entrance or exit doors.

24 ATTORNEY PROKOP: Whatever caused this
25 discrepancy with the comments.

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2 MR. COTUNGO: You're blocking off one
3 door, that's what I'm seeing on the plan, it
4 seems like you're gonna make some changes.

5 MR. HARBIN: To the doors, no.

6 MS. BERRY: It shows it on the plan.

7 MR. COTUNGO: It shows it on the plan
8 you submitted. Why don't you submit an
9 accurate plan of what you want to do,
10 dimensions, number of seats.

11 MR. ROBERTS: We don't plan to change
12 anything about how the space was used except
13 to use it within the bounds of the code and
14 the C of O and not do illegal things on the
15 back patio, so maybe that's part of the
16 confusion. We don't intend to change
17 anything, but I feel like we're confusing
18 you somehow by making you think we're
19 changing something.

20 MR. COTUNGO: Maybe you submitted an
21 old plan, you copied this from the last
22 people's plan?

23 MR. HARBIN: Yes.

24 MR. ROBERTS: Right.

25 MR. COTUNGO: So that's the problem.

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1
2 Come up with a new plan.

3 MR. ROBERTS: But we are not changing.

4 CHAIRMAN McMAHON: When you walk in the
5 front door as it exists now, there is a
6 front door, the second door is straight
7 ahead or to the right-hand side?

8 MR. ROBERTS: The back door?

9 CHAIRMAN McMAHON: When you're walking
10 --

11 MS. GIVEN: Door on this plan --

12 MR. HARBIN: There's double doors
13 straight ahead, one door you come and
14 there's a second door.

15 CHAIRMAN McMAHON: So that's how it is
16 existing right now?

17 MR. HARBIN: Yes.

18 CHAIRMAN McMAHON: Because the plan is
19 showing a change in the doors. I guess that
20 was --

21 MR. COTUNGO: Because they used an old
22 plan.

23 MR. ROBERTS: Yes.

24 CHAIRMAN McMAHON: This is the --

25 MR. ROBERTS: What I think is

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2 confusing, and it sounds like we need to fix
3 this, I think the previous plan document,
4 they got approval from the Planning Board
5 then to change that door, right, they didn't
6 do the partition, it's not there. We intend
7 to finish their plan and do the partition.

8 CHAIRMAN McMAHON: Okay.

9 MR. ROBERTS: Is the Board saying that
10 you would like to see --

11 CHAIRMAN McMAHON: Well, yeah, it's
12 just, I mean the plan is showing that a
13 change is happening or the plans, it shows
14 that there is something happening there, and
15 if nothing is, then it shouldn't be
16 reflected on the plan.

17 MR. HARBIN: If you want us to do a new
18 plan, that's absolutely no problem if that
19 makes the Board happy, that's what we'll do.

20 CHAIRMAN McMAHON: There is a few
21 things missing that we would need to have, I
22 think to be able to accept the plan. Again
23 the -- I don't see any problem with the use
24 as a restaurant, it's long established, it
25 was a bar many times over.

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2 There are issues with the back that was
3 not compliant, the previous owner or
4 previous occupant, I don't know who it was,
5 had made changes there, so we need to show
6 those are no longer part of the structure,
7 you're getting rid of those or whatever the
8 plan is for the back area there. That does
9 need to be part of the proposal whether this
10 is just, this is only handicap access and
11 that's it, nothing else is back there, show
12 that as part of the plan and then the plans
13 need to be updated to reflect the
14 appropriate number of seats permissible
15 because right now it does show if you're
16 counting couch space and the waiting area in
17 there and it puts you above the permitted
18 number of seats for the restaurant, so right
19 now it's not, in my opinion, a place where
20 we could go forward, but a few minor changes
21 and you can be, I think on the right track
22 in my mind anyway.

23 Does anyone else have any comments or
24 questions?

25 (No response.)

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2 MR. ROBERTS: If I may, Mr. Chairman,
3 we really want the Board to hear from us
4 tonight that our intention is to make this a
5 very different operation than what was
6 there. We're two dads, we don't stay up too
7 late, we are not gonna keep this place open
8 late, nothing good happens after midnight
9 they say, so we're also, you know, this
10 property has a problem there, the previous
11 restaurant owners lost their liquor license,
12 I think everyone knows the story, so we're
13 in the process of going through that as well
14 so, we just want to be good neighbors, good
15 citizens, this will be a very different kind
16 of place than what was there before.

17 CHAIRMAN McMAHON: Okay.

18 MR. HARBIN: Yeah, it will be a family
19 restaurant and we hope to see all of you
20 there. It's, you know, sadly Rhumblin, I
21 like the name of it but we're going to
22 change the name because there are people
23 that will think of the police reports when
24 they hear the name, and it will change along
25 with the place and it will be a viable

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2 thriving business in the downtown instead of
3 an empty building.

4 MR. ROBERTS: Right now, if I want to
5 take my three-year-old for early dinner, I
6 can't, I either got to spend \$25 for a
7 burger or go to, you know Padrinos or Pizza
8 which is great, but our vision is to have a
9 place that serves a whole variety of food
10 that's accessibly priced for locals so local
11 families can go someplace to eat in March
12 and we'll take the summer people too when
13 they're here.

14 So if I can just clarify what we should
15 do next. We should resubmit specific to
16 what is there now, get rid of the stuff
17 that's already been fixed. We also owe you
18 a sign permit, we're just waiting on our --

19 CHAIRMAN McMAHON: The sign permit can
20 be done separately from use evaluation
21 application, but a sign cannot go up before
22 the sign goes through the process.

23 MR. ROBERTS: Right.

24 CHAIRMAN McMAHON: Yes, and the plan
25 should also include the full site plan, the

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1 full lot showing the access from the rear
2 and all the ADA accessibility should be
3 clearly marked out on there.
4

5 MR. ROBERTS: Okay.

6 MR. HARBIN: Okay. Thank you. I
7 apologize for the inexperience with this
8 right now.

9 MR. ROBERTS: I have got no excuse.

10 CHAIRMAN McMAHON: Me too.

11 MR. ROBERTS: Thank you all.

12 CHAIRMAN McMAHON: So we are not going
13 to accept that plan as submitted. They will
14 resubmit, so I guess I'll make a motion to
15 table the discussion until receipt of a new
16 plan.

17 Do I have a second for that?

18 MS. GIVEN: Second.

19 CHAIRMAN McMAHON: All in favor?

20 MS. GIVEN: Aye.

21 MR. THOMAS: Aye.

22 MR. BURNS: Aye.

23 MR. COTUNGO: Aye.

24 CHAIRMAN McMAHON: Motion carries.

25 Item number 5, 19 Front Street. Motion

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2 to accept the use evaluation

3 application and schedule a public
4 hearing for Truffle and Snail, LLC,
5 represented by Michael Affatato. The
6 applicant is proposing to open a cheese shop
7 at 19 Front Street.

8 This property is located in the
9 Waterfront Commercial District, and a public
10 hearing is required. This property is not
11 located in the Historic District.

12 Suffolk County Tax Map number
13 1001-5-4-29. Begin with notes from the
14 planning

15 consultant. Site plan review
16 applications are dated 3/6/17. Kathleen M.
17 McDowell authorized the applicants to apply
18 to the Village on her behalf with a document
19 dated March 6, 2017.

20 A sign permit has also been submitted,
21 dated March 3, 2017.

22 The property holds a pre-certificate of
23 occupancy dated December 1, 2009 for a first
24 floor retail shop and a single second floor
25 residential apartment. The building covers

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2 the entire site with a 16-foot access
3 easement in the rear. Past uses included a
4 real estate office and a photo supply shop.

5 The proposal is for the retail sale of
6 cheese and prepackaged goods, as well as a
7 wine bar with food service. The submitted
8 plan incorporates 45 seats, shown on the
9 plan. Educational classes will also be held
10 on the premises.

11 Retail, eating and drinking
12 establishments are conditional uses in the
13 W-C Zoning District. The conditional uses
14 are permitted as long as views from the
15 water are also considered when the property
16 is not adjacent to the water. That is from
17 section 150-11, subsection C2 and subsection
18 C1D of the Village code.

19 The occupancy of a building is not just
20 the number of seats, but the full occupancy.
21 If one uses Table 1004.1.2, NY ICC Building
22 Code and applies it to the plan, the
23 occupancy could be -- there is a table
24 provided here, total occupancy of 69.1.

25 The calculations for the number of

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1 seats presented in the drawings seem to
2 correlate with calculating the aisle as part
3 of the seating area. An occupancy load can
4 be increased with a specific plan approved
5 by the building official.
6

7 The restaurant/tavern use is classified
8 as A-2 in the ICC Building Code. The
9 applicant is claiming the exception for
10 small assembly spaces that allows a tenant
11 space used for assembly purposes with an
12 occupancy load of 50 shall be classified as
13 Group B occupancy business, New York State
14 ICC Building Code 303.1.1. As shown above,
15 the full occupancy seems to exceed 50.

16 In the New York State ICC Existing
17 Building Code, Table 1012.4, Occupancy
18 classes A and M are considered the same
19 hazard class 3, while business and R-3 are
20 in a lesser hazard category 4. Therefore,
21 the proposed change in occupancy should be
22 able to be accommodated as per regulations.

23 If anyone in the audience was able to
24 follow any of that, you should get a medal,
25 but it's part of the record.

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2 Plumbing fixtures, existing Building
3 Code: 1010.1, increased demand requires
4 that the fixture requirements comply with
5 the IPC intent.

6 1010.2, if the new occupancy is a
7 food-handling establishment, all existing
8 sanitary waste lines above the food or drink
9 preparation or storage areas shall be panned
10 or otherwise protected to prevent leaking
11 pipes or condensation on pipes from
12 contaminating food or drink.

13 Plumbing Fixtures, New York State ICC
14 PC: As per Table 403.1, restaurants shall
15 have one water closet per 75 people per sex.
16 As per 403.2, separate facilities shall be
17 provided for each sex, unless the occupancy
18 is less than 15. Exemption 2, a utility
19 sink is required.

20 Accessibility, renovations and change
21 in occupancy are expected to provide an
22 accessible route. An exception lists an
23 expected limit on costs to 20 percent of the
24 renovation costs. As per 705.1.9,
25 accessible toilets are expected to be

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provided unless technically infeasible.

The proposed plan only provides one toilet room. Two are needed, both of which should be ADA compliant.

For dining surfaces 5 percent of the seats shall be accessible, with at least one provided New York State ICC BC1108.3.

The corridor to the accessible bathroom does not meet the widths recommended, inches for a pull door on a parallel corridor, access from the restaurant to the service corridor leading to the toilets is not accessible.

Storage. No spaces for storage have been identified.

Trash. The site plan indicates that garbage storage and pickup is provided off-site to occupy a deeded parking space.

It is our understanding that the property in question is on the market. Please provide the deed restriction and verify whether it is transferable after a sale. Also please show where the spot is and any screening that will be provide to

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2 protect views from the water. Otherwise,
3 please consider the handling of trash
4 onsite.

5 Miscellaneous. Stairs to a mezzanine
6 are shown, but not the mezzanine nor its
7 use. Please provide this.

8 The sign permit. The applicant is
9 proposing three signs, 12.2 feet long by
10 2.15 feet high or 26.23 square feet. The
11 facade is 21 feet long, times 1.5 feet in
12 height allowed, which equals 31.5 square
13 feet allowed. The sign complies.

14 A logo and name painted on the door, 22
15 inches height by 1.25 inches width for an
16 extra 2.29 square feet.

17 A logo and name on a hanging sign 18
18 inches by 10 inches high for 2.49 square
19 feet total.

20 The total signage area is 31 square
21 feet, which complies with the 31.5 square
22 feet total allowed.

23 In addition to the Workman's
24 Compensation insurance referenced on the
25 application, additional liability insurance

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2 is required in the amount of not less than
3 \$500,000 naming the Village of Greenport as
4 additional insured. If the insurance is
5 terminated, the license for the sign will be
6 automatically terminated. 150-15 L 7.

7 That's different than others because I
8 believe that would be an overhanging sign
9 which there is a liability if anything falls
10 on somebody.

11 That was a mouthful. Would one of the
12 applicants like to share

13 Your --

14 MR. AFFATATO: Hello. I'm Michael
15 Affatato, 105 Love Lane in Mattituck.

16 My question, I think specific was with
17 regard to the ADA bathrooms. The way it
18 sited at the modifications that we received
19 a few days, about a week or two ago, was
20 that there are to be two bathrooms, both of
21 which should be ADA.

22 I was going to ask if it was acceptable
23 to have one, have two bathrooms, but have
24 only one be ADA, and the reason frankly is
25 the cost, the cost also for space because

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2 they're eight by six times two, that's six
3 times twelve and we've gone over it many
4 times and it can be done, but it just will
5 take up a lot of space and it also, you
6 know, taps my budget quite seriously, so I
7 was gonna ask if it was acceptable to keep
8 the bathroom where it is in the back which
9 is not ADA and then create obviously one
10 closer to the entrance of the shop.

11 MS. BERRY: Not if the occupancy is
12 over 15.

13 MR. AFFATATO: Occupancy over five
14 zero?

15 MS. BERRY: No, one five.

16 MR. AFFATATO: Oh, occupancy over 15.

17 MS. BERRY: Um-hum.

18 MR. AFFATATO: So occupancy over 15, we
19 need two ADA bathrooms?

20 MS. BERRY: You need two bathrooms, one
21 for each sex and they need, and one -- and
22 it needs to be a minimum. I mean, if you
23 had -- we might consider if you had three
24 bathrooms, two regular and one ADA.

25 Would that be acceptable because they

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1 would still have the separate?
2

3 MS. WINGATE: Yeah, if he doesn't have
4 room for two bathrooms, then he is not going
5 to have room for three bathrooms.

6 MS. BERRY: He actually does have room,
7 he has --

8 MR. COTUNGO: That would be accepted
9 according to the code.

10 MS. BERRY: Right.

11 MR. COTUNGO: I think your question to
12 us, we don't have the authority to say you
13 can only have one bathroom, it's not up to
14 us, it's the State of New York, the Building
15 Code.

16 MR. AFFATATO: Right, which means one
17 ADA, two bathrooms with one being ADA
18 handicap, correct?

19 ATTORNEY PROKOP: No. It's either two
20 that are ADA or two that are not and one
21 that is.

22 MR. AFFATATO: I see.

23 ATTORNEY PROKOP: It's either two or
24 three.

25 MR. AFFATATO: So basically two smaller

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1
2 ones and one ADA?

3 ATTORNEY PROKOP: That works.

4 MR. AFFATATO: Okay, and that's if it's
5 over 15, obviously it's over 15 people.
6 Okay.

7 The other question I had was, as far as
8 the, there was a mention upstairs and
9 potential dripping onto where there would be
10 a food area. That wasn't applicable because
11 there was no actual plumbing over where the
12 food is. It's an upstairs apartment which
13 is where I'm going to be living actually,
14 there is no water which would be going over
15 the food area.

16 MS. BERRY: My understanding is it's
17 over the whole use, right, because you're
18 still serving food or is it just the prep?

19 MS. WINGATE: It's any food area.

20 MS. BERRY: So it should apply.

21 MS. WINGATE: We don't know where the
22 bathroom on the second floor is. If we knew
23 where the bathroom was, then we could
24 identify how much you have to protect.

25 CHAIRMAN McMAHON: So is --

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2 MS. McDOWELL: It's in the actual
3 seating area.

4 MS. WINGATE: Kate, I have to see it on
5 the plan.

6 MS. BERRY: You should provide us with
7 the second floor plan.

8 CHAIRMAN McMAHON: I have a question.
9 If it's over the dining area, is that an
10 issue or is it only if it's over the kitchen
11 or the food prep and food storage area; is
12 there a distinction between the two?

13 MS. WINGATE: I don't believe there is
14 a distinction between the two, wherever
15 there is food.

16 ATTORNEY PROKOP: We have interpreted
17 that in another premises to be over the
18 entire area.

19 MS. BERRY: Another question for you
20 is, how are you going to be using the
21 mezzanine because that was not shown as part
22 of the detail?

23 MR. AFFATATO: Right, it's existing and
24 right now it's just used for storage, dry
25 goods.

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1
2 MS. BERRY: Okay. That should be part
3 of your drawings.

4 MR. AFFATATO: I believe it is in
5 there.

6 MS. WINGATE: We just got the revised
7 drawing today, yesterday; so I don't know
8 that Glynis had a chance to review it.

9 MS. BERRY: No, I haven't had a chance.
10 I don't know if it came through in the
11 comments because I tried to just go through
12 what the issues are, but my overall
13 impression is that you're packing in way too
14 much in too little space. You have got
15 multiple uses. The main corridor, you're
16 counting, it's part of tables and chairs and
17 instead of an access which is usually taken
18 out of that calculation, so it's just really
19 intense for this space. But that's my
20 personal opinion, and I will try and keep it
21 dry.

22 MR. COTUNGO: I'm not sure if this
23 works according to the code because with
24 this number of seats, you need two exits and
25 both exits have to be handicap accessible.

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2 The exit in the rear is not handicap
3 accessible. Right, both exits have to be
4 handicap accessible, so the corridor width
5 is too small.

6 MS. BERRY: You can't count this also
7 as business with this occupancy, you have to
8 design it as assembly, so you have to -- you
9 know, it's like you're trying to get away
10 with one thing and --

11 MR. SMITH: Isn't the code 74 people
12 for public assembly in New York State?

13 MS. BERRY: I thought it was 50.

14 MS. WINGATE: It's 50.

15 MS. BERRY: Yeah, it's 50.

16 MS. WINGATE: Anything smaller than 50
17 is B.

18 MR. SMITH: I think it's smaller than
19 50.

20 MS. BERRY: It's not by my calculations
21 because it's not just seats, it's total
22 occupancy.

23 I think you're just -- I think you need
24 to look at the classification of your use
25 and your building and you are putting two

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2 kinds of uses and they're kind of
3 overlapping, so I think.

4 MR. SMITH: What are the two uses?

5 MS. BERRY: You've got basically a kind
6 of retail sale of food right beside a
7 restaurant, and it's kind of a combination.

8 MR. SMITH: Well, it's just casual
9 seating within a retail store, it's the same
10 --

11 MR. AFFATATO: It's actually based on a
12 model that I have on Love Lane right now,
13 it's basically --

14 MS. BERRY: I understand that, but for
15 this -- anyway, that's my opinion, and I
16 don't decide.

17 MR. AFFATATO: I'm not a restaurateur.
18 I don't know about running restaurants, you
19 know, it's mostly cheese retail with an
20 opportunity to sit down and have some
21 nibbles, mostly cold plates; charcuterie,
22 cheese, olives, that kind of stuff. I don't
23 know how to cook, I'm not a cook.

24 CHAIRMAN McMAHON: What is the
25 distinction between restaurant service and

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1
2 takeout service with seating; is there a
3 distinction?

4 If there is seating provided then it's
5 considered restaurant use; is that right?

6 MS. BERRY: I can't answer that off the
7 top of my head.

8 MS. WINGATE: That is a pretty tough
9 one. What's the difference between a
10 restaurant and a tavern, you know, they're
11 both serving food, but this is clearly out
12 of market which takes it out of the Health
13 Department which takes it out of restaurant.

14 MR. AFFATATO: Right.

15 MS. WINGATE: Fifty percent of his
16 product is shelf product.

17 MR. AFFATATO: Actually much more than
18 50, currently it's 90.

19 MS. WINGATE: The rules are --

20 MR. AFFATATO: Sure, yeah.

21 MR. WILE: So I don't know what his
22 ratios will be, but it's not defined -- this
23 would not be defined as a restaurant.

24 MR. SMITH: Right.

25 CHAIRMAN McMAHON: I mean, I'm a bit

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1 out of my depth here.

2
3 ATTORNEY PROKOP: I'd be willing to
4 attend a meeting, you know, we could have
5 maybe a meeting with staff, you know, and we
6 could figure some of these questions out.

7 CHAIRMAN McMAHON: Yeah, maybe if we
8 can sit down with you guys and talk through
9 and find out what would work in the space
10 and what would not.

11 MR. AFFATATO: Yes.

12 CHAIRMAN McMAHON: I think that would
13 be beneficial for us because I think the
14 plan right now, it seems to be there is a
15 lot going on and there is clearly some
16 confusion as to what is permitted, what
17 isn't, what changes would need to be made
18 with the bathroom, upstairs, if there's
19 anything that would need to be changed, or
20 changes that could be made because that
21 could pose an issue if you're serving food
22 downstairs, but I think maybe it would
23 benefit all of us if we can --

24 MS. McDOWELL: We're actually not
25 opposed to putting the panning in. I just

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2 wasn't sure exactly how to indicate that on
3 the actual site plan.

4 CHAIRMAN McMAHON: Okay. I think it
5 would be best if we all --

6 MS. McDOWELL: You know, we're --

7 CHAIRMAN McMAHON: -- sat down and
8 talked through, if you meet with the Village
9 Administrator, Building Inspector, Attorney
10 and some people with the Village and spoke
11 with them about what is permissible by the
12 code and that would help you move forward.

13 MS. McDOWELL: Okay. Is that something
14 that can be done fairly soon?

15 CHAIRMAN McMAHON: I would assume so.

16 MS. WINGATE: Like Monday?

17 CHAIRMAN McMAHON: Sometime in the next
18 week.

19 MS. McDOWELL: Within a week, right?

20 MS. WINGATE: Easily within a week.

21 MS. McDOWELL: Okay. The other thing I
22 wanted to mention, there
23 was an issue that you guys were
24 concerned about with the garbage, but I have
25 a letter from Robbie at the Frisky Oyster.

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2 Our intention is to share his dumpster and
3 have more frequent pickups.

4 CHAIRMAN McMAHON: His is housed on his
5 property.

6 MS. McDOWELL: It's on Claudio's
7 property.

8 CHAIRMAN McMAHON: Okay, so they just
9 put in a bunch of posts yesterday --

10 MS. McDOWELL: There is a 16-foot right
11 of way there for all of the buildings, so
12 the dumpsters that are there are still going
13 to remain. I have not spoken to Dan Claudio
14 about actually getting a dumpster for behind
15 our building yet, but I did speak to Robbie
16 and I do have a letter, I have seven of
17 them, one for each of you regarding that
18 issue, so -- and maybe we'll just continue
19 to do that.

20 CHAIRMAN McMAHON: That would be, again
21 you can, I think it would be best to meet
22 with the Village Administrator, the Building
23 Inspector, Joe, if he's available, Glynis if
24 she's available and just look at what, you
25 know, what works in the space and what you

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1
2 can do to move forward as soon as possible,
3 so I think that's the way to go forward.

4 MR. SMITH: Monday works.

5 MS. WINGATE: Monday will be fine.

6 Joe?

7 ATTORNEY PROKOP: Let me know, I'll
8 make myself available.

9 MS. WINGATE: I'll put an e-mail out
10 tomorrow and we'll figure this out.

11 CHAIRMAN McMAHON: If you guys can talk
12 to Eileen and set up times you can meet,
13 that would work.

14 MS. McDOWELL: Sure.

15 CHAIRMAN McMAHON: Do you guys have any
16 other questions or concerns before we move
17 on?

18 MR. AFFATATO: No.

19 CHAIRMAN McMAHON: What is the Building
20 Department public hearing, thirty days?

21 MS. WINGATE: Ten days.

22 CHAIRMAN McMAHON: So then if you guys
23 meet this week and there is progress, maybe
24 we can schedule it next week.

25 MS. WINGATE: Very good.

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2 CHAIRMAN McMAHON: I'm going to make a
3 motion that we table this discussion until
4 our next meeting next week.

5 Do I have a second for that?

6 MR. COTUNGO: Second.

7 CHAIRMAN McMAHON: All in favor?

8 MS. GIVEN: Aye.

9 MR. COTUNGO: Aye.

10 MR. THOMAS: Aye.

11 MR. BURNS: Aye.

12 CHAIRMAN McMAHON: Motion carries.

13 Item number 6, Front and Third Streets.

14 Continued discussion on the application of
15 Dan Pennessi, President of SAKD, LLC. Dan
16 Pennessi is before the Board to discuss
17 Proposed uses and development of the site
18 located at the corner of Front and Third
19 Streets.

20 The Zoning Board of Appeals has granted
21 the six variances requested to develop the
22 proposed site.

23 The property is located in the
24 Waterfront Commercial District, and the
25 proposed uses for the site are conditional

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1
2 uses.

3 Suffolk County Tax Map number
4 100-1-5-4-5. Start with our notes here. In
5 response to past comments, the applicant has
6 amended the drawings twice. The proposal
7 now incorporates new accessible bathrooms
8 with an increased fixture -- I'm sorry.

9 This is --

10 MS. BERRY: Basically, he addressed all
11 of the comments of all of the phases of
12 comments and the only issue was two versus
13 one handicap --

14 CHAIRMAN McMAHON: No. We're on Front
15 and Third, not --

16 ATTORNEY PROKOP: SAKD.

17 MS. GIVEN: I don't have anything.

18 CHAIRMAN McMAHON: I don't know if you
19 prepared notes for this one.

20 MS. WINGATE: There is nothing.

21 CHAIRMAN McMAHON: Nothing, he had
22 previously --

23 MS. GIVEN: He has addressed everything
24 that has been raised.

25 CHAIRMAN McMAHON: Okay. Front and

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2 Third Streets.

3 MR. PENNESSI: Good evening everyone.

4 Dan Pennessi for SAKD Holdings.

5 I'm just here -- I thank you all for
6 entertaining public comments and closing the
7 public hearing at the last meeting. I'm
8 here to answer any questions in furtherance
9 of the Planning Board's discussion of this
10 application to approve the conditional uses
11 and the site plan as proposed, and we look
12 forward to hopefully a vote at the next
13 meeting.

14 CHAIRMAN McMAHON: So the principal
15 concern that I heard raised at the public
16 hearing was my initial concern was the
17 parking and the fact that the use would have
18 traffic and parking in the area in general
19 and the impact it would have on your
20 immediate neighbors.

21 Have you had any conversations with
22 them since the last meeting as to how you
23 would address -- I know you were granted a
24 variance for 20 spaces, but it doesn't
25 eliminate the impact that it has, so there

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1 still needs to be, you know, a plan to
2 address the parking and the traffic and I
3 think it probably needs coordination from
4 not only us but perhaps if there is going to
5 be signage in place for, an idea that was
6 mentioned at one point was signage
7 preventing blockage of the entranceway, and
8 that would involve the Village Board because
9 I don't think we can put signs up as the
10 Planning Board; but to address it, have you
11 -- is there a plan to address the parking
12 and traffic?
13

14 MR. PENNESSI: So as you mentioned, we
15 did undergo significant public discussion
16 and scrutiny over the plans for parking and
17 ultimately were granted the 20 space parking
18 variances, so we do provide ten off-street
19 spaces in accordance with the code.

20 I've offered my contact information to
21 the gentleman who spoke at the last meeting,
22 he did not contact me. I did have prior
23 discussions with his property manager and he
24 had offered to lease spaces, so I don't know
25 if there really is a concern over lack of

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1 parking spaces on his property, but in any
2 case, it doesn't appear that that concern
3 remains. I have made an attempt to speak
4 with him.
5

6 This is the first I've heard about any
7 type of traffic management or signage along
8 Third Street. Right now, we have revised
9 the site plan and the site plan application.
10 Through the ZBA process as well as this
11 process, we have incorporated all of the
12 Village's consultant's comments.

13 I will say we had submitted, I believe
14 it was dated March 3, 2016, a traffic and
15 parking study that was prepared by a
16 third-party engineer, Dunn Engineering out
17 of West Hampton Beach. The findings of Dunn
18 Engineering are in the record and, in fact,
19 did find that there was no significant
20 increased traffic or parking burden. I
21 believe one of the standards that the
22 engineer used was the ULI distance standard,
23 how many spaces are available at any given
24 time within X feet or X yards of the
25 property.

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2 I'd be happy to read that conclusion
3 into the record, it's a bit long, but that's
4 kind of where we are with the project right
5 now. It complies with the parking variances
6 and we're very excited to get started.

7 CHAIRMAN McMAHON: Okay. I don't
8 personally have a copy of the
9 traffic study.

10 MS. WINGATE: We have lot of copies of
11 it. Do you want it electronically?

12 MR. THOMAS: There use 2,000 cars day
13 they average, but there is 3,000 car a day
14 that come off the ferry.

15 CHAIRMAN McMAHON: I'm sorry, what was
16 that?

17 MR. THOMAS: They use 2,000 cars a day
18 for the average traffic around that area,
19 but there's 3,000 cars that come off the
20 ferry, so I don't know how that can be
21 right.

22 MR. COTUNGO: So you think the traffic
23 study used a low number of --

24 MS. GIVEN: Extremely low.

25 MR. COTUNGO: Extremely low.

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2 MR. THOMAS: They used an average, so
3 they took January's numbers and they
4 averaged it with summer.

5 CHAIRMAN McMAHON: I can't speak to any
6 of those numbers personally, but --

7 MS. WINGATE: You were probably given
8 them a year-and-a-half ago.

9 CHAIRMAN McMAHON: I'm sure I was.
10 It's been a long process.

11 MR. PENNESSI: I believe that the study
12 did determine seasonality for trip counts
13 and recognized that there were increased
14 traffic counts during certain seasons,
15 summer in particular.

16 ATTORNEY PROKOP: Did you use the
17 traffic study that was done the last time or
18 did you update that?

19 MR. PENNESSI: It was updated. It's
20 dated March 8, 2016.

21 ATTORNEY PROKOP: One of the things
22 about the application I want to bring the
23 Board's attention to, I had mentioned before
24 was that under section 7-725 of the State
25 law, work make a finding -- I have to

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2 express an opinion about this to the Board.
3 I just want to make you aware of one of the
4 things I'm looking into which is the
5 possibility of a requirement for payment for
6 recreational use. There is a provision of
7 State law, 7-725 which deals with site plan
8 approval and I'm looking into that to see if
9 there is a possibility if we reach that
10 point that we can require a contribution
11 towards parks and recreation for the
12 Village.

13 CHAIRMAN McMAHON: Would that be
14 directed toward parking?

15 ATTORNEY PROKOP: It's supposed to be
16 for parks and recreation, it might be
17 parking for parks and recreation.

18 CHAIRMAN McMAHON: Why would that apply
19 in this application?

20 ATTORNEY PROKOP: I reviewing now whey
21 it applies.

22 CHAIRMAN McMAHON: Okay.

23 ATTORNEY PROKOP: I just wanted to make
24 you aware of what I'm doing. It's normally
25 applied to subdivisions, but there is -- so

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2 I'm more familiar with that, that there is a
3 provision under this section that allows it
4 to be applied to site plan approval also.

5 CHAIRMAN McMAHON: Okay.

6 MR. PENNESSI: Site plan approvals for
7 subdivisions or site plan approvals
8 generally?

9 ATTORNEY PROKOP: Site plan approvals
10 generally, but I'm going to look and see if
11 there is a precedent for a commercial site
12 plan as compared to a residential site plan.

13 MR. PENNESSI: When do you anticipate
14 that review to be completed?

15 ATTORNEY PROKOP: In a few days. It
16 would be by the middle of next week.

17 CHAIRMAN McMAHON: So before our next
18 meeting?

19 ATTORNEY PROKOP: Definitely by the
20 next meeting, yes.

21 MR. BURNS: The only thing that would
22 change our approval would be --

23 ATTORNEY PROKOP: This is something
24 that we would tag on to an approval. It's
25 not going to affect the approval one way or

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2 the -- if it was to be approved, it's not
3 going to affect the approval, it's just
4 something we would make part of the
5 condition as one of several conditions.

6 CHAIRMAN McMAHON: Does anyone have any
7 thoughts or questions on this project?

8 MR. COTUNGO: Yes. I'm sorry I was not
9 here last month, I was sunning. I love the
10 project, but as I said in the past, I think
11 it's too intense for this site, much more so
12 than the cheese shop that was just here, and
13 I did look up aisle space, although it's not
14 defined in Greenport Code in graphic
15 standards of any other town, it's 24 feet,
16 so I don't know how people are going to
17 easily back out, the loading space, if you
18 look at it to me, it's somewhat humorous to
19 have a loading space that you can't get into
20 unless everybody else leaves the lot. Given
21 the fact that it's the only traffic light in
22 town, the ferry traffic coming off, I think
23 people are gonna be backing out onto there,
24 given the use, the loading space with the
25 hotel.

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1
2 Are you gonna have laundry facilities
3 for the hotel?

4 MR. PENNESSI: It will be -- the
5 loading space will primarily be for linen
6 service and restaurant --

7 MR. COTUNGO: The linens, the food
8 deliveries for the restaurant, the stores,
9 it's just too intense. The truck can't get
10 in there, and he's gonna end up double
11 parking on Third Street or on Front Street.
12 It's not gonna work. No truck driver is
13 gonna wait for people to pull out so that he
14 can pull in, and where would he wait, and do
15 you think people are just gonna know when
16 the truck is gonna come and everybody's
17 gonna vacate all those spaces there? It's
18 not practical.

19 MR. PENNESSI: The Zoning Board
20 approval limits the use of parking spaces 8
21 and for that purpose. Our anticipation is
22 that the spaces will be primarily used by
23 hotel guests.

24 MR. COTUNGO: It would create a
25 detriment, you got high traffic volume and

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1 backing out of the lot.

2
3 MR. PENNESSI: Has the Board discussed
4 any other conditions? Counsel, you
5 mentioned there may be other conditions to
6 the site plan approval should it be granted?

7 CHAIRMAN McMAHON: Everything we
8 discussed has been at these meetings. I
9 haven't had any conversations other than
10 what we have had here.

11 ATTORNEY PROKOP: Has there been any
12 review of the plan?

13 MS. BERRY: I looked at it earlier.

14 ATTORNEY PROKOP: I'll go over this
15 with Glynis and Eileen maybe and have
16 comments by the next meeting so we can move
17 forward with an action on this.

18 MR. PENNESSI: I believe that Glynis
19 had mentioned that we have incorporated all
20 of the comments and resolved them to the
21 Village's satisfaction, so the plan as
22 proposed does incorporate or resolve any
23 comments that have been made thus far since
24 approximately August 2015.

25 CHAIRMAN McMAHON: Okay. Do you have

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1
2 any questions or comments?

3 MS. GIVEN: I do not.

4 CHAIRMAN McMAHON: Noah, questions,
5 comments?

6 MR. THOMAS: No.

7 MR. PENNESSI: I think just one other
8 thing, John, the concept of the intensity in
9 use was, I think twofold at one time, it was
10 the scale of the proposed building on the
11 site as well as the uses. As far as the
12 scale of the building, we worked with the
13 architect to reduce the bulk of the building
14 on the site. We worked on the roof line to
15 reduce the square footage, so I don't
16 recall, I had sent an e-mail to Eileen
17 because counsel had asked how many square
18 feet we were able to shave off the building.
19 It was approximately 1,000, say we're down
20 to about 9,868 square feet gross.

21 CHAIRMAN McMAHON: Ben, any questions
22 or comments?

23 MR. BURNS: No. I'm sure it's going to
24 increase traffic in

25 that area, that's what's impeding this

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1 whole project. It's in a bad place, if you
2 move it someplace else, I don't know if
3 that's the place. We're really, Greenport
4 is really tired of that kind of problem, and
5 that's the end of it without further really
6 in-depth planning.
7

8 MS. BERRY: I did hear one other
9 comment after the last meeting. There was
10 concern about drop-offs, you know,
11 especially if people are parking remotely
12 and then coming, so have you thought about
13 how to handle that?

14 MR. PENNESSI: We consider,
15 particularity the two spaces that are
16 subject to restriction for the loading area,
17 that perhaps one of them would be for
18 drop-offs. We do anticipate and hope that a
19 lot more of the guests, not only to this
20 property but to the Village generally are
21 not necessarily coming by car and that will
22 diminish over time the number of people
23 arriving by car.

24 MS. GIVEN: Will you encourage people
25 that call for a reservation that that's a

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1 fact, they may not find parking if they want
2 to come here by car; will you alert your
3 clients that there may be a problem with
4 that?
5

6 MR. PENNESSI: I can't tell you that.
7 No, I don't know that we would encourage
8 people to not come if they couldn't come by
9 car.

10 CHAIRMAN McMAHON: Does anyone else
11 have any comments?

12 MR. PENNESSI: If I could just say one
13 other thing.

14 CHAIRMAN McMAHON: Sure.

15 MR. PENNESSI: We had also delivered,
16 back at the beginning of this process a
17 schedule where we identified almost each
18 property in the Waterfront Commercial
19 District and the rail district and it's not
20 only is the lot coverage nearly 100 percent
21 for most of the Village and we are now
22 complying with the variance requested by the
23 ZBA, but as you all know, most other
24 properties in the Village do not have
25 off-street parking spaces. The fact that we

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2 have been able to deliver a project to a
3 property that's laid vacant for a very long
4 time with some parking to the satisfaction,
5 at least to the Zoning Board's satisfaction
6 and I believe to the public's satisfaction
7 who appeared at these meetings, I think it's
8 a tremendous feat in itself and again we
9 look forward to bringing something to that
10 corner. We believe it's a very important
11 gateway into the Village and we want to do
12 it right.

13 Thank you.

14 CHAIRMAN McMAHON: Thank you.

15 MR. TASKER: Good evening. Arthur
16 Tasker, Beach Street in Greenport.

17 I am a member, just for the record, I'm
18 a member of the Zoning Board of Appeals. I
19 was one of the ones on the Board who
20 unanimously accepted all of the variance
21 applications some months ago as they relate
22 to this project. That's over and Zoning
23 Board is out of it as far as they're
24 concerned.

25 There are some things I think bear

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1 comment. First of all, someone, one of you,
2 I'm not sure if it was the chairman or one
3 of you members mentioned that, well, even
4 though the Zoning Board had approved the
5 variance for the 20 parking spaces, the
6 parking question isn't over. Yes, it is
7 because had they provided the 20 parking
8 spaces without having to get a variance, you
9 would still have the same exact issues
10 confronting you now with regard to the
11 parking and traffic that you would have
12 otherwise. Frankly, I think I made the
13 comment at the time of the hearing to accept
14 the variances that this property has been
15 held hostage for a long time and continues
16 to be held hostage to the parking problem in
17 the entire Village of Greenport, and it's
18 not going to be, you're not going to solve
19 the parking problem by holding their feet to
20 the fire once they have already gotten their
21 variance, their parking question is gone.

22
23 Frankly, carrying it further with
24 respect to, well, are you going to require
25 something to do with drop-off? Why aren't

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1
2 you asking that question of the Blue Canoe?
3 Why aren't you asking that question of the
4 Goldberg's Bagel Shop? What are they going
5 to do about drop-offs because even though
6 they aren't required because they're
7 grandfathered, even though they are not
8 required to provide any parking spaces, they
9 are contributing just as much to the traffic
10 problem on Third Street, whether it's the
11 ferry or now four restaurants, if I count
12 correctly, on that one block of Third
13 Street.

14 So I think that you're really holding
15 this project's feet to the fire in a very
16 unfair manner. Frankly it's just ludicrous
17 to say, are you going to tell people when
18 they call up that they may have trouble
19 parking? You're coming to Greenport, there
20 is going to be a parking problem, that's a
21 known fact. Greenporters themselves feel if
22 they can't get a parking space on either
23 Front or Main Street somewhere between
24 Central Avenue and Third Street, it isn't
25 parking, it's hiking, you know, and if you

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1 start to park outside of those areas
2 anywhere near a residential area of the
3 Village of Greenport, the people whose
4 houses you park in front of say, oh, we
5 don't want those people parking in front of
6 our house.
7

8 Don't hold this property hostage,
9 please.

10 MS. GIVEN: With all due respect, I'd
11 like to respond to that, please.

12 CHAIRMAN McMAHON: Sure.

13 MS. GIVEN: I know if I'm going out of
14 town and going to a hotel, I would like to
15 know if there is onsite parking, that's all
16 I'm saying, Mr. Tasker. I don't think it's
17 ludicrous, that's a care and concern of mine
18 and I'm just wondering if they're
19 implementing any solution to the problem
20 that we have been discussing, Mr. Tasker,
21 that's simply my thought.

22 Thank you.

23 CHAIRMAN McMAHON: I'm going to start
24 by saying I still haven't made up my mind
25 how I -- I don't know how I'm going to vote,

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2 I have been thinking about this project for
3 the year-and-a-half that it's been before
4 us.

5 There is a distinction in the code
6 between new construction and existing
7 buildings. There was a recognized parking
8 problem 30 years ago when the code was
9 revised where they limited, or they made a
10 requirement that any new construction would
11 have to provide off-street parking. When
12 the Harborfront Hotel went up two doors
13 down, they were required to provide a
14 certain number of parking spaces and I
15 believe they made payment in lieu of parking
16 as is afforded in the provisions of the
17 code. The two thirds variance that was
18 granted by the ZBA which was not a unanimous
19 vote by the way, inhibited this Board from
20 being allowed to pursue that section of the
21 code that provides payment in lieu for
22 parking, monies that would then go directly
23 toward addressing the Village's parking
24 concerns. I don't think that was small
25 relief that was granted. You may disagree,

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1
2 you may think that we're holding his feet to
3 the fire, but I think that was a variance
4 that was an exception to what is normally
5 granted. I think that's a percent variance
6 and I think probably, I know the Zoning
7 Board has denied variances for far less
8 significant diversion from what's acceptable
9 in the code.

10 I don't think it's unreasonable for us
11 to ask these questions. Again, I don't know
12 how I'm going to vote, I don't. I still
13 have to think about this and I've been
14 thinking about it for a long time. It is a
15 very difficult question. Something has to
16 happen in that space eventually. I don't --
17 there are many business owners in the
18 Village would be happy to have, even if
19 there's a competing restaurant, they'd be
20 happy to have a 16-room hotel there to the
21 people coming in.

22 And yes, the Village needs to address
23 the issue of how it handles parking as a
24 whole. The reason that we, you know, we
25 can't just greenlight every project that

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1 comes in is because the code was made
2 intentionally restrictive. It was made to
3 be -- and then there was a caveat that was,
4 there was an exception added to the code
5 saying that, you know, understanding there
6 is a problem, we want you to provide a
7 certain number of spaces and if not, you can
8 make a payment in lieu of each parking space
9 for, I believe \$2,500 and that's in 1991
10 dollars which today would be significantly
11 more. I don't think it's unreasonable for
12 us to ask questions about how these parking
13 issues are going to be addressed when it's
14 exacerbating an existing problem, and I say
15 that with the reason, you know, we didn't
16 make the same requirements of Goldberg's, we
17 did, we had this discussion at length when
18 the property in question, the entire
19 property was brought before the Board and we
20 had these discussions over and over again
21 about intensity of use and people saying
22 you're going to put in, your going to allow
23 200 seats in restaurants and you're going to
24 have three apartments, where are all these

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1
2 people parking? The code is written in a
3 way that in 1991 when they revised it said
4 any building existing as of the time of
5 adoption of this code is exempt from this,
6 you know, but it essentially was blocking
7 construction going forward if it did not
8 provide appropriate relief, provide
9 off-street parking and/or take advantage of
10 the provision in the code that allowed
11 payment in lieu.

12 Those are my thoughts.

13 MR. PENNESSI: Dan Pennessi again. I
14 just wanted to provide two responses.

15 One is, and I would ask that the Board
16 take a look at this parking and traffic
17 study once again. The 2,000 number, I think
18 that you had referenced, it's 2,629 and that
19 was for a portion of Front Street between, a
20 portion of Third Street between Wiggins and
21 Front. Another vehicle count that was
22 determined was 7,712 on that portion of 25
23 from the Village line to Third Street, and
24 for purposes of this study, which by the
25 way, was based on our prior application

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2 which was a far more intense use, it was an
3 80-seat restaurant which we reduced to
4 and it had 12 parking spaces on site
5 instead of ten. For purposes of this study,
6 they determined that 12,000 vehicles per day
7 on Route 25 in this area during the peak
8 summer season was the number to use to
9 determine the impact of traffic to and from
10 the site; and again, I ask that the Board,
11 after understanding those numbers go to
12 conclusions which at the time again based on
13 12 spaces and a more intensive use, more
14 restaurant seats, they determined that on
15 weekday a.m. peak, a total of 16 trips would
16 be generated, eight entering and eight
17 exiting. That's going to be reduced because
18 we have a smaller restaurant and we have
19 less parking spaces on site. During weekday
20 p.m. peak, 34 trips would be generated, 20
21 entering, exiting. Saturdays it's estimated
22 proposed development would generate 43
23 trips, 5 entering and 18 exiting.

24 The engineer found a small amount of
25 new traffic, less than one entering and one

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2 exiting trip every two minutes is not
3 expected to have a significant impact on
4 operating conditions on the roadways around
5 the site.

6 The consultant also went to great
7 lengths to analyze the publically available
8 parking in the Village and they used Urban
9 Land Institute's determination of the grade
10 for that parking in distance from the
11 property, and the engineer found that there
12 was, in fact, sufficient parking, I think in
13 furtherance of some of the other comments,
14 you know, it's like going to a shopping
15 center, nobody wants to park in the back
16 corner, away from the front door, everybody
17 is around the front door. It's like that in
18 the Village, there is ample parking, it's
19 just not necessarily proximate to this
20 property or proximate to the rest of Front
21 Street.

22 MS. ALLEN: Chatty Allen, 137 Third
23 Street. From the very beginning I was
24 against this project. I was very vocal and
25 for a year, I was pretty much the only one

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1 standing up at every single meeting voicing
2 against this project, but as the months and
3 years went by, I watched how he would scale
4 back, how he was accommodating, he would
5 take our concerns and just for a point of
6 reference, I literally now will have a, if
7 this is approved, bird's-eye view, literally
8 because I'm directly across the street on
9 the second floor. Since the month that I
10 have been living on that corner, my bedroom
11 faces Third Street, so yeah, there are times
12 that I literally, if I'm bored, I can just
13 stand there and watch the traffic. I
14 personally right now am for this project. I
15 actually had someone say, who paid you off?
16 No one paid me off. I've listened, I have
17 taken everything into account and I have
18 watched like the PSE&G deal that is trying
19 to go through, this project, as the PSE&G,
20 is going to affect my personal life every
21 single day. That being said, I listened to
22 everything that was happening. The ZBA,
23 right or wrong, approved every single
24 variance which means this site plan now,
25

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2 according to the Village of Greenport is up
3 to code with every variance in place.

4 Personally, I feel it would be hard
5 pressed to get a rejection of this project
6 now. If they were still coming to you and
7 everything had not been approved, and yes,
8 the parking issue, the loading issue is a
9 moot point now because according to the
10 Village of Greenport's codes, they're good.
11 Yes, one of my concerns is how you get in
12 and out of there. If he's gonna work it
13 where it will be a smaller truck and you can
14 back in, that intersection is not jammed
15 24/7, there are breaks where there's no
16 vehicles there, and I personally don't feel
17 that this project should be shot down given
18 the fact that, yes, you have Mason Ole, with
19 two restaurants going in with varying
20 numbers, you have the new restaurant
21 formerly Blue Canoe and hopefully very soon,
22 the American Legion Hall will be opening.
23 Those people have to find parking somewhere
24 and I do agree, they cannot go into Stirling
25 Commons or Stirling Square, whatever it's

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2 called because that's for those businesses
3 only. I cannot go in there and park and I
4 live on the corner. I know I'm not allowed
5 to park there, but now you have one, two,
6 three, four other businesses that aren't
7 providing parking, so to say 20 extra
8 spaces, to me you're spinning your wheels on
9 that because it doesn't make sense.

10 All these applications, even just
11 today, no one has to provide parking. Okay,
12 I understand being grandfathered in, but I
13 don't feel you can penalize or reject a
14 project because, no, you need

15 Spaces, no, we're not going to let you
16 have that, but this restaurant really if it
17 wasn't grandfathered in, needs 30 spaces,
18 but people can park wherever.

19 I do agree, if you want to go somewhere
20 if you have to walk a little bit, you're
21 gonna find a place to park, you're not going
22 to have deliveries there constantly from
23 morning till night and every single day
24 because that was a concern of mine.

25 As a school bus driver, I use that

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2 intersection twice a day, you know, but even
3 now, you see people double parked, you see
4 people parking where they're not supposed to
5 park and none of these applications have
6 gone into effect yet.

7 Greenport does have a parking issue and
8 we have people that live here and that come
9 here that they park wherever they want, they
10 don't care, but I personally don't feel this
11 project now, after being given the green
12 light that everything is good, your site
13 plan, this project is good, that you should
14 now turn around and say I don't feel --
15 we're supposed to keep our personalities,
16 when we are voting out of this and look at
17 the project as a whole that has been
18 submitted and is coming to a board with
19 everything they're supposed to have, and I
20 really hope that's how you think about this
21 and that's how the vote goes.

22 Thank you.

23 CHAIRMAN McMAHON: Thank you. Does
24 anyone else have any comments or
25 questions?

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2 MR. WILE: Ian Wile, 234 Fifth Avenue.

3 I just wanted to briefly echo, you know,
4 statements made, I think before this Board
5 and other boards in the past, one of the
6 wisest things the Village may have done was
7 grandfather in a no-parking rule for
8 existing buildings because it would have
9 been impossible to have any growth, I think
10 in the Village if every place that wanted to
11 open had to have parking. We have a classic
12 downtown area that doesn't have a parking
13 lot, it keeps it from looking like strip
14 malls and that's part of the character of
15 our downtown. It's sort of a self-made
16 problem on the flip side with a property
17 like this is that if we didn't require
18 parking at all with this property, there
19 wouldn't be an issue with extra congestion
20 because people would find their spaces and
21 arrive at the building in the same way they
22 arrive at every other building on Front
23 Street.

24 I think that I've been through a number
25 of the meetings, probably not as many as

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1 Chatty, I think she held the record, but
2 I've seen nothing but a continued, you know,
3 give and take with the applicant and that to
4 me is the statement of intent that I need to
5 know about whether or not they're an
6 appropriate neighbor in terms of how they
7 want to address the philosophical thing that
8 I think, Chairman, you were asking about is
9 how do you intend to manage that?
10

11 I think that by deed and action, we can
12 see that their intentions are to fit in well
13 and not cause trouble and again capitalism
14 will make sure that if they're not a good
15 neighbor they will find themselves outside
16 and if people can't, they arrive and find
17 they can't park, the faster thing than any
18 of these boards will be Trip Advisor and
19 Yelp saying, you know, every time I come I
20 can't park and self managed by the
21 operations.

22 I think the one thing that I have
23 enjoyed over the last few years is watching
24 the various boards be clear to people who
25 arrive with applications for projects in

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1 terms of what their responsibilities are to
2 guide people to follow the various rules and
3 I was confused at your question about
4 parking in that my understanding was that if
5 the Zoning Board had approved parking then
6 that left the parking question out of the
7 purview of this board and the greater
8 concept of the parking problem in Greenport
9 is currently addressed at every Village
10 Board meeting and I think is a project that
11 is being taken on by the larger board, cars
12 that are parked in the jitney lot that don't
13 move and other things like that can free up
14 a lot of the density for everybody, but I
15 think we all, you know, are trying to make
16 the Village better and I can see how you can
17 blur the lines and try and figure out where
18 you should add some input. But it is
19 convenient, I think, for people who want to
20 do the right thing to know which board has
21 which purview, but I will say that I'm
22 impressed by the development and how it's
23 changed and how it's tried to reach, and I
24 think you can say there is not the big army
25

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2 of people who have been at every other
3 meeting and yell about it so that says a lot
4 to me.

5 I think they have reached a lot of good
6 places, and it's sort of one of those
7 properties, it's the gateway property, it
8 looks vacant and empty and I think if you
9 can't approve something based traffic
10 accident, it has to be acquired by the
11 Village or done something to be removed from
12 a commercial property because at a certain
13 point, I can't imagine another applicant
14 going through a year-and-a-half and
15 modifying their intentions as often and it
16 will just be a dead, it's going to end up
17 being a dead space that will never be, so if
18 the Village is really concerned about
19 parking, it's got to step up and buy the
20 property and make it a parking lot,
21 otherwise I think encourage a proper
22 development.

23 CHAIRMAN McMAHON: Thank you. Does
24 anyone else have any comments or questions?

25 (No response.)

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2 I'm going to suggest we table this
3 discussion until our next meeting, we'll
4 likely have a vote at that time.

5 Do I have a second for that?

6 MS. GIVEN: Second.

7 CHAIRMAN McMAHON: All in favor?

8 MS. GIVEN: Aye.

9 MR. THOMAS: Aye.

10 MR. BURNS: Aye.

11 MR. COTUNGO: Aye.

12 CHAIRMAN McMAHON: Motion carries.

13 Moving on to the next item.

14 Item number 7, 621 Main Street and 624
15 First Street.

16 Motion to schedule a public hearing for
17 the submission of the preliminary plat as
18 submitted by the applicant for the
19 subdivision of property located at 621 Main
20 Street and 624 First Street, the former
21 Methodist church.

22 Suffolk County Tax Map number
23 1001-2-6-49.1.

24 Is there any discussion with this
25 application before we schedule a hearing? I

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1 think we --

2
3 ATTORNEY PROKOP: I just want to bring
4 to the Board's attention, there was a couple
5 of details in the coordinated review notice
6 that had to be changed before it went out
7 and for that reason the notice, if it didn't
8 go out today, it will go out tomorrow. So
9 we're still in the coordinated review
10 period.

11 CHAIRMAN McMAHON: So we need to hear
12 back from the other boards.

13 ATTORNEY PROKOP: Yes, we need to hear
14 back. What I'll do --

15 CHAIRMAN McMAHON: Don't respond within
16 a period, we assume they have no comment.

17 ATTORNEY PROKOP: Yes, it's 45 days.
18 My recommendation would be to keep it on the
19 calendar and that way if there is any
20 updates, I'll bring them to your attention.

21 CHAIRMAN McMAHON: Can the schedule --
22 can we notice for the public hearing and the
23 45-day window for response for the
24 coordinated review overlap?

25 ATTORNEY PROKOP: We can overlap but

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2 you shouldn't take any action on it.

3 CHAIRMAN McMAHON: We can hold the
4 public hearing.

5 ATTORNEY PROKOP: The public hearing
6 shouldn't be closed until the -- I said not
7 take any action, but you should not also not
8 close the public hearing because we'll be
9 considering, you know, we'll be looking for
10 input from different boards.

11 CHAIRMAN McMAHON: Potentially
12 considering input from other boards.

13 ATTORNEY PROKOP: Yes.

14 CHAIRMAN McMAHON: I would say we
15 should schedule it the same time as the
16 public hearing that was scheduled earlier, I
17 believe it was the 27th of next month.

18 MS. WINGATE: 27th.

19 CHAIRMAN McMAHON: I'm going to make a
20 motion that we schedule the public hearing
21 for this April 27, 2017.

22 Do I have a second for that?

23 MS. GIVEN: Second.

24 CHAIRMAN McMAHON: All in favor?

25 MS. GIVEN: All in favor?

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MR. THOMAS: Aye.

MR. BURNS: Aye.

MR. COTUNGO: Aye.

CHAIRMAN McMAHON: Motion carries.

Item number 8, 104 Third Street.

Continued discussion on the use evaluation application of Keith and Alison Bavaro. The applicants are proposing to open the former Blue Canoe Restaurant located at 104 Third Street, as Port Bar and Grill. This property is located in the Waterfront Commercial District. This property was previously granted a conditional use permit, and is not located in the Historic District.

Suffolk County Tax Map number 1001-5-4-3. Again the note from plan can you not. In response to past comments the applicant has amended the drawings twice. The proposal now incorporates new accessible bathrooms with an increased fixture count.

Lot coverage is limited to 40 percent Article Section 150-12V.

The existing lot is 50 feet by 130 feet, 6,500 square feet with coverage

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1
2 already exceeding the maximum at 58.6
3 percent. The proposal has reconfigured the
4 deck so that the bathroom extension and
5 reconfigured deck are within the existing
6 lot coverage.

7 There's a table here indicating that.
8 Occupancy and seating, the existing
9 certificate of occupancy was for 32 indoor
10 seats and 156 outdoor seats. The latest
11 proposal calls for 35 seats inside and 155
12 outside, 153 shown, for a total of 190, but
13 the code method of figuring occupancy for
14 the bench would actually increase this by
15 another nine seats to 199 total, which is 11
16 seats above the current C of 0.

17 Inside the space could accommodate 35
18 seats and chairs.

19 Exterior, while the building code
20 applies primarily to the interior of
21 buildings it has been the practice of the
22 Village to use the same criteria for
23 determining occupancy of exterior spaces
24 integral to the operation of businesses.
25 Using this occupancy guidance for outside

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2 space, the chart below identifies seating
3 allocations. The seating at in the west
4 plaza should be reduced by two and the
5 number of seats increased in the count on
6 the bench. The original drawings showed 12,
7 and this proposal adds a tail.

8 The end result would be the total 188
9 and if the count of the nine -- 197 --

10 Glynis, is that allowed seating or
11 proposed seating?

12 MS. BERRY: Well, first of all, I
13 should say that we actually met and they
14 changed it on us twice.

15 CHAIRMAN McMAHON: Okay.

16 MS. BERRY: So in a way, those comment
17 are obsolete.

18 CHAIRMAN McMAHON: In your opinion, the
19 current plan is within the acceptable number
20 of seats?

21 MS. BERRY: Yes, it does increase, it's
22 more --

23 CHAIRMAN McMAHON: But that's a product
24 of the bathroom renovations, correct?

25 MS. BERRY: It removes that limitation.

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2 ATTORNEY PROKOP: So there's -- excuse
3 me. Are you finished?

4 MS. BERRY: No. I was saying that the
5 plan looks acceptable, but it does increase
6 the occupancy, but they've added the
7 bathrooms and reconfigured and they haven't
8 increased the coverage, so they worked to
9 address all our issues.

10 CHAIRMAN McMAHON: The last line here
11 that Glynis prepared is, the additional
12 toilet fixtures and provision of
13 accessibility are appreciated. The
14 occupancy can be served by the proposed
15 toilet fixtures if a restaurant use is
16 maintained. It should be noted though, that
17 if the use shifts from restaurant to tavern
18 or bar, then the number of fixtures needed
19 is one per 40 occupants, not 75. In this
20 case the occupancy would need to be limited
21 to 160. One fifth of the seating needs to
22 be accessible.

23 MS. BERRY: Right.

24 CHAIRMAN McMAHON: So if the function
25 of the restaurant were to change to a bar as

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1
2 opposed to restaurant and bar, the number of
3 bathrooms would increase, but that's not
4 what we're discussing.

5 MR. BURGER: Eugene Burger, Cutchogue.
6 I'm here to answer any questions. We made
7 a good effort to try and please
8 everybody and meet the ADA code.

9 CHAIRMAN McMAHON: My understanding was
10 that you guys had met and had productive
11 meetings and when the bathroom, I believe
12 when the bathrooms, you won't be opening
13 until the bathrooms are completed because
14 it's the current bathrooms that are being
15 changed, correct?

16 MR. BURGER: Correct.

17 CHAIRMAN McMAHON: At that time, you
18 would have, I believe was it two ADA
19 accessible bathrooms; is that correct?

20 MR. BURGER: Yes, that's correct with
21 additional toilets and water closet.

22 CHAIRMAN McMAHON: There would be --

23 PODIUM SPEAKER: Two handicap bathrooms
24 with more than one water closet.

25 ATTORNEY PROKOP: It's not --

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2 MS. BERRY: He is providing the
3 adequate number, so he has increased the
4 number.

5 CHAIRMAN McMAHON: And it's two
6 bathrooms, but one of the bathrooms has more
7 than one --

8 MS. WINGATE: Both of them more
9 fixtures in the bathrooms.

10 MS. BERRY: There is accessible units
11 in each of the bathrooms.

12 CHAIRMAN McMAHON: All right. When we
13 discussed this at the last meeting, that was
14 my only concern, handicap accessibility and
15 appropriate number of bathrooms. I don't
16 know if anyone else has any questions or
17 concerns.

18 ATTORNEY PROKOP: I think the action by
19 the Board would need to limit the use to a
20 restaurant and that it, we should off the
21 definition of a restaurant to be mentioned
22 so there is no back and forth about it.

23 CHAIRMAN McMAHON: So we can make that
24 part of our motion.

25 ATTORNEY PROKOP: Yes.

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2 MR. BURGER: Devin, may I speak?

3 CHAIRMAN McMAHON: Yes, please.

4 MR. BURGER: Restaurant slash bar, with
5 bars, right, we wouldn't limit what we have,
6 there is an outdoor bar, an indoor bar?

7 CHAIRMAN McMAHON: If you were to take
8 all the tables away and make it --

9 MR. BURGER: I got it, okay.

10 ATTORNEY PROKOP: I think pretty much
11 so the food service preparation and service
12 is the primary, the bar is accessory to the
13 food preparation and service, not the other
14 way around, that's basically the definition
15 of a restaurant.

16 MR. BURGER: Correct. That's the
17 Health Department approval as well.

18 ATTORNEY PROKOP: So it matches what
19 you want to do, but we'll specify that in
20 the decision.

21 CHAIRMAN McMAHON: Does anyone else
22 have any questions or concerns?

23 (No response.)

24 I don't see any issue with this
25 going forward. We generally do most of the

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2 votes at our regular meeting which will be
3 next week. I don't see any issue why
4 wouldn't go forward, I didn't see any reason
5 not to approve.

6 MR. BURGER: That would be great
7 because we need to get work on this to get
8 the permit ready, it's going to take me
9 three, four days for that and order some
10 products.

11 ATTORNEY PROKOP: What about the signs

12 --

13 CHAIRMAN McMAHON: I think we addressed
14 the last time.

15 MS. WINGATE: We addressed the signs
16 last time.

17 CHAIRMAN McMAHON: So I think we should
18 be good to go.

19 MR. BURGER: Thank you very much.

20 CHAIRMAN McMAHON: Thank you. I'm
21 going to make a motion to table that
22 discussion until the next meeting. Do I
23 have a second for that?

24 MS. GIVEN: Second.

25 CHAIRMAN McMAHON: All in favor?

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MS. GIVEN: Aye.

MR. THOMAS: Aye.

MR. BURNS: Aye.

MR. COTUNGO: Aye.

CHAIRMAN McMAHON: Motion carries.

Item number 9, motion to approve the following determinations for: Hillary Gulley, Suffolk County Tax Map number 1001-6-3-1; Marie Eiffel, Suffolk County Tax Map number 1001-5-4-6; Olive Branch Café, Suffolk County Tax Map number 1001-4-9-28.3. All these were previously approved by the Planning Board.

Do I have a second for that motion?

MR. THOMAS: Second.

CHAIRMAN McMAHON: All in favor?

MS. GIVEN: Aye.

MR. THOMAS: Aye.

MR. BURNS: Aye.

MR. COTUNGO: Aye.

CHAIRMAN McMAHON: Motion carries.

Item number 10, motion to adjourn. Do I have a second?

MS. GIVEN: Second.

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2 CHAIRMAN McMAHON: Sorry.

3 MS. WINGATE: What time do you want to
4 meet next week?

5 CHAIRMAN McMAHON: 4:00 if that's
6 amenable to everyone, 4:00 would be fine for
7 me.

8 MS. WINGATE: Okay. These are the
9 Sprout folk who showed up late but decided
10 to sit through the meeting.

11 CHAIRMAN McMAHON: Is there anything we
12 can tell them?

13 We accepted your application and
14 scheduled a public hearing which will be a
15 month from today, the 27th, April 27th, if
16 there is any business in between, you can
17 discuss it with Eileen.

18 MS. BERRY: I have a question. If you
19 could on the plans indicate where the
20 bathrooms are.

21 MS. WINGATE: Oh, there's fresh
22 drawings.

23 MS. BERRY: Okay.

24 CHAIRMAN McMAHON: Motion to adjourn.
25 Do I have a second?

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MR. COTUNGO: Second.

CHAIRMAN McMAHON: All in favor?

MS. GIVEN: Aye.

MR. THOMAS: Aye.

MR. BURNS: Aye.

MR. COTUNGO: Aye.

CHAIRMAN McMAHON: Motion carries.

Thank you.

(Time noted: 6:03 p.m.)

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C E R T I F I C A T E

STATE OF NEW YORK)

) ss:

COUNTY OF SUFFOLK)

I, STEPHANIE O'KEEFFE, a Reporter and Notary Public within and for the State of New York, do hereby certify that the within is a true and accurate transcript of the proceedings taken on March 30, 2017.

I further certify that I am not related to any of the parties to this action by blood or marriage, and that I am in no way interested in the outcome of this matter.

IN WITNESS WHEREOF, I have hereunto set my hand this 30th day of March, 2017.

Stephanie O'Keefe

STEPHANIE O'KEEFFE

ATTORNEY

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