PLANNING BOARD
WORK SESSION

Third Street Firehouse
Greenport, New York

August 27, 2015
5:06 p.m.

B E F O R E:
DEVIN McMAHON – CHAIRMAN
BRADLEY BURNS – MEMBER
PETER JAUQUET – MEMBER
JOSEPH PROKOP – VILLAGE ATTORNEY
GLYNIS BERRY – PLANNING BOARD COORDINATOR
EILEEN WINGATE – VILLAGE BUILDING INSPECTOR
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CHAIRMAN McMAHON: This is the Village of Greenport Planning Board Work Session of August 27, 2015.

First item on the agenda is a public hearing.

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 Commercial Retail District.

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

AUDIENCE MEMBER: Excuse me, is your mic on? The microphone is not on.

CHAIRMAN McMAHON: Is that better?

AUDIENCE MEMBER: Yes. Thank you.

CHAIRMAN McMAHON: Are there any -- I don't have any initial comments. Do we have anything from the Board before we open it up?
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to public comments?

MR. PROKOP: I just have one, a
procedural comment.

We circulated a coordinated review
notice. The coordinated review is a
thirty-day notice that was sent out on
August either 4th or 6th, one of those two
dates, I'm sorry, so the thirty days would
be from August 6th until September 5th, so
we may still be getting comments.

CHAIRMAN McMAHON: Thank you.

MR. PROKOP: I know that the Board of
Trustees wanted to communicate that the
Board did want to comment and asked that we
keep the comment period open for the Board
to comment, the Board of Trustees.

CHAIRMAN McMAHON: Okay. Thank you.

AUDIENCE MEMBER: Could you establish
whether it was the 4th or the 6th and not in
between?

CHAIRMAN McMAHON: Yes.

Any comments from the public?

MR. BROWN: Robert Brown, architect for
Mr. Pelton.
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Mr. Pelton regrets that he is stuck in traffic on the expressway behind some big accident. He probably will not make it in time for the meeting.

AUDIENCE MEMBER: Can you talk a little louder?

MR. BROWN: Yes.

Mr. Pelton is stuck on the expressway behind some big accident and probably won't be here in time for the meeting, but he is on his way.

I'm here to answer any questions that you might have.

CHAIRMAN McMAHON: Okay.

I don't have any at this time, but I imagine some may come up.

If anyone would like to make any comments, please come up to the podium and identify yourself for the reporter and proceed.

MR. SWISKEY: William Swiskey, 184 5th Street, Greenport, New York.

Has there been any parking review on this application because this -- the only
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thing existing there is a restaurant, that
gets the free pass; but the inn upstairs is
new, that shouldn't get a free pass. We
need to work out the parking problem.

Have you ever been down there on a
weekend, it's a nightmare.

CHAIRMAN McMAHON: Yes. I live down
there.

MR. SWISKEY: And are you going to take
parking into consideration or not?

CHAIRMAN McMAHON: Parking was
considered, and it was determined that it
was grandfathered in.

MR. SWISKEY: It was grandfathered in
for the restaurant, I don't know who told
you it was grandfathered.

This didn't exist, how can it be
grandfathered? There was no inn upstairs.
I don't understand how you came to that
conclusion.

Was that on advice of counsel?

CHAIRMAN McMAHON: This is from the
Village.

Off-street parking requirements.
Off-street parking spaces, open or enclosed, are permitted accessory to any use, subject to the following provisions:

(1) Schedule of parking requirements. Accessory off-street parking spaces, open or enclosed, shall be provided for any use as specified below, for land which is unimproved within the CR and WC Districts, and for all other land in all other districts, improved or unimproved. Land within the CR and WC Districts which is improved as of January 1, 1991, shall be entirely exempt from off-street parking requirements and from payments in lieu thereof.

MR. SWISKEY: I think you're misinterpreting. That has to do with the restaurant. The hotel across the street, if you're --

CHAIRMAN McMAHON: This was in place before 1991.

MR. SWISKEY: Not the hotel across the street. That was Diamonds, there was a complex and there were apartments upstairs.
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When that guy applied for that hotel, they
not only made him put parking, new parking
in the back, they made him use parking
across the street at a building he bought
for a restaurant, and I asked the building
inspector about it and her answer was
different times, different boards, except
the code applies to everybody equally. I
don't see how you're getting around it.
This is a completely new use, this board is
misinterpreting.

Did you ask legal opinion on this?

CHAIRMAN McMAHON: This was discussed
at the meeting --

MR. PROKOP: It was discussed at the
meeting.

I'd like to, since we have this written
record of the meeting, I'd just like it to
reflect that what he was read was given to
him by the Planning Department, it didn't
come from me. I don't want the written
record to reflect in any way that that came
from me although it was reading from the
code.

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The parking can be reviewed in terms of SEQRA, there is still the SEQRA review that is taking place with regards to this use, and that's one of the comments that can be made.

MR. SWISKEY: Why didn't the Planning Board go to legal counsel and ask his opinion because that's what you usually do on a tough one, you don't ask somebody to just read the book because if you're buying this that you don't need parking, then nobody in the Village will ever need parking to do anything with an existing commercial building even if they put five stories above it.

CHAIRMAN McMAHON: The code does note that certain properties are going to be exempt from parking for existing --

MR. SWISKEY: If they're existing, existing, the existing use was a restaurant. Upstairs was nothing. Now we have an inn upstairs basically. That was not part of the restaurant, so that's a new application. I don't understand your logic.
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CHAIRMAN McMAHON: The section of code I'm looking at says "Land within the CR and WC Districts which is improved as of January 1, 1991 shall be entirely exempt from off-street parking requirements and from payments in lieu thereof."

It does not say, does not specify a difference in use as far as I understand.

MR. SWISKEY: As far as you -- well, did you ask the attorney, did you ask legal opinion since I'm not a lawyer, you're not a lawyer?

MR. PROKOP: The Board can still accept comments regarding parking. It's really not -- you know, the whole thing is under review, it's really not --

MR. SWISKEY: Basically, you said this is the public comment period. In other words, he's saying, oh, it's okay, but why wasn't it okay for the hotel?

Now, you were here for the hotel, Joe, you know what happened there.

MR. PROKOP: Yes, there was a requirement for parking.
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MR. SWISKEY: So now there is no requirement. Just because the Board changes, doesn't mean the rules change.

I mean something is really weird in this Village. You need to get back under control, and you need to ask your legal counsel for opinion.

MR. PROKOP: I think the Board is looking for comments about the application.

MR. SWISKEY: Well, the -- you want my opinion, the application needs parking, that excuse that he's got there does not exempt them from parking.

CHAIRMAN McMAHON: It's not an excuse. You asked for reason behind the --

MR. SWISKEY: Why did you accept the reasoning?

CHAIRMAN McMAHON: Because it seemed reasonable to me.

MR. SWISKEY: Did you ask the attorney if it seemed reasonable?

CHAIRMAN McMAHON: I'm not sure what you're expecting me to say.

MR. PROKOP: The whole thing is under
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review.

MR. SWISKEY: I'm expecting you to follow the same --

CHAIRMAN McMAHON: We're accepting comments on --

MR. SWISKEY: -- that you put the hotel through.

CHAIRMAN McMAHON: I was not here for that. I can't speak for that.

MR. SWISKEY: Yeah, but that does change, it's historic precedent and that's why you would ask the attorney.

CHAIRMAN McMAHON: Thank you.

MR. SWISKEY: I mean, you don't just -- I'm the board member and you're not -- that's why you have the attorney.

I really don't understand how she can say -- no. Once a rule is set, it's there no matter how many different boards it is, it doesn't change unless the Village changes the code, and this is not -- the existing building was the restaurant, not the inn. The inn is the second floor, it's a completely different --
CHAIRMAN McMAHON: It's the same building.

MR. SWISKEY: That's the silliest thing I've ever heard, it's the same -- no, it's a different use.

If you're in over your head, ask your attorney.

CHAIRMAN McMAHON: Thank you for your comments.

MR. HILLERBRANT: My name is John Hillerbrant (phonetic). I live at 160 Sterling Street in Greenport. I am one of the previous owners of the property you're talking about in Sterling Square together with my partner for almost forty-five years, so if anyone is familiar with the parking situation, unfortunately, I am.

This year is a totally different situation. We have had parking next to our store on Saturdays and Sundays, two or three spots available, which has never happened in the past. So in order to answer Mr. Swiskey's comment, have you ever been there? I've been down there every weekend. Have I
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seen parking spots? More than I ever
expected, so let's not make a big deal out
of this.

The parking and the amount of visitors
that we have, that arrive in Greenport is
less than we had in the past. I've been
here since 1971 as you know, so --

CHAIRMAN McMAHON: Thank you.

MR. PALISTINA: Frank Palistina
(phonetic).

One comment is, I think that the whole
building is a huge asset to the community.
It's been taken from something ready to
collapse to something very viable to the
community.

I have had previous conversations with
Brent Pelton, we discussed the parking and
he was concerned about it and was
encouraging people, after all, it's only
five rooms, it's not like you're going to
have huge groups of people up there, that
he's been encouraging people to use mass
transit and was supplying bicycles for all
the people that were staying there to use
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that versus using vehicles.

CHAIRMAN McMAHON: Thank you.

MR. CORWIN: My name is David Corwin, C-O-R-W-I-N.

I believe Mr. Swiskey is right about the parking. That's an addition or an intensification of the use and it should have to get parking.

At your last meeting, from what it looked like in the audience maybe I should say, the consultant offered legal advice. It appears that at this meeting too the consultant is offering legal advice. I take exception to that. Mr. Prokop is getting paid to interpret these things, and I don't think that the consultant should be interpreting.

Again, I think that intensified use requires parking.

Thank you.

CHAIRMAN McMAHON: Thank you.

I will note that Ms. Berry handed me a section of the code without any opinion or legal interpretation.

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AUDIENCE MEMBER: This is not an executive session.

MR. PROKOP: Are there any more comments?

CHAIRMAN McMAHON: Mr. Salidino, he asked which hotel we were referring to, that's what he was asking.

MR. JAUQUET: The one across the street from the pizza place.

MR. PROKOP: I would just adjourn and -- I would even make it open until the next meeting which is on the --

CHAIRMAN McMAHON: I'm sorry.

MR. PROKOP: What we need to do is to adjourn the public hearing --

CHAIRMAN McMAHON: Yes, we have more comments coming in.

MR. PROKOP: -- to get more comments.

CHAIRMAN McMAHON: All right. Do you have any comment?

MR. BROWN: On an entirely separate issue, I just wanted -- Mr. Pelton asked me to relay the fact that a stone has been ordered to provide a solid path from Bay

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Avenue on what is now the gravel path to enhance the handicap accessibility.

MR. PROKOP: How does that affect the handicap accessibility?

MR. BROWN: You need a solid surface for wheelchairs to roll on.

MR. PROKOP: Where is it going to be coming from?

MR. BROWN: From the sidewalk at Bay Avenue into the property and onto the entrance to the restaurant.

He just asked me to relay that information.

CHAIRMAN McMAHON: Thank you.

Are there any other comments?

Okay. I'm going to make a motion that we -- do we adjourn this?

MR. PROKOP: Adjourn but keep it open until we get more comments.

CHAIRMAN McMAHON: All right.

I'm going to make a motion that we adjourn this until our next meeting.

Do I have a second on that?

MR. JAUQUET: Second.

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CHAIRMAN McMAHON: All in favor?

(All said aye.)

CHAIRMAN McMAHON: Motion carries.

The first item on the agenda: Item number one, continued review of the use evaluation conditionally granted for Brian Carrick.

Shakka Flyboard rental facility is located on the Preston's dock. The property is located at 102 Main Street, in the WC Waterfront Commercial District.

Suffolk County Tax Map 1001-5-4-12.1.

I don't believe there is any new business on this.

I will make a motion to move on to the next item.

Do I have a second?

MR. BURNS: Second.

CHAIRMAN McMAHON: All in favor?

(All said aye.)

CHAIRMAN McMAHON: Motion carries.

Item number two: Motion to complete the review of SEQRA -- item number two is not going to be completed because the public
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comment period has not expired, so I'm going
to make a motion to move on to item number
three.

Do I have a second?

MR. JAUQUET: Second.

CHAIRMAN McMAHON: All in favor?

(All said aye.)

CHAIRMAN McMAHON: Motion carries.

Item number three: Pre-submission
conference and discussion for 412 Third
Street Greenport Inc.

The property owner, Jim Olinkiewicz,
has proposed a subdivision of an existing
10,348-square-foot lot. The existing lot
contains two houses, one two-family and a
one-family house. Both houses are
nonconforming.

The property is located at 408-410
Third Street, and in the R-2 One- and
Two-Family District.

Suffolk County Tax Map number
1001-4-2-4.6.

MR. OLINKIEWICZ: James Olinkiewicz,
412 Third Street Greenport Inc.
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Can I drop off a -- it's a little extra work that I did; can I hand that to you or do I have to hand it in to the --

CHAIRMAN McMAHON: Well, since it's -- it's not actually -- we don't have an application for you. Generally we need it for review but we're not considering anything.

MR. OLINKIEWICZ: No, I understand. I just got some more information (handing).

So my application is before the Planning Board to subdivide this 408-410 Third Street Greenport Inc.

It's a flag lot right now that's next to the basketball courts on Third Street. It goes back to two existing homes that have been there since around 1900.

I brought the tax cards from the Village books to show that these buildings were here prior to 1970.

What I did is, I also took the map of the Village and I highlighted and put a legend at the bottom so everybody can review it. That shows lots that are less than
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5,000 square feet, lots that are 5,000,
6,000 square feet and lots that are 6,000
and 7500 square feet.

So I took most of the R-2 District and
I highlighted all of the substandard lots
considered, the pre-existing substandard
lots which the code will not allow to be
subdivided or built on now.

So it winds up that it's about forty or
forty-five percent of the Village in the R-2
District has lots that are less than 7500
square feet, and if you look at the legend
of zero to 5,000, which is blue, there is a
tremendous amount of lots that are less than
5,000 square feet.

So the lot that I'm asking to
subdivide, and there is a couple of reasons
why I'm asking for it, but the lot that I'm
asking to subdivide is 10,348 square feet,
so there will be one lot, the northern lot,
number one, which would be 5,773 square
feet, and then the southern lot would be
4,575.

These are two pre-existing buildings
that have been on a larger than
7500-square-foot lot, but on two distinctive
lots that must have been merged in the past
or somehow cut up in a weird way.

I'm not asking to expand usage. I'll
put covenants on the property on usage or so
that one can't become another two-family, if
that's what people -- there's just two
existing houses on one lot.

When it gets to the point that I would
like to start selling some of these off, it
would be nice that we can sell a one-family
to somebody who wants a one-family and maybe
help a family in the Village to afford a
one-family house, where two houses and three
apartments makes it never difficult for
somebody to be able to afford that, okay, at
a further time.

It will help the Greenport tax load
because there will be a second lot, so if
the taxes which are somewhere in the
neighborhood of 5,000 now, there will be two
lots which will each probably have between
3500 and 4500 in taxes on each one, so that
the revenue will be better for the Village tax-wise.

We have no problem with parking there now. We have -- the apartments are full, they have been full for twenty-five years, and when I first bought them back in '94 or '95, I did a renovation on them, which you could actually see. I owned them once before, you can see on the sheets from the Village in the back it talks about the renovation back in 1998 which was when I owned them the first time.

So, you know, whether the Board agrees or not, I'm just looking to possibly make it easier for somebody to purchase in the future as well as I'm not changing the character of the neighborhood. I'm not adding more buildings. I'm not -- what's there is there. It already has its own water, its own sewers, its own electric, everything. It was two houses that were somehow merged or put on this mis-configured lot, so I'm asking to just subdivide it and keep everything stipulated as it is and
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status quo.

CHAIRMAN McMAHON: Thank you.

Joe, I know there was a letter that went out, has that been resolved?

MR. PROKOP: Well, a letter was -- over several months a number of buildings were identified in the Village as having structures that have been noncompliant with the code that were being used for occupancy, and this was one of the ones that was on the list.

A letter went out in January 2014 asking the owner to come into the Village and go over the nonconformance and apply for the approvals that were required, and I don't know if there was ever a response.

MR. OLINKIEWICZ: I don't even know that I ever got that.

Every time I was asked for any information, it's filled out and sent in. I'm the only landlord that I know that's filled out all the applications for rental apartments, and they're all handed in and followed up with whatever is asked for, so
if that was a question, I would come in and deal with it. No problem.

I mean, these things have been pre-existing in rentals for the last fifty, sixty, seventy years, at least. So I don't know how you could say that it's not conducive or it wasn't a rental or anything, so, I mean, it's a tough question to answer.

CHAIRMAN McMAHON: Okay.

MR. OLINKIEWICZ: Please get me that form, I'll gladly fill it out and come to another meeting.

MR. PROKOP: What is your mailing address?

MR. OLINKIEWICZ: James Olinkiewicz, P.O. Box 591, Shelter Island Heights, New York 11965.

MR. PROKOP: Thank you.

CHAIRMAN McMAHON: Okay.

MR. OLINKIEWICZ: Thank you.

CHAIRMAN McMAHON: Thank you.

I'm going to go over a few items here with regards to this application. I believe if this did come before the Board we would
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need to deny it straight away because of the nonconformance it would introduce. It would have to go to the ZBA.

Let me read through some of the notes here.

The proposal is to subdivide the existing lot into two lots. The existing lot is irregularly shaped and totals 10,348 square feet. The existing lot is conforming to the minimum lot size of 7500 square feet required for a single- or two-family building, as per chapter 150, Zoning Code of the Village of Greenport, Article V, District Bulk and Parking Regulations, the schedule of regulations 150.12.

There are two separate dwelling structures on one lot, one of which is a two-family unit. This lot is thus acting as a multi-family parcel. It is not compliant with the minimum of 15,000 square feet for a parcel supporting multi-family use as a conditional use.

The existing lot size is noncompliant relative to the following: The irregular
shape does not allow for a consistent sixty-foot width or 100-foot depth, parts are compliant. There are nonconforming setbacks for side setbacks for both structures and one for a rear setback.

If the lot were subdivided, both homes would be on nonconforming lots. This would create nonconformance where there was none relative to lot size. Based on this, the proposal would need to be referred to the Zoning Board of Appeals.

Relevant section of the code is 150-21, nonconforming buildings with conforming uses.

Section A, nothing in this article shall be deemed to prevent normal maintenance and repair, structural alteration, moving, reconstruction or enlargement of a nonconforming building, provided that such action does not increase the degree of or create any new noncompliance with regards to the regulations pertaining to such buildings.

As an added issue, the subdivision will
cause nonconformance to have a two-family residence. Currently the code supports a single-family home on nonconforming lots.

The section of code 150.13, subsection E, existing small lots. A lot owned individually and separately and separated in ownership from any adjoining tracts of land which has a total lot area for lot width less than prescribed in this chapter may be used for a one-family residence provided that such lot shall be developed in conformity with all applicable district regulations.

Subsection one, total dimensions of both side yards for principal building shall be computed on the basis of four-tenths of the lot width; however, no side yard dimension shall be less than four-tenths of the total dimensions of both side yards computed as for said and no side yard dimensions shall be less than ten feet.

The total of rear yard dimension for a principal building shall be computed on the basis of three-tenths of the lot depth;
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however, no dimension for the rear yard of the principal building shall be less than thirty feet.

The conditions of one and two would not be met with this subdivision, but if subdivided the lot sizes could be allowed to have two-family dwellings on both due to a note on the schedule.

The note for the schedule reads: If the owner of existing one-family dwelling R-2 District which is legally non-conformant with respect to any of these bulk requirements seeks to convert the existing dwelling to a two-family dwelling, then in that event the area of requirements set forth herein except for the requirement titled off-street parking for dwelling unit shall not apply to the newly added dwelling unit.

Thus, conceivably there could be an increase in the number of dwelling units if the subdivision is allowed unless stipulated otherwise as conditional approval.

I believe Mr. Olinkiewicz would be
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willing to stipulate that.

Support of this subdivision creates precedence for allowing smaller lot sizes thus undermining the existing zoning code. In the event the Board wants to support higher density, it should consider moratorium on subdivisions creating noncompliant conditions to evaluate the Village.

Due to the lot being a double-flag lot with narrow setbacks due to adjacent properties, access for firefighters could be an issue. Ask the Fire Department to weigh in on any criteria the Department want to be considered with this proposal.

I'd like to note, with this proposal, it certainly would have, I believe, very likely to have a public hearing, there will be input from all of the neighbors and other interested parties.

I believe a lot of people would want to have something to say about that given we don't actually have an application before us. The purpose of a pre-submission
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conference is to get general thoughts and opinions of the Board and raise any issues we might be aware of at that time. There are many others that may come up down the road as well.

My initial thoughts are that initially we would have to just -- it would have to be denied due to the issues the Zoning Board of Appeals would initially take. They would be the first ones to press this issue.

I don't know if we would begin a SEQRA determination at that time or if the Zoning Board of Appeals would --

MR. PROKOP: We would get the application first and we would then start a coordinated review and it would be decided among the Boards who wants to.

CHAIRMAN McMAHON: Who would decide who takes lead-agency status?

MR. PROKOP: The Boards would decide. We would put out a notice and Glynis can get input from the other Boards as to who would be lead agency.

CHAIRMAN McMAHON: Any comments or
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questions at this point?

MR. BURNS: No questions.

MR. PROKOP: I just have one question.

Mr. Olinkiewicz, this looks really -- the map, just for verification of the accuracy of the map that you provided us, where did this come from?

MR. OLINKIEWICZ: So the map that I gave you is a -- I went to the County and got a copy of the Greenport Town Map for the County.

From that then, I sat down and painstakingly did all the calculations on a calculator for each and every lot and did the highlighting myself. Then I went over to East End Graphic, Inkspot came and they reduced it.

I have actually large maps, if anybody wants them, which is what I originally did, but then Inkspot reduced this and did this for me, and I'll be happy to bring in large maps if everybody wants large maps.

MR. PROKOP: Okay. Great.

The picture that you gave us of the --
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is that the stairway -- is this the one with
two-families?

MR. OLINKIEWICZ: The one that has the
staircase to the second floor is
two-families, yes.

MR. PROKOP: That's the stairway to the
second apartment.

MR. OLINKIEWICZ: Exactly, but when I
renovated in 1998, it was applied for and I
was allowed to put the staircase on the
opposite side, so we took the staircase out
the -- on the right-hand side of the
property. At one time it was on the
right-hand side of the deck, it got moved to
the left-hand side.

MR. PROKOP: Where it is now, that's
the left.

MR. OLINKIEWICZ: If you face it, it's
on the left-hand side of the house right
now.

CHAIRMAN McMAHON: So the other side of
where it's shown in the picture?

MR. OLINKIEWICZ: Correct. You can go
to page 3, it will show the renovation where
it's on the other side.

When we changed all the windows, rewired the whole place and everything else.

MR. PROKOP: And then the -- I just have a comment.

I don't know that a note to code is binding, I think that is something you need to ask me for an opinion on.

CHAIRMAN McMAHON: Okay.

Like I said, initially, I believe that this would be denied by the Board because it would introduce a nonconformance and require the involvement of the ZBA.

At that point, there would be any number of issues that arise throughout discovery and go from board to board.

MS. BERRY: I just wanted to say, one, thank you for this, this is a nice piece of work.

MR. OLINKIEWICZ: If you want a full size, I'll bring one in for you and you can put it on the wall.

MS. BERRY: At the same time this is a difficult proposal because it is introducing
nonconformance that is not there, there is
an opportunity not to increase the physical
noncompliance. Now if somebody buys it,
that can change, but as it exists, that's
one good thing about it.

The other is the affordability and the
use of this property if it is sold, whether
the benefit outweighs any restriction, this
is an issue. If it were year-round and
somehow guaranteed to be affordable housing
with some kind of restriction on that, then
you would gain three affordable units for
the Village, so I don't know legally if that
is an option or not, but that is the one
opportunity I see with this, but at the same
time, it goes against the codes, but I don't
know if there is a way to manipulate it.

What do you think, Joe?

MR. PROKOP: I wouldn't -- I don't
know. I don't have any response, I'm sorry.

I think that that's probably a
Trustee's consideration, but at this time
I'm still evaluating the application.

Can I ask you, only because I keep
looking at the staircase, I apologize.

This was built to code, of course this was built to code, you got a C of O for the stairway?


MR. PROKOP: Okay.

MR. OLINKIEWICZ: The building inspector at that time, which I don't remember who it was, I called him, the old man would come down and -- Mr. Munce (phonetic). No.

MR. PROKOP: Mr. Avatilli (phonetic)?

MR. OLINKIEWICZ: No. It wasn't Mr. Avatilli.

CHAIRMAN McMAHON: Olson.

MS. WINGATE: Lisard.

MR. OLINKIEWICZ: Lisard.

So he was privy to all the plans, all the inspections, everything else and in the CO we discussed the staircase at length and I was informed there was no problem and so we took care of it and he gave me the COs on
the building.

MR. PROKOP: I'm not saying that there isn't. It's pretty obvious in the picture, I just wanted to make sure that got reviewed.

MR. OLINKIEWICZ: Yep, it was all taken care of back then.

MR. PROKOP: Thanks.

CHAIRMAN McMAHON: Thank you.

I don't have any other questions or comments; does the Board?

I would ask Joe if you could give us an interpretation on --

MR. PROKOP: Yes, I will.

CHAIRMAN McMAHON: Thank you.

If there's nothing else, I'd make a motion to move on to the next item.

Do I have a second?

MR. JAUQUET: Second.

CHAIRMAN McMAHON: All in favor?

(All said aye.)

CHAIRMAN McMAHON: Motion carried.

Item number four: Motion to accept the use evaluation application from Carla
Work Session August 27, 2015

Oberlander.

The applicant proposes to open a gallery at 8 Front Street. The property is located in the CR Commercial Retail District and the use as a gallery is a permitted use.

Suffolk County Tax Map number 1001-4-2-4.6.

MS. OBERLANDER: Hi.

CHAIRMAN McMAHON: Are you Ms. Oberlander?

MS. OBERLANDER: Yes, Carla Oberlander.

CHAIRMAN McMAHON: SEQRA recommendation is Type II, same use.

Recent use: The property is currently vacant, but was formerly used for retail, Kessie's Clothing and Accessories.

Proposed use is Olive Studio, a gallery for art, murals and hand-painted furniture, as well as design consultation.

No physical changes are being made to the space.

Retail is a permitted use in Zone CR.

The applicant intends to store garbage in the back alley.
The applicant has submitted an application for a sign permit. The proposed sign is five inches high by twenty-four inches high, twenty-four inches wide, I believe that should say.

Note, the application does not indicate where the sign will be hung. This should be clarified at the meeting.

If you could --

MS. OBERLANDER: The sign actually would be painted on the building, just not hanging anything affixed to the building. I would just be painting the actual name where Kessie's sign, right where her name is.

CHAIRMAN McMAHON: Is that on the glass?

MS. OBERLANDER: No. It's on, actually a metal-framed part of the building above the glass, right where hers was. It's actually in the picture, maybe it's not visible.

CHAIRMAN McMAHON: In which picture?

MS. OBERLANDER: I'll show you.

(Ms. Oberlander approaches the dais.)
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CHAIRMAN McMAHON: So this sign application was already submitted.

MS. WINGATE: I forgot. That's the sign application.

CHAIRMAN McMAHON: Thank you.

MS. WINGATE: That's the sign, it's full scale.

CHAIRMAN McMAHON: I believe this -- I'm not sure what other --

MR. PROKOP: I would just put it on the agenda next week.

CHAIRMAN McMAHON: Does anyone have any concerns?

I'm going to make a motion that we accept the use evaluation application, and review it at the next meeting.

Do I have a second on that?

MR. BURNS: Second.

CHAIRMAN McMAHON: All in favor?

(All said aye.)

CHAIRMAN McMAHON: Motion carries.

Item number five: Motion to adjourn.

Do I have a second on that?

MR. BURNS: Second.
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CHAIRMAN McMAHON: All in favor?

(All said aye.)

CHAIRMAN McMAHON: Motion carries.

Thank you very much.

(Time noted: 5:44 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 27th day of August, 2015.

____________________________________
STEPHANIE O'KEEFFE