VILLAGE OF GREENPORT
COUNTY OF SUFFOLK STATE OF NEW YORK

PLANNING BOARD
WORK SESSION

Third Street Firehouse
Greenport, New York
September 24, 2015
5:06 p.m.

BEFORE:
DEVIN McMahan - CHAIRMAN
BRADLEY BURNS - MEMBER
PETER JAUQUET - MEMBER
PAT MUNDUS -- MEMBER

JOSEPH PROKOP - VILLAGE ATTORNEY
GLYNIS BERRY - PLANNING BOARD CONSULTANT
EILEEN WINGATE - VILLAGE BUILDING INSPECTOR
Work Session 9-24-15

CHAIRMAN McMAHON: This is the Village of Greenport Planning Board Work Session for September 24, 2015.

First item on the agenda is a public hearing for the site plan application for Sterling Square LLC, Brent Pelton, owner.

The Planning Board has determined that for purposes of SEQRA this is a Type I action requiring a public hearing.

The property is located at 300-308 Main Street. It is located within the Historic District and in the CR, Commercial Retail, zone.

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

We are still waiting for comment from the Village Board. They requested the opportunity to weigh in on this.

I have no further new business with regards to this.

Does anyone else have any comments or question?

MR. PROKOP: We did get a comment from one trustee, Trustee Phillips, on behalf of...

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herself, but we need to formulate those as comments on behalf of the board, so it will probably take an additional day or two to do this.

If we could please put it on the agenda for the October 1st meeting.

CHAIRMAN McMAHON: Yes. That's --

MR. PROKOP: I think we'll try to get the comments from the board as a whole.

CHAIRMAN McMAHON: Yes. I believe they're meeting tonight, so hopefully they will --

MR. SWISKEY: Peter is here.

MR. BROWN: Hi. Robert Brown, architect representing Mr. Pelton.

I am just here to answer any question that might come up.

CHAIRMAN McMAHON: Okay. Thank you.

MR. BROWN: We have, I think, all the comments on the record.

CHAIRMAN McMAHON: Are there any questions or comments?

MR. SWISKEY: Yeah, I have a question.

William Swiskey, 184 5th Street.
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I understand that he's not required to provide any parking, all right, we all agree on that because it's in the code.

In other words, in -- there's really -- in other words, there is no avenue for this board to require him to have parking is there?

CHAIRMAN McMAHON: I believe that under the State Environmental Quality Review Act, we could require parking if we chose to.

MR. SWISKEY: I was at the meeting when it was discussed, that was last Thursday, and --

CHAIRMAN McMAHON: What meeting?

MR. SWISKEY: The Village Work Session. Mr. Prokop was there, I believe a couple other people were there.

I believe it was discussed that that's -- you can't require that under the SEQRA. The SEQRA is more about, oh, gosh, I would just say basically things that -- I don't know what it is, but that wasn't one of them that can be required.

Is that my understanding there, Mr.
Prokop -- Mr. Prokop, if I remember? Joe, you were at the meeting.

MR. PROKOP: Are you talking to me?

MR. SWISKEY: Yeah.

MR. PROKOP: I'm sorry.

I don't know what you're talking about.

There was a couple of things said at the meeting. One of the things which I said is that in a SEQRA review reasonable conditions can be imposed in order to mitigate impacts that are found. If any impacts are found, reasonable conditions could be imposed to mitigate those impacts.

MR. SWISKEY: So then this board can actually require him to provide parking because it's really -- have you been down there lately? It's a mess. In the evening it's like -- and today --

CHAIRMAN McMahan: I believe it would be an unreasonable imposition to try to put parking spaces in that property.

MR. BURNS: I do too.

MR. SWISKEY: Well, yeah, but then if you can't meet the conditions, then you
can't have the business. That's the way it usually works.

CHAIRMAN McMAHON: No. I don't believe that the negative impact of not providing parking space would be justification for denial of this application.

MR. SWISKEY: I mean, you -- that's -- and this board is not even going to consider parking.

CHAIRMAN McMAHON: We did consider parking. It was discussed.

MR. SWISKEY: And you came to the conclusion that the Village Code said you didn't need parking.

CHAIRMAN McMAHON: Yes.

MR. SWISKEY: If I am remembering right.

Except now that your attorney tells you that you can require parking, so I think it's --

MR. PROKOP: No, I didn't say that. I said that if the board finds an impact -- if the board determines it will be a negative impact, legally they could impose a
reasonable condition that may vindicate that impact. That's what the law is.

MR. SWISKEY: Um-hum because there is a lot of double talk going on around here. There's double talking going on between this project and the previous project that I happened to review today. I just -- and, Mr. Prokop, you put about twenty conditions on that little project, the one that was discussed in June at three fourteen, yet this one, which is going to have a bigger impact is flying through, so my whole problem with this Village government, with the Planning Board and everything else is there is no consistency in code enforcement, it's selective, and I'll say that for the record.

Now, I think that this board, if you can impose, and from what I'm listening to Mr. Prokop, if you can impose conditions, you're obligated to.

That's a mess down there, nobody can park. Every weekend the side streets are packed. Ben was down there. The side
streets are packed full.

Today there were two delivery trucks parked, you couldn't transit the street. That's just a matter of fact.

You can at least set a condition on it that those delivery trucks have to maintain to one side of the street, and if they got to use a hand truck, they got to use a hand truck.

One was parked right on the corner. There's no way -- and I believe Trustee Phillips brought this up. There's no way a fire truck can get down that road, and these people are just parking where they want.

You're actually endangering people.
You may not realize it. You know we had a house blow up on that street one time. You remember that, Ben, don't you?

CHAIRMAN McMAHON: I used to live in that house.

MR. SWISKEY: Yeah.

I think it's incumbent on this board not to just pass this on because you like this idea. I think it's time that these
boards in the Village started taking some proactive action to protect the people of the Village.

Thank you.

MS. MUNDUS: Can I ask you a question?

MR. SWISKEY: Yeah, you can ask me a question.

MS. MUNDUS: I'm curious from your point of view, what is the difference between this restaurant and Main Street Restaurant or whatever it was called last year and Bay & Main the year before and Cinnamon Tree before that; what is your --

MR. SWISKEY: No. What is the -- no, that wasn't my point --

MS. MUNDUS: No. I'm asking you a question. I think I got your point, but this is a different question.

MR. SWISKEY: Because the previous restaurant, whether it was Jacob's Ladder, I believe it started out, Cinnamon Tree or the whole nine yards, they didn't have five apartments upstairs. That's a big difference.
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MS. MUNDUS: Well, that a difficult test right now because if I'm correct --

MR. SWISKEY: These people are --

MS. MUNDUS: -- the five apartments are not open yet, so therefore, there is no extra traffic caused by the five -- they're not apartments, they're hotel rooms.

MR. SWISKEY: Are you really saying that?

MS. MUNDUS: Yes.

MR. SWISKEY: That's silly. The man has applied for it.

MS. MUNDUS: Yes, but they're not open.

MR. SWISKEY: Is there going to be five rooms above this restaurant or not?

CHAIRMAN McMAHON: Yes.

MR. SWISKEY: So that statement that she made is kind of silly.

MS. MUNDUS: No, no, no. Let me clarify so that you get my point.

The five hotel rooms, they are not apartments, they're hotel rooms. They are not open, so therefore, they are not producing the very traffic that you are.
trying to point out. It's the restaurant traffic.

MR. SWISKEY: I've never heard such double -- I'm serious, I've never heard such double talk.

There are going to be five inn rooms above it. That's a fact. When this is approved, there is going to be five rooms, five hotel rooms. To say that they're not a problem now because they don't exist now, well, when this board sends -- and the chairman and Mr. Prokop said they want to vote on this next week, so that's when they're going to be there.

MS. MUNDUS: Um-hum.

MR. SWISKEY: So how can you sit on that board and make such a silly statement?

MS. MUNDUS: What I said was the very traffic that you're citing right now is not because of hotel rooms because they are not open.

MR. SWISKEY: So we add extra traffic to an already congested area.

MS. MUNDUS: Which is the very same
traffic that was there for all of the other restaurants.

MR. SWISKEY: But they didn't have five rooms and five -- do you think these people --

CHAIRMAN McMAHON: Excuse me.

MR. SWISKEY: I mean, that's a silly statement.

CHAIRMAN McMAHON: Okay.

Regardless of whether or not there are currently any additional traffic considerations from the rooms as of right now, this board made a determination that it would be -- that under the Village Code, there is no requirement for parking spaces. There is a possibility under SEQRA that if we found there would be a significant imposition on the environment we could impose reasonable conditions.

MR. SWISKEY: And you chose not to?

CHAIRMAN McMAHON: We chose not to, that was the decision.

I understand if you disagree with that, but that's the decision we made.
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MR. SWISKEY: That's the decision you made, all right. I can understand that decision, but what I'm seeing here from the Village, from these boards is each decision is made differently. There has to be -- if you're going to decide one way for one person, there has to be consistency, and there isn't.

I mean, what I've seen.

CHAIRMAN McMAHON: Again, but you're primarily talking about an inconsistency between two different boards that --

MR. SWISKEY: Well, they were both the Planning Board.

CHAIRMAN McMAHON: Yes, but comprised of -- none of the members of this board were members of that board.

MR. SWISKEY: The same attorney, same building inspector.

CHAIRMAN McMAHON: They don't actually make the decisions, we make the decision.

MR. SWISKEY: But they advise.

CHAIRMAN McMAHON: They advise, yes.

MR. SWISKEY: Okay.
CHAIRMAN McMAHON: But we make the
determinations.

MR. SWISKEY: Anyway, well, I would
think, because everybody knows what a mess
it is downtown in the summer, that this
board would think about imposing some
condition. If the building can't be used
for an inn, it can't be used, it never was.

In other words, there has to be a point
where somebody says stop or everybody's just
gonna do what they want, and it's a mess
downtown.

I'm a lifelong resident, I've never
seen it as bad as it is. In other words,
local businesses like the IGA every week in
the summer lose business because nobody goes
downtown anymore because there's no parking,
and you're gonna bring in all these extra --
the IG -- the owner of the IGA is screaming,
you realize that, he loses money, he loses a
lot of money because, you know -- and it's
this -- that board -- this should be
considering that.

CHAIRMAN McMAHON: The burden of the
Village-wide parking problem can't be placed on a single business at a time.

MR. SWISKEY: It has to start someplace.

CHAIRMAN McMAHON: Well, the code was written back in 1991, it was amended to say there is already a parking problem.

We recognize that the existing buildings in the Village cannot sustain, cannot provide the parking requirement. None of the businesses on Main or Front Street would be able to open if they all had to provide parking. None of those restaurants could provide it, none of the new stores, any new -- you know if it was required -- the Harborfront Hotel was required to provide parking because it was a new construction. It's a different imposition than existing --

MR. SWISKEY: I know, I was here for the Harborfront. Yeah, I remember.

What I'm saying is there comes a time when the Village agency has to start to act in the best interest, and if you got to shut
down a project, that's the way it --
otherwise it will snowball and snowball to a
point -- there's gonna reach a point with
some board, maybe not this board, but some
board down the road is gonna say, this can't
happen anymore, it just can't --

CHAIRMAN McMAHON: I believe we did act
in the best interest of the Village, and I'm
comfortable with the decision we made.

MR. SWISKEY: I understand you're
comfortable with the decision you made. The
trouble is, the decisions are not
consistent. I mean, you put that Flyboard
guy through a nightmare. I mean, it was --
to me, it was like that was silly.

CHAIRMAN McMAHON: Okay.

Can we please just stick to this
particular application because the Flyboard
is not on the agenda.

MR. SWISKEY: So you don't feel that
this guy, this parking is gonna cause a
problem.

CHAIRMAN McMAHON: I don't believe that
there is a reasonable accommodation that can
be made on this property to alleviate the parking --

MR. SWISKEY: Okay. I'm going to give you a suggestion and some people don't like it because they say this is a good fit. I would like to see that person there.

If I want to build in my backyard, all right, and because this is basically what you're saying. If I want to build a three-story apartment, in other words, you're saying, well, you know, it will just happen, it's like --

CHAIRMAN McMAHON: No. It would be new construction and it would be required to --

MR. SWISKEY: I have a garage; I'm expanding the garage. The garage was always used for a certain purpose.

It's like, it's time for this board to either, you know -- you sit there at this table and you smile and you tell -- there's no way you should tell an applicant, oh, this is a good fit for there or I like this or I can't wait to eat there. You're here to interpret the law.
CHAIRMAN McMAHON: I believe we did so correctly.

MR. BURNS: I do too.

And Bill, we're talking about two different boards and --

MR. SWISKEY: Same Village Code, Ben.

MR. BURNS: -- and we're talking about two different locations --

MR. SWISKEY: Same Village Code.

MR. BURNS: -- so they considered that when something was being changed on the main drag, that parking should have been provided, but this is not on the main drag --

MR. SWISKEY: That ain't what the Village Code says, Ben.

MR. BURNS: -- and we looked at it, and we felt that this was not appropriate to require parking, and we considered that. Bullying us isn't going to help, that isn't going to make us change.

MR. SWISKEY: No, I know it isn't gonna change, but nobody is bullying you --

MR. BURNS: You are.
MR. SWISKEY: I'm asking for consistency.

   No, Ben, I'm asking for consistency from this board. You can't rule one thing and then another and then say, wow, these rules aren't affecting us yet because they're not here --

CHAIRMAN McMAHON: These are different applications.

MR. PROKOP: The public hearing is not really to have an argument with the board. It's --

MR. SWISKEY: We know what a public hearing -- I expect an answer tonight. The mayor promised me an answer on this tonight, Mr. Prokop, at tonight's meeting.

CHAIRMAN McMAHON: Well, that's a different meeting.

MR. SWISKEY: Have a good day.

CHAIRMAN McMAHON: Thank you for your comments.

Are there any other comments or questions?

MR. CORWIN: My name is David Corwin.
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I had sent you a letter with some objections I had to this, what's going on down there.

One of my objections is that the Village Code says all rainwater has to be retained on the property. It's not being retained on the property. It looks to me like the dumpster, air-conditioning compressor, receiving area is pitched to Carpenter Street.

In the last two days, I've driven by there and there is a puddle of what looks like wash water, where somebody did the floor, dumped it on the concrete, and it went down to Carpenter Street. Now, I don't know that that's what happened, but there has been a puddle there for two days, I will ask you enforce the rainwater on the property and do something about that pitch of the concrete ramp because to me that's a problem. It stinks down there, no offense to anybody, but restaurants stink, and if they're going to throw their wash water out the back door and it ends up on Carpenter
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Street, it's not fair to the people on Carpenter Street.

I went through this file that's available in the clerk's office yesterday, and there is a temporary CO for this structure. It was issued by the building inspector. My interpretation of the code is that only the Zoning Board of Appeals can issue a temporary CO.

As I was going through the file, there is a sprinkler system designed by an engineer, fire sprinkler system. In a fire it sprinkles water to control the fire, which is a wonderful thing, particularly in a building like that.

What I looked for also was a fire suppression system for the stoves because you can look from Carpenter Street and you can see two great big vent hoods. There must be a lot of stoves in there, I don't know, but I didn't see any fire suppression system, so I'm wondering what's going on with that.

And if they're going to have rooms,
hotel rooms on the second floor, I would think you would want to have a fire suppression system in the kitchen. That would be very important, one that is approved by an -- designed by an engineer and inspected and improved in a fire suppression system as well as the code, sometimes Ansul system, the manufacturer and if you read the reports from the Building Department, it's like every month, the Ansul system, so I don't know what's going on down there, but I think it would behoove someone to look and make sure there is a fire suppression system.

Thank you.

CHAIRMAN McMAHON: Thank you for your comments.

MR. McDERMOTT: Dennis McDermott. I think you all know who I am, general manager right now of the American Beech Restaurant.

I appreciate your concern for cleanliness of the restaurant. I think my track record has proven that the two restaurants I've had in this town already, I
try to keep a very clean restaurant.

The water discharge you see in the back is due to cleaning of our mats at the end of the night.

To answer your question about the Ansul system, it is in place. It's standardized, installed by the system that does Ansul systems and we wouldn't be able to get a C of O without that being there.

So there was another question?

MR. CORWIN: Those were my points. I don't think you have answered them.

MR. McDERMOTT: There is an Ansul system, and there is residual water from cleaning mats. We don't dump our soapy water into the street; we have a mop sink for that.

MS. MUNDUS: You do have a dry well installed, right?

MR. McDERMOTT: Yes. We installed a dry well to take care of the rain water, there are actually two dry wells that we installed to take care of the rainwater coming off the building.
MS. MUNDUS: Is there any way that you could -- the mats have to be cleaned out the back door because I think Dave is right.

MR. McDERMOTT: Well, we actually installed that concrete pad to make sure that we had the facility to keep the restaurant as clean as possible.

MS. MUNDUS: Right.

MR. McDERMOTT: We will be hosing out the dumpsters, and where was that water going to go?

MS. MUNDUS: Well, maybe you need another dry well back there because he's right, I mean, dumping it right across, into the road does affect Ruth right across the street. And, you know, I'm not saying -- I'm just saying that it could be a more neighborly way to approach the problem than just hosing them out in the street.

MR. McDERMOTT: If that's what you need us to do, I'm sure we will be more than happy to comply to that.

MS. MUNDUS: What would be entailed to put another dry well back there; would you
have to bust up the concrete in the back?

    MR. McDermott: Well, we do have a
grease trap, which is basically a dry well
that gets pumped out twice a year; it's like
the cesspool tank, they come empty it out.

    Mr. Burns: Right.

    Mr. McDermott: And that does then
drain out, so we could probably do some type
of accommodation there.

    Ms. Mundus: Okay.

    Mr. McDermott: Located right --

    Ms. Mundus: The mats are heavy,
they've got to be on the ground so you can
hose them off, right?

    Mr. McDermott: Yes.

    Chairman McMahon: Thank you.

    Mr. McDermott: You're welcome.

    Chairman McMahon: Were there any other
comments?

    Mr. Brown: Robert Brown.

    With regard to the parking, obviously I
wholeheartedly agree with your
interpretation of the code.

    I would also like to point out, I have

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recently seen a 2009 MTA traffic study for Greenport which described downtown Greenport as being a residential downtown and arguing that requiring off-site parking for businesses in the downtown area of Greenport is ill-advised.

I can send you a copy of that if you would like.

CHAIRMAN McMAHON: Thank you.

MR. CORWIN: Could you say that again, please? I missed it.

MR. BROWN: 2009 MTA traffic study for the Village of Greenport which described the downtown area as a pedestrian downtown and advised against requiring off-street parking for businesses in the downtown area of Greenport.

MR. CORWIN: And the MTA is?

MR. BROWN: Metropolitan Transit Authority, I believe.

CHAIRMAN McMAHON: Thank you.

MR. SALADINO: John Saladino, 6th Street.

I wasn't going to comment today until I
heard what David said about the temporary CO and the ZBA being the only one that has -- is that, in fact, true? Is that, in fact, true?

CHAIRMAN McMAHON: I'm not aware of that.

MR. PROKOP: There is a provision of the code that the ZBA can issue a temporary certificate of occupancy. I don't think that that is meant to be exclusive.

I'm not a hundred percent sure because I didn't know this question was going to come up and I'm hesitant to give a legal opinion like this off the cuff without having the opportunity to research it.

But it's my understanding that that provision for the ZBA is not meant to be exclusive, it's meant to be a power that is given to the ZBA, and I don't even know if that power is itself legitimate. I don't know that a ZBA can issue a certificate of occupancy.

But I will say that the use that is referred to in the temporary C of O is the
use that was approved by this board and it's
this board that approves the uses --

CHAIRMAN McMAHON: But it's not this
board that can issue the CO.

MR. PROKOP: No, but I think in the
resolution, they authorized the building
inspector to issue a C of O that was limited
to that use, which is the restaurant use.

MR. SALADINO: So is it possible that,
in fact, the restaurant, perhaps is
operating without a C of O?

MR. PROKOP: I don't even think --
pardon me?

CHAIRMAN McMAHON: We expressly
permitted the operation of the restaurant
because that was a continued use, it was the
same use it had been before; so I know that
we expressly approved the restaurant
portion.

MR. SALADINO: I understand that, and
I'm not trying to be obtuse, but this is --
a C of O is not within your purview to
issue.

CHAIRMAN McMAHON: Again, I can't
really speak to it because I don't issue C of O's.

MR. PROKOP: They don't issue C of O's, they approve uses and the C of O is issued based on our approval.

There was an approval granted for the restaurant use by this board, and it was decided that it would be, the application and the determination would be bifurcated, there would be an approval initially for the restaurant and that a C of O could be issued for that use and that's how that came to be.

MR. SALADINO: David's question was, who has the authority to issue the temporary C of O? If nobody here right now has that authority, then, in effect, there is no C of O.

MS. WINGATE: New York State gives me the authority to issue a temporary CO when the project is substantially completed.

The restaurant has been a restaurant for clearly over twenty years. There are many COs for the restaurant use.

Because of the renovation and
structural changes to the building, this board thought a fresh certificate was step one for the entire building, so we re-issued a temporary CO for the use of the first floor.

MR. PROKOP: The we is not -- we didn't issue the C of O.

CHAIRMAN McMAHON: That's the Building Department.

MS. WINGATE: The Building Department issued a temporary certificate of occupancy with an expiration date.

As for the Ansul system, the Ansul system is --

MR. SALADINO: That was not my question. I don't care about that.

MS. WINGATE: Okay.

MR. SALADINO: I was just wondering about the C of O.

Thank you.

CHAIRMAN McMAHON: Thank you.

Are there any other comments?

MR. ROBERTS: Doug Roberts, 33 6th Street, Village Trustee here on my own as a
trustee, not representing the board.

First of all, thank you all for your service. This is a hard job, I know you put in a lot of time. I appreciate it. I know the other board members and the mayor appreciate it. Thank you.

I know you have to get yelled at sometimes, and it's -- so do I, but I got elected, you didn't, anyway, I appreciate it.

I'm sorry I was a little late. Did somebody at least read Trustee Phillips' comments into the record or are you in receipt --

CHAIRMAN McMAHON: I haven't received them yet.

MR. PROKOP: They are about to be read into the record.

MR. ROBERTS: Great.

Well, then I will, in advance, I would like to just sort of say --

MR. PROKOP: They were mentioned, I'm sorry, they were mentioned but a couple times I tried, I was interrupted, I decided
just to wait until the end.

MR. ROBERTS: Okay.

I just want to put my support behind
Trustee Phillips' recommendations to you
that you refer back to the Village Board
that we do something about the parking and
traffic flow.

Mr. Brown, I believe the 2009 parking
study may be the one that the Village
commissioned. I'm not sure if it was MTA.

MR. BROWN: I believe so.

MR. ROBERTS: That's the one I have
read a couple times and brought to a meeting
and said we have got to do something about
this parking thing.

I could use your help in trying to make
that case because we haven't really made a
move on it, but we got now a long winter we
can go through and figure this out.

But I think this case sort of brings up
the necessity for us to review that because
the traffic over there is not great, and
it's a much bigger problem than just this
one business.
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This board is supposed to interpret the code and if there is a code problem, I assume you would bring that to us, but I don't know what a previous Planning Board did, but I think you're getting it right with the parking thing, so, you know, I -- if only everybody was so vigilant about every new development in town, you know, having the eyes on it is good, it's good to have the public kind of paying attention.

A suggestion that might help people feel less concerned about it, have an open house. I don't know if that's procedure or not, but --

AUDIENCE MEMBER: We did just before we opened.

MR. ROBERTS: But maybe now since all these conditions have been brought up, invite people. I know I'd like to see it, and maybe folks in the audience would like to as well. You can sort of show us the -- I don't know what an Ansul system is, but I'd like to see what it is, and I'll read about it between now and then.
Anyway, thank you. Thank you.

MR. JAUQUET: Let me ask you a question.

MR. ROBERTS: Sure.

MR. JAUQUET: As a Village Board member, Mr. Swiskey brought up the fire hazard caused by cars on Carpenter, and it's not just next to the hotel, but it's all up Carpenter Street, I would imagine.

MR. ROBERTS: Um-hum.

MR. JAUQUET: You know, it's a street that is naturally looked at as a parking problem, especially this weekend, you know, people coming in on the weekends. Has the Village Board looked at that, to do something about less parking or signage or something on Carpenter Street?

MR. BURNS: It's the delivery trucks.

MR. JAUQUET: I'm just saying, you know, whatever it is, just in terms of a fire because that would be a disaster.

MR. ROBERTS: We discussed it.

MR. JAUQUET: I mean there's lots of streets maybe that apply just as equally as
Carpenter and maybe there is nothing that can be done.

MR. ROBERTS: It's all over the Village. My personal perspective is that it takes effort. We have discussed it. I think there is momentum building for us to really deal with this, and I would love your help with that.

CHAIRMAN McMAHON: Thank you.

MR. ROBERTS: Thank you.

Mr. Prokop, do you have the comments from Trustee Phillips?

MR. PROKOP: Yes, I do. I'm sorry that I have to read them.

Please enter my comments as an individual with the acknowledgment I am currently a Village Trustee to the public record for two 300 to 308 Main Street that is before the Planning Board on September 24, 2015.

The property is under one tax map number with the site plan that currently has three restaurants, a deli, an inn, retail shops and upstairs apartments. Please take
into consideration in your Planning Board
to review the overall activity of the
deliveries and other services blocking
Carpenter Street and Bay Avenue to emergency
to vehicles.

The property faces Main Street as well
as Bay Avenue. We all have observed over
the summer season traffic and parking issues
creating an unsafe situation in the section
of our Village streets.

It is not the applicant's
responsibility to create a solution, only to
either limit delivery times or create a
space for deliveries only for business
ventures on the site. It is the Village
government's charge to maintain safe
conditions for our community.

The Planning Board has the ability to
recommend to the mayor and the Village Board
that the traffic flow and parking be
reviewed on Main Street between Bay Avenue
and Central Avenue.

Please take time to review these two
suggestions in creating your final
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determination on this application.

Thank you for the opportunity to enter
my comments into the record. Trustee Mary
Bess Phillips.

CHAIRMAN McMAHON: Thank you.

MR. PROKOP: I have one comment about
that.

I learned just recently that actually
this -- because this has not been
mentioned -- that actually this building is
part of a site which includes several other
buildings and uses.

What we have done with this board is
we've assessed the impact of individual
buildings and uses, when I think that the
site should have been taken into
consideration as a whole and I'm not sure
what the result would be with this
application, may not be any, but I just want
to say that with respect to this application
and other applications in the future, as we
have done in the past, if there is
particular review that is underway for one
use on the property that includes other
buildings and/or other uses, we have to do
an assessment of the entire site, not just a
particular use that we're looking at.

CHAIRMAN McMAHON: Okay. Thank you.

MS. MUNDUS: I would like to -- I live
not too far from there and I'm on Carpenter
Street several times a day on a bicycle,
which might be the solution, and the problem
is not just this restaurant, it's Bruce's,
it D'Latte, it's any of the other services
that have to have things delivered, and
maybe the solution might be for the Village
Board to consider holding zone, a loading
zone because every one of those delivery
trucks, including the garbage truck, which I
think is the biggest offender, stops on
Carpenter Street because that's the easiest
place. They can't do it on Main Street and
they get chased off all the others. The
parking enforcement, it's delivery trucks
that are the problem, not hotel guests, not
residential, not restaurant goers. It's
delivery trucks in my opinion.

Maybe that's the way to go. Have a
loading zone for those guys because they
don't know that we have a problem, they're
just trying to do their job.

MR. SWISKEY: Can I say some -- there's
no parking --

CHAIRMAN McMahan: Just take the
podium.

MR. SWISKEY: I haven't had -- William
Swiskey, 184 5th Street.

I happened to go down to Carpenter
Street today. There's no parking signs in
that whole area. In other words, these
delivery trucks can see um, I don't care if
you're driving a taxi, a private car or a
delivery truck, you shouldn't be parking in
a no-parking zone.

Now, these people with this complex,
and Mr. Prokop's got it right, none of these
boards have considered this and it's become
a mess. There is gonna have to be a loading
zone established for these establishments
and you're probably gonna lose two parking
places on Bay Avenue, but that's the only
solution you got to keep these delivery
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You're willing to ticket them every day, so that might be one of your recommendations to the Village Board, take two spaces on Carpenter Street -- not Carpenter Street, Bay Avenue, and make them a loading zone. You could make them a loading zone from 9:00 in the morning till 6:00 at night and then after that you still have parking, but it's one of the things you have to consider.

Thank you.

CHAIRMAN McMAHON: Thank you.

MS. MUNDUS: I'd like to bring up one more thing from the past, and that is the neighbors who live right behind, right next door to D'Latte, came to the Planning Board several times complaining that they couldn't even get in and out of their driveway. They happen to be in California dealing with a sick relative right now, so they're not here to voice their complaints, but you're not the only one, Bill, who has brought this up. Thank you for bringing it up, but it's not for the Planning Board to, you know, we can
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make recommendations. We've been making the same recommendations about Carpenter Street for years, and, you know, I think -- I hate to admit this, but I do agree with you wholeheartedly that we need a loading zone for Carpenter Street.

Thank you.

CHAIRMAN McMAHON: Are there any other comments?

MS. BERRY: Do you want me to wait for a discussion?

CHAIRMAN McMAHON: If you have -- go right ahead.

MS. BERRY: A couple of things relative to deliveries.

Another way of handling it, or maybe you do both, is to limit the time of day when deliveries can occur; and I believe that in some other projects that has been a condition that you request that the deliveries be before a certain hour when there is less traffic.

So that and the loading zone are a couple of ideas for dealing with the bigger.
issue of parking.

Also, I agree that there is a need to look at the parking issue from a bigger perspective because you're getting a lot of pressures as Greenport is becoming more popular.

For instance, rooms. Are we treating different venues equally? Is there a reason why some are grandfathered and not and why? And the nature of the parking is different, it's more long term when it's overnight, you know, people are going to hold on to that spot for hours, rather than turn over in an hour. So I do think there is a need to kind of relook at the parking, but it needs to be done cohesively and in as much of an ethical manner as possible recognizing the limited conditions that a historic village has. You don't want to destroy that character of the densely built environment either, so I think the suggestion of trying to look at it comprehensively, not just picking here and there is a really good one and maybe we could work with the board to look at the
issue jointly.

CHAIRMAN McMAHON: Thank you.

MR. SWISKEY: One more thing. William Swiskey, 184 5th Street.

This isn't about tenants and parking. This is about inconsistent application of our code. This guy gets this, this guy doesn't. It's -- you can't have that. It leaves a bad taste in citizens' mouths.

Thank you.

CHAIRMAN McMAHON: Thank you.

Anyone else have any comments?

We are still waiting for formal input from the Village Board. I believe they're meeting this evening, so hold this over until our next meeting, which is next Thursday. At that time, hopefully we'll have a cohesive statement from the Village Board, maybe not.

MR. ROBERTS: I don't think so.

MR. SWISKEY: I'll ask tonight if they're gonna make --

MR. ROBERTS: I asked two days ago, Bill. I didn't get an answer and I'm a
MR. SWISKEY: Yeah.

CHAIRMAN McMAHON: Well, we cannot finish this without input from the Board, they want to have input on this, so we cannot close this out.

I make the motion that we move on to the next item on the agenda because I don't believe there is anything else we can do at this time.

Yes, Mr. Brown.

MR. BROWN: Can I just ask a question? Is there a time limit established with the trustees to make a determination?

MR. PROKOP: It's -- there was a time limit to respond, and they responded within that time limit. What my recommendation to the board would be is to put it on the October 1st agenda, and see if there is anything that happens between now and then.

MR. BROWN: But they did respond?

MR. PROKOP: Yes. The time limit, there was a thirty-day time limit and they responded, the Board of Trustees responded.
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within the thirty-day time limit that comments would be forthcoming and they requested additional time to provide them, and that's where we're at.

MR. BROWN: They can do that, I presume?

MR. PROKOP: Yes. Within reason. I mean, everything is within reason.

CHAIRMAN McMAHON: So I'm going to make a motion to move this to our next meeting next Thursday.

Do I have a second?

MR. BURNS: Second.

CHAIRMAN McMAHON: All in favor?

(All Said Aye)

CHAIRMAN McMAHON: Motion carries.

Item number two, discussion of current sign regulations.

The Village Board passed a resolution requesting that the Planning Board submit comments to the Code Committee regarding current signage regulations.

I provided copies of the current sign regulations to each member of the board. I
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know each of you have not had a chance to review it yet. The Code Committee did request that we provide them with any comments we have on the regulations.

I was not at meetings when these were -- when the request was made, so I don't know if there is a particular scope.

Mr. Prokop, having been at the meetings, do you recall the regulations they were addressing?

MR. PROKOP: No, nothing in particular. I'm sorry.

CHAIRMAN McMAHON: So we will take a look at this individually and if there are any items on here where we think code can be improved, we'll discuss it at the next meeting.

I'll make a motion to move on from item number two.

Do I have a second?

MR. BURNS: Second.

CHAIRMAN McMAHON: All in favor?

(All Said Aye)

CHAIRMAN McMAHON: Motion carries.

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Item number three, motion to schedule the Work Session meeting for October 29th and the Work Session for November 5, 2015.

Do I have a second?

MS. MUNDUS: Second.

CHAIRMAN McMAHON: All in favor?

(All Said Aye)

CHAIRMAN McMAHON: Motion carries.

Item number four, motion to accept Planning Board minutes for August 6, 2015.

Do I have a second?

MR. JAUQUET: Second.

CHAIRMAN McMAHON: All in favor?

(All Said Aye)

CHAIRMAN McMAHON: Motion carries.

Item number five, motion to adjourn.

Do I have a second?

MR. BURNS: Second.

CHAIRMAN McMAHON: All in favor?

(All Said Aye)

CHAIRMAN McMAHON: Motion carries.

Thank you very much.

(Time noted: 5:50 p.m.)
CERTIFICATE

I, STEPHANIE O'KEEFFE, a shorthand reporter and Notary Public within and for the State of New York, do hereby certify:

That the within proceedings is a true and accurate record of the stenographic notes taken by me.

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 to this 24th day of September, 2015.

____________________________
STEPHANIE O'KEEFFE