VILLAGE OF GREENPORT COUNTY OF SUFFOLK
STATE OF NEW YORK

PLANNING BOARD
WORK SESSION

Third Street Firehouse
Greenport, New York

May 25, 2017
4:12 p.m.

BEFORE:
DEVIN McMAHON - CHAIRMAN
BRADLEY BURNS - MEMBER
NOAH THOMAS - MEMBER
MARY GIVEN - MEMBER
JOHN COTUNGO - MEMBER
ROBERT CONNOLLY - VILLAGE ATTORNEY
GLYNIS BERRY - PLANNING BOARD CONSULTANT
KRISTINA LINGG - BUILDING CLERK
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CHAIRMAN McMAHON: We're waiting for Paul, but we're going to get started. This is the Village of Greenport Planning Board Work Session for May 25, 2017.

First item on the agenda is 102 South Street. Motion to accept the use evaluation application submitted by Albertson Realty North Fork, LLC, represented by owner, Thomas Scalia.

The applicant is proposing to relocate and open his real estate office at 102 South Street.

The property is located in the
Commercial Retail District and is a permitted use. This property is not located in the Historic District. Suffolk County Tax Map number 1001-4-6-34.7.

I'm going to begin with the notes from our planning consultant Glynis. Proposed use is office, permitted use in the CR Commercial Retail District as per Section 150-9, Flynn Stenography & Transcription Service (631) 727-1107

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Subsection A4 from the Village Zone Code. Its former use was as an office for the Hampton Jitney. The present proposal is for real estate office relocating from Front Street. Approval should be conditional upon receiving authorization for the application from the property owner.
We didn't have that; is that correct? We don't have the documents?
MS. LINGG: It's here.

CHAIRMAN McMAHON: So we do have it now?

MS. LINGG: Yes.

CHAIRMAN McMAHON: Okay. The applicant has also applied for a sign permit, proposed sign is 16 inches high by inches wide. This conforms with size restrictions Section 150-15, Subsection H of the Village Code. The proposed sign is a hanging sign placed on the property above the main entry. We suggest that the approval be conditional upon the applicant submitting details acceptable to the Building Department from a design professional and as to the fastening methodology and strength capable of withstanding wind loads.

Is the sign hanging above public
space?

MS. BERRY: No.

CHAIRMAN McMAHON: So you don't need the insurance?

MS. BERRY: We don't need the insurance.

CHAIRMAN McMAHON: Okay. Straight forward.

Is there anyone from the applicant who would like to speak? You can if you would like, you don't have to.

It seems pretty straight forward.

I don't have any concerns here really.

I don't have any concerns or questions here.

Does anyone have any?

MS. GIVEN: I do not have any.

CHAIRMAN McMAHON: Okay. Do we have the completed sign application as well?
MS. GIVEN: We do.

MS. BERRY: Yes.

CHAIRMAN McMAHON: Does anyone have any issue or concerns with that?

MS. GIVEN: No. It just seems that Glynis is gonna make it contingent upon --

CHAIRMAN McMAHON: Okay.

MS. GIVEN: -- acceptable to the Building Department for the sign.

CHAIRMAN McMAHON: With regard to the fastening, that's a Building Department, that's their purview.

MS. BERRY: I would just make it conditional upon her approval.

CHAIRMAN McMAHON: I'm going to make a motion that we approve the sign permit as submitted with the understanding that it must be approved by the Building Department with regard to the fastening of the sign to make sure it's safe. That's all.

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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: Excuse me. Do we have to accept the sign permit first, accept the sign application first?

Just to make sure we've done everything properly, I'm going to make a motion that we accept the sign application.

Do I have a second for that?

MR. THOMAS: Second.

CHAIRMAN McMAHON: All in favor?

MS. GIVEN: Aye.

MR. COTUNGO: Aye.

MR. BURNS: Aye.

MR. THOMAS: Aye.
I'm going to then make a second motion that we accept the use evaluation application as submitted.

Do I have a second for that?

MS. GIVEN: Second.

CHAIRMAN McMAHON: All in favor?

MS. GIVEN: Aye.

MR. THOMAS: Aye.

MR. COTUNGO: Aye.

MR. BURNS: Aye.

CHAIRMAN McMAHON: I'm going to make a motion that we approve the sign application as submitted. Do I have a second for that?

MS. GIVEN: Second.

CHAIRMAN McMAHON: All in favor?

MS. GIVEN: Aye.

MR. THOMAS: Aye.

MR. COTUNGO: Aye.
MR. BURNS: Aye.

CHAIRMAN McMAHON: Motion carries.

Generally, we don't approve use evaluations at work sessions, but I don't see any reason why we couldn't.

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So I'm going to make a motion that we approve the use evaluation application as submitted.

Do I have a second for that?

MS. GIVEN: Second.

CHAIRMAN McMAHON: All in favor?

MS. GIVEN: Aye.

MR. THOMAS: Aye.

MR. COTUNGO: Aye.

MR. BURNS: Aye.

CHAIRMAN McMAHON: Motion carries.

Item number 2, 211 Carpenter Street.

Motion to accept the modified use evaluation application submitted by 211
Carpenter Street, LLC, represented by agent, David Kapell.

This application was previously approved on August 4, 2016. The applicant has since modified the plan and use of the second floor, which requires the plans to be reviewed again.

The applicant is proposing to open Flynn Stenography & Transcription Service (631) 727-1107

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a tasting room on the first floor, with a lounge and office on the second floor, which was previously approved as an apartment.

The property is located in the Commercial Retail District and is a permitted use. This property is located in the Historic District.

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

We'll start with our notes from
Glynis.

This project needs to go to the Greenport Historic Preservation Committee for approval of changes to the exterior.

The applicant has addressed former comments relative to the site plan. I believe the only substantive change is, I believe going from resident on the second floor to all office space; is that correct?

MS. BERRY: Yes.

And it did go through a couple of reiterations with ramps and things.

CHAIRMAN McMAHON: But that was all cleared, I remember the conversations we had, all of that was addressed to your satisfaction?

MS. BERRY: Now it is, yes.

CHAIRMAN McMAHON: I don't see any
issues here really. Is there anything you would like to add?

MR. KAPELL: Not unless you have questions for us.

MR. COTUNGO: The only issue I have is I think the architect should verify or not verify that the second floor has to be handicap accessible. If they were the same use, in my knowledge, if it was the same use on the first floor, a tasting room, as the second floor, then you would not need handicap, but being that there is an office there and a lounge, a different use, I believe that requires handicap accessibility.

It may be possible to get a variance from the State of New York.

MR. MUCOSE: I can address. I'm the architect.
CHAIRMAN McMAHON: If you can take
the podium, please.

MR. MUCOSE: I'm Eric Mucose
(phonetic), I'm the architect with the
applicant.

I can address that as the code
allows, unless it's a healthcare
provider, you're allowed up to 3,000
square feet that does not need to be
handicap accessible; and that's in the
2015 International Building Code, so in
this case, it doesn't apply in this
case.

CHAIRMAN McMAHON: Yeah, my
understanding also would be that an
existing building has a change of use,
it wouldn't necessarily, I mean, that's
my understanding. There should be
reasonable efforts to, if there is
renovation going on on the site, a
certain portion of that would have to

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be allocated toward handicap accessibility, but I don't believe that's the case here. That's my understanding.

If anyone, please feel free, my understanding is that it wouldn't be applicable here. Thoughts, questions anyone?

(No response.)

John, my understanding is that they wouldn't need to. Does our Village Attorney have an opinion on that?

ATTORNEY CONNOLLY: No. I would have to look into it.

MR. COTUNGO: If you have that portion in the code, maybe --

MR. MUCOSE: Yeah, it's in Chapter 11 of accessibility and it clearly states that. I have been through that with a number of different projects. It's only a healthcare, like a doctor couldn't have anything on the second floor without access, but you're
allowed up to 3,000 square feet for business and assembly use.

CHAIRMAN McMAHON: All right. Other than that, does anyone have any questions or concerns with regard to this?

MR. BURNS: I don't see why we can't go ahead with it.

CHAIRMAN McMAHON: That's my feeling as well. It seems we already reviewed this property at length the last time we were here. I think it's a less intensive, the office space would be less intensive than a residential use, I don't see any reason why we wouldn't go forward.

I'm going to make a motion that we accept the revised application as submitted.

Do I have a second for that?
MR. THOMAS: Second.

CHAIRMAN McMAHON: All in favor?

MS. GIVEN: Aye.

MR. THOMAS: Aye.

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MR. COTUNGO: Aye.

MR. BURNS: Aye.

CHAIRMAN McMAHON: You are still waiting for -- do we have to wait for approval from HPC?

MR. PALLAS: I don't think there is any requirement to wait.

CHAIRMAN McMAHON: Does anyone have any issues or questions?

(No response.)

Okay. Then I'm gong to make a motion that we approve the revised application as submitted.

Do I have a second for that?

MR. THOMAS: Second.

CHAIRMAN McMAHON: All in favor?
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CHAIRMAN McMAHON: Do we have to do a revised SEQRA determination?

MS. BERRY: It's the same SEQRA.

CHAIRMAN McMAHON: But do we have to do a new determination? I mean, we already did one the last time around.

ATTORNEY CONNOLLY: If you already did one then --

CHAIRMAN McMAHON: We did one at the previous application.

MS. BERRY: So it's good.

CHAIRMAN McMAHON: Thank you.
Item number 3, 48 Front Street.

Motion to accept the use evaluation application submitted by Crazy Five, Inc., represented by Timothy Martino, the new lessee.

The Harbourfront building has been sold. The applicant is proposing to reopen the business under new ownership.

The property is located in the Commercial Retail District, and is a permitted use. This property is not located in the Historic District.

Suffolk County Tax Map number 1001-4-10-32.

Begin the note from Glynis.

The proposed use as a restaurant is a permitted use in the CR Commercial Retail District as per Section 150-9, Subsection A3 of the Village Zoning...
Code.

The former use was as the Harbourfront Deli and Loft Restaurant.

The present proposal is for the Dockside Deli incorporating both takeout service and sit-down restaurant with no changes to occupancy or layout.

Authorization by the owner of this application is dated May 19, 2017.

A certificate of occupancy dated 5/15/2002 listing the use as a retail food business with no further detail.

Current number of seats is 56 downstairs and 110 upstairs. All the plans showed outside seating in the rear yard which is currently used for

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parking.

A sign permit was not part of this application and will be needed before any new sign will be installed.
MS. BRENNAN: I'm Kelly Brennan, I'm speaking on behalf of my husband Tim Martino and I. So we're looking to reopen the Harbourfront Deli just strictly as a deli. We originally wanted to keep the name, but for legal issues, we had to change it, so that's really the reason why we're changing it; but absolutely no changes to structure, we're just gonna go in there, clean everything up, paint it and try and reopen as soon as possible.

CHAIRMAN McMAHON: Okay.

MS. BRENNAN: If you guys would please vote tonight, that would be great.

CHAIRMAN McMAHON: If you're not making any changes, I think that makes

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it fairly simple. It's pretty straight forward.

Anyone?

MR. PALLAS: Just to confirm, you're not changing the name on the outside?

MS. BRENNAN: We have to take the sign down as part of the agreement with the purchase of the building.

MR. PALLAS: Are you putting new signs up?

MS. BRENNAN: No, not yet. We haven't made any plans to --

CHAIRMAN McMAHON: Any new signs would have to get approval first.

MS. BRENNAN: Absolutely.

CHAIRMAN McMAHON: And that would, if it hasn't been submitted already, would not be until our next meeting, that would be the earliest. And by next meeting, next month's meeting.

MS. BRENNAN: Yep.

CHAIRMAN McMAHON: Unless, I mean if there, if you have a sign permit
that you can submit tomorrow, other
than that, it would be --

MS. BRENAN: And that's
completely understandable.

MR. PALLAS: What are you planning
to do, no signs, you'll have no signs
at all?

MS. BRENAN: Just maybe like an
open sign in the window.

MR. PALLAS: I would ask that you
put a condition to make sure that it's
conditional upon no signs being
installed or something like that.

CHAIRMAN McMAHON: I understand
you have to take the other signs down.

You might be operating without a sign
until the sign permit application is
submitted, there's a $15 fee for the
sign application.

MS. BRENAN: Yeah, I'll try and
submit something as soon as possible.
This happened rather quickly.

CHAIRMAN McMAHON: Yeah.

Understood.

Other than that, does anyone have any questions or concerns?

(No response.)

This is, again a use evaluation application, not a full site plan review, so we don't need to do SEQRA.

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

Do I have a second for that?

MR. COTUNGO: Second.

CHAIRMAN McMAHON: All in favor?

MS. GIVEN: Aye.

MR. THOMAS: Aye.

MR. COTUNGO: Aye.

MR. BURNS: Aye.

CHAIRMAN McMAHON: Motion carries.

I'm going to make a motion that we
approve the application as submitted
with an understanding and reminder to
the applicant that no signage can go up
before it's gone through the process,
was approved and the application has
been submitted.

Do I have a second for that?

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MS. GIVEN: Second.

CHAIRMAN McMAHON: All in favor?

MR. BURNS: Aye.

MR. COTUNGO: Aye.

MR. THOMAS: Aye.

MS. GIVEN: Aye.

CHAIRMAN McMAHON: Motion carries.

Item number 4, 314 Main Street.

Motion to accept the use
evaluation application submitted by
Carolyn Rusin represented by James
Bennett, the agent.

The applicant is proposing to open
15 a restaurant. The use of a restaurant
16 at this location was previously
17 approved by the Planning Board on
18 October 30, 2008.
19
20 The property is located in the
21 Commercial Retail District, and is a
22 permitted use. This property is
23 located in the Historic District.
24
25 Suffolk County Tax Map number
26 1001-4-7-27.
27
28 I'm gonna begin with notes from
29 Flynn Stenography & Transcription Service
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2 our planning consultant Glynis.
3
4 Proposed use as an eating and
drinking place is a permitted use in
5 the CR Commercial Retail District as
6 per Section 150-0, Subsection A3 of the
7 Village Zoning Code.
8
9 The new restaurant and bar, name
10 Gallery Bar, proposes 50 seats inside
11 and 50 seats outside. Fourteen parking
spaces, including one accessible spot
and one loading zone are included in
the plans.

A certificate of occupancy dated
May 21, 1999 listed uses as a ground
floor cafe–style restaurant with a
maximum occupancy of 50, and the second
floor accessory apartment for use by
the owners only. A resolution dated
11/6/2000 approves a permit for 50
seats inside and 50 seats outside. The
interior occupancy is undercounted.

There are 52 seats and standing room at
the bar that has not been calculated
which could be roughly another

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occupants.

While the use of the structure
would normally require 23 spaces for
the restaurant and 2 for the residents,
the exemption to the property is
approved as of January 1, 1991 in CR
and WC Districts applies. The parking
plan was previously approved but the
width of the acceptable parking space
is not indicated and should be
accessible.

Also the ramp is situated within
the loading zone. The stairs accessing
Main Street need code compliant hand
railings. These stairs are also
depicted on the site plan as being a
ramp.

The intention of the application
should be verified.

The existing ramps need hand
railings. Dimensions of all ramps and
entrances need to be identified to
ensure compliance with accessibility
codes.

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swing to be reversed so it swings outward. This also creates a problem as there is a step at the door and the exemption of 1003.5.1.

I'm not sure what code that is.

MS. BERRY: It's the Building Code.

CHAIRMAN McMAHON: The State Building Code?

MS. BERRY: Yes.

CHAIRMAN McMAHON: -- does not include assembly occupancies.

The entry landing with the main door needs to be raised so it is level with the first floor elevation.

Since the second floor apartment only has one exit, maximum occupancy of the apartment should be ten complying with Table 1006.3.2, Subsection 2 of the New York State Building Code.

There is also a large attic which should not be occupied as A2 occupancies and tight VE construction
is limited to two stories with sprinkler and one is not.

Any changes to the exterior or proposed signage needs to be submitted to the Historic Preservation Commission for approval.

Is there anyone here from the applicant?

MR. BENNETT: James Bennett. I'm representing Carolyn.

CHAIRMAN McMAHON: Okay. Have you had a chance to review any of these notes?

MR. BENNETT: No, I haven't seen that at all.

CHAIRMAN McMAHON: We will provide you with a copy of this.

Seems there are a few issues with regard to accessibility. I can see that you're making some changes to the entranceway there.

MR. BENNETT: We put the railings
on the staircases already. I'm surprised to hear that we have to raise Flynn Stenography & Transcription Service (631) 727-1107

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that front stoop up, it's pre-existing, been there, it was a restaurant before that.

MS. BERRY: One of the reasons is when you have 50 occupants or more, you need to open the door with an outswing.

MR. BENNETT: The door opens out, I understand that.

MS. BERRY: When you do that, for that kind of use, you can't have a step.

MR. BENNETT: Understood, definitely. I appreciate that.

MS. BERRY: Also there is a difference between hand railings and railings.

MR. BENNETT: Yes, we have both as required -- it has the ornate on the
outside, but it also has the inside railing as per -- as it's supposed to have.

MS. BERRY: I don't believe they're compliant.

MR. BENNETT: I just put them up two weeks ago, maybe you haven't seen it yet.

MS. BERRY: I went two days okay.

MR. BENNETT: Okay. Then you saw what's there.

MS. BERRY: Are you keeping the stairs on Main Street because it was shown two different ways?

MR. BENNETT: Yeah, we're gonna keep the stairs there, if it's on the plans incorrectly, we'll have to correct that.

MS. BERRY: So you need code compliant railings and also the ramp
doesn't have railings everywhere. It has guardrails, but it doesn't have handrails.

MR. BENNETT: The extra railing, okay. All right.

We have, I saw that you mentioned, on the back there was some mention of the handicap accessory in the back loading zone; is that a problem?

CHAIRMAN McMAHON: I haven't seen it personally, but if the ramp goes into the loading zone, yes, that would need to be reconfigured because there would have to be a separation, the ramp would have to end prior to the beginning of the loading zone or the parking space.

MS. BERRY: You can probably handle that by just shifting the paint so the handicap isn't by the ramp.
MR. BENNETT: All right.

CHAIRMAN McMAHON: You have a little room to play around with that just to make sure that you have a separate loading zone as well as a separate handicap accessibility.

MR. BENNETT: The loading zone is defined by where that back door is and the ramp for the handicap?

CHAIRMAN McMAHON: I think the loading zone is separate from the handicap accessibility. Those are two separate areas back there. You are exempted from a lot of parking requirements because the building was approved prior to the adoption of the code, but what you have should be -- what you do have needs to be handicap compliant. If you're going to have there, it might as well be --
MR. BENNETT: Is someone going to sit down with me and we can go over everything?

CHAIRMAN McMAHON: Yes. If you have specific issues that are building code related issues, you can arrange a time with the Village Administrator and the Building Department.

MR. BENNETT: Great. The other issue is we went through the trouble of, because it's historic, I thought that they got permission to have that front door open in, you're saying it should open out.

CHAIRMAN McMAHON: That's an occupancy issue. Whether or not it's, if the Historic Preservation Commission approves the look of something, that's separate from what the requirements are when you go over a certain occupancy.
MR. BENNETT: I realize Eileen was concerned about it opening in and somehow they went through a lot of trouble to find out and get permission to leave it opening in.

MS. BERRY: Well, if you have some kind of documentation that you're exempt, then that's an issue, but I didn't see that.

ATTORNEY CONNOLLY: Anytime you make improvements to a commercial building, you have to bring it up to the current code, you don't just get grandfathered in.

MR. BENNETT: Okay. I'm just asking, I'm just getting information.

MS. BERRY: Is the whole building going to be sprinklered?

MR. BENNETT: No, it's not and that's why she is not allowed to do anything with that upstairs except for use it as a family use.
MS. BERRY: I don't think you can use the second floor.

MR. BENNETT: You can't what?

MS. BERRY: You can't use the second floor if it's not sprinklered.

MR. BENNETT: We have been over this with -- we're not using it for commercial space or anything, it's just for the family. We've been over it quite a bit with everybody but, again we'll have to go over it, that's not what I was told.

CHAIRMAN McMAHON: My understanding is in apartments above commercial spaces, you're required sprinklers.

MR. BENNETT: If it were an apartment, but it's not an apartment. It's not going to be rented, it's not gonna be commercial use, it's not gonna be -- there is no money made from that.

MS. BERRY: My interpretation is it wouldn't be allowed, but we can
check with other people with more experience with the historic buildings.

MR. BENNETT: Understood.

MS. BERRY: In my estimation, it would not be allowed unless it's sprinklered.

MR. BENNETT: So we'll find out.

CHAIRMAN McMAHON: Again, that's something, working from these points, you can meet with the Village Administrator and the Building Inspector to go through some specifics of these things and get solid answers. So that is the next step forward.

MR. BENNETT: Okay. I'm glad I made it here today.

CHAIRMAN McMAHON: At this time, I don't know if you can address those -- I don't know if we can accept now or we have to wait until --
MR. BENNETT: Too many questions, right?

CHAIRMAN McMAHON: Yeah. I think we're going to have to -- I think the best thing for us to do would be to table the discussion, bring it up at the meeting next week if we make some progress, we can re-address it, come back to the meeting next week. Otherwise, I think it would be best to table the discussion for now and give you a chance to meet with the Village and talk about specifics.

MR. BENNETT: Can I get a copy of this?

CHAIRMAN McMAHON: We'll get you a copy.

MR. BENNETT: And schedule a meeting with you.

MR. PALLAS: You can call.
MR. BENNETT: Thank you very much.

MR. BURNS: Does previous use have anything to do with second floor?

MS. BERRY: I'm gonna have to double check.

MR. BURNS: It was used for, the owners used it before for a domicile.

MS. BERRY: Right. So maybe there is a grandfathering in there that superceded it, but we'll need to check.

CHAIRMAN McMAHON: I'm going to make a motion to table this discussion until next week's meeting.

Do I have a second for that?

MS. GIVEN: Second.

CHAIRMAN McMAHON: All in favor?

MR. THOMAS: Aye.

MR. COTUNGO: Aye.

MR. BURNS: Aye.

MS. GIVEN: Aye.
CHAIRMAN McMAHON: Motion carries.

Thank you very much. Item number 5 --

MR. PALLAS: Mr. Chair, if I may, one item before you go to that. At a prior meeting for the old scrimshaw building (phonetic), Barbara Bianca (phonetic), I think was the one, they were waiting on an issue with the deck and ownership, we worked with the owners and the applicant and the Village Attorney because of the ownership issue, we got a letter that Flynn Stenography & Transcription Service (631) 727-1107

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as far as I can tell meets the requirements, not specifically as you put in your discussion and motion, but it will satisfy, have the same net effect. We're going to incorporate, if it's okay with you, incorporate this letter into the resolution, ultimate
resolution that you guys will vote on.

We don't have a resolution yet for you tonight, I'm going to try to get it for next week so you'll have, I'll give a copy tonight and just to let you see it, I've reviewed it, the Village Attorney reviewed it. I'll ask the Planning Board attorney to review as well and I think it's fine because we all know that it's been used that way, the pier has been there since before there were requirements in it's present shape and form, we verified that through old photos, so we think it's all fine. We'll let you know about that.

CHAIRMAN McMAHON: Okay.

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purposes of SEQRA, and complete part 2 of the environmental assessment form for submission to the Suffolk County Health Department, for completion of the preliminary plat process.

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

Was this, were we supposed to have done this at the previous meeting.

ATTORNEY CONNOLLY: When I was looking through the file, it looks like the Planning Board already declared themselves the lead agency. At that time it doesn't look like a negative declaration was issued, so I prepared the negative declaration and as well as the part 2. If the Board wants to adopt the negative declaration --

CHAIRMAN McMAHON: Does anyone have any questions?

(No response.)

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I will so motion.

Do I have a second for that?

MR. COTUNGO: Second.

CHAIRMAN McMAHON: All in favor?

MS. GIVEN: Aye.

MR. THOMAS: Aye.

MR. COTUNGO: Aye.

MR. BURNS: Aye.

CHAIRMAN McMAHON: Motion carries.

Item number 6, motion to accept the minutes of the April 20, 2017 and April 22, 2017 Planning Board meeting.

Do I have a second for that?

MR. THOMAS: Second.

CHAIRMAN McMAHON: All in favor?

MR. COTUNGO: Aye.

MR. BURNS: Aye.

MR. THOMAS: Aye.

MS. GIVEN: Aye.

CHAIRMAN McMAHON: Motion carries.

Item number 7, motion to approve the minutes of the April 6, 2017 Planning Board meeting.

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

CHAIRMAN McMAHON: All in favor?

MR. BURNS: Aye.

MR. COTUNGO: Aye.

MR. THOMAS: Aye.

MS. GIVEN: Aye.

CHAIRMAN McMAHON: Motion carries.

Item number 8, motion to schedule Planning Board Work Session for June 29, 2017.

Do I have a second for that?

MS. GIVEN: Second.

CHAIRMAN McMAHON: All in favor?

MS. GIVEN: Aye.

MR. THOMAS: Aye.

MR. COTUNGO: Aye.

MR. BURNS: Aye.

CHAIRMAN McMAHON: Motion carries.

Item number 9, motion to schedule a Planning Board Regular Session for
July 6, 2017.

Do I have a second for that?

MS. GIVEN: Second.

CHAIRMAN McMAHON: All in favor?

At the last meeting there was a subdivision application that was creating nonconforming lots.

CHAIRMAN McMAHON: Yes.

ATTORNEY CONNOLLY: And was referred to the ZBA. When we were discussing it, the subdivision was denied and then referred to the ZBA.

CHAIRMAN McMAHON: Which
subdivision was that?

ATTORNEY CONNOLLY: I can't remember off the top of my head.

MS. BERRY: It was probably the Sixth Street one.

CHAIRMAN McMAHON: Yes.

MS. BERRY: With one residential to two.

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CHAIRMAN McMAHON: Yeah, because there were two subdivisions last time, one of them was not the one we just were discussing.

ATTORNEY CONNOLLY: No.

The Board shouldn't have denied the application and sent it to the ZBA, it just should have referred the application to the ZBA so they could act on it, so we should clear that up on the record, that the Planning Board hasn't denied the application, just
referred to the Zoning Board.

CHAIRMAN McMAHON: Okay.

I will make a motion to amend our previous decision to not deny the application, instead refer it to the ZBA for nonconformance.

Do I have a second for that?

MR. BURNS: Second.

CHAIRMAN McMAHON: All in favor?

MS. GIVEN: Aye.

MR. THOMAS: Aye.

MR. COTUNGO: Aye.

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MR. BURNS: Aye.

CHAIRMAN McMAHON: Motion carried.

Is that it? Any other business, questions, concerns?

(No response.)

Item number 10, motion to adjourn.

Do I have a second for that?

MS. GIVEN: Second.
CHAIRMAN McMAHON: All in favor?

MS. GIVEN: Aye.

MR. THOMAS: Aye.

MR. COTUNGO: Aye.

MR. BURNS: Aye.

CHAIRMAN McMAHON: Motion carries.

Thank you very much.

(Time noted: 4:42 p.m.)
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 May 25, 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 25th day of May, 2017.

__________________________

STEPHANIE O'KEEFFE

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