

VILLAGE OF GREENPORT

PLANNING BOARD

WORK SESSION

September 26, 2013

5:00 p.m.

Meeting held at the Greenport Firehouse  
236 Third Street, Greenport, New York 11944

Appearances:

Linn Atkinson-Loveless - Chair

Pat Mundus

Peter Jauquet

Devin McMahon

Ben Burns (Not Present)

Joseph Prokop - Village Attorney

David Abatelli - Village Administrator

Eileen Wingate - Village Building Inspector



ORIGINAL

1 (Whereupon, the meeting was called to order  
2 at 5:10 p.m.)

3 CHAIRPERSON ATKINSON-LOVELESS: Okay. I'm  
4 opening this meeting. This is our Work Session.

5 The first thing on the agenda that we  
6 wanted to deal with in our Work Session is -- was  
7 to be a discussion on the application of Mirna  
8 Estrada, which is the Applicant proposes to create  
9 a multi-service area within the Iglesia Christiana  
10 Marantha Church on Adams Street.

11 When we looked at this the last time, we  
12 found that it was insufficient. We didn't have  
13 enough sense of what the Applicant was applying  
14 for; we're still in that position. We have no  
15 further information. As far as I'm concerned, this  
16 item is just off our radar until a new application,  
17 a sufficient application is turned in.

18 So now Item 2 is -- this has to do with the  
19 Osprey Zone, which this matter came before us last  
20 January, nine months ago, and we had a  
21 pre-submission conference then. But now, since  
22 that was nine months ago and we didn't, according  
23 to code, get what we needed within the six months,  
24 we're sort of starting again, so this is a new  
25 pre-submission conference.

1 MR. KAPPELL: Good.

2 CHAIRPERSON ATKINSON-LOVELESS: And what we  
3 had to look at was what we saw last January again.  
4 And I guess what we would want to do at our Work  
5 Session here is take advantage of the fact that the  
6 Applicant and his representative are here and can  
7 present this again.

8 MR. KAPPELL: Could we come up and join you  
9 at the table?

10 CHAIRMAN ATKINSON-LOVELESS: Please do.

11 MS. MUNDUS: Please.

12 CHAIRPERSON ATKINSON-LOVELESS: And make  
13 sure that the Recorder knows who's who, what's  
14 what.

15 MR. KAPPELL: Good evening.

16 CHAIRPERSON ATKINSON-LOVELESS: Hello.

17 MS. MUNDUS: Good evening.

18 MR. KAPPELL: How are you? So, just  
19 briefly, as we discussed in January, my client,  
20 Paul Henry, on behalf of Osprey Zone, LLC, is  
21 interested in building a building that would act as  
22 a support facility for his marina operation and  
23 yacht club at the subject site, which is already in  
24 existence. I think it's important to note that  
25 that's a fully conforming water-dependent use,

1 permitted use under the Waterfront Commercial  
2 Zoning.

3 And the activities that we propose for the  
4 building are also permitted uses within the zoning.  
5 For example, what we envision there is restrooms  
6 and showers for the marina tenants, storage. We  
7 have no storage on the -- well, we have a little --  
8 you know, a little shed there, but virtually no  
9 storage; ice making facility.

10 On one floor, we propose to put an office  
11 that would be used for the operation of the marina  
12 itself. But, in addition, for the potential for  
13 boat sales, service, repair and storage in water --  
14 obviously, we don't have room on the -- for  
15 storage, but there's -- we could store boats there  
16 in the winter. And retail sale of goods, supplies,  
17 materials, tools and parts for boating and fishing.  
18 These are also permitted uses within the WC Zone.  
19 And then, on the top floor --

20 MS. MUNDUS: So are -- can I just ask a  
21 question --

22 MR. KAPPELL: Sure.

23 MS. MUNDUS: -- item by item as we go  
24 along?

25 MR. KAPPELL: Well, why don't you let me

1 just --

2 MS. MUNDUS: Okay.

3 MR. KAPPELL: -- complete, and then I'll be  
4 glad to respond.

5 MS. MUNDUS: Okay.

6 MR. KAPPELL: Then on the -- it's a  
7 two-story building. Just to repeat, you know, to  
8 refresh your recollection, what we propose to do  
9 is, in order to meet the flood requirement, and  
10 also to preserve the existing parking arrangement  
11 on the property, we propose to build approximately  
12 eight feet above grade the first floor, and then  
13 the second floor would be above that. So it's not  
14 a three-story building, it's a two-story building  
15 with parking below.

16 CHAIRPERSON ATKINSON-LOVELESS: So there's  
17 only one story that has -- it's parking and then  
18 it's a story?

19 MR. KAPPELL: No, parking and two stories.

20 CHAIRPERSON ATKINSON-LOVELESS: It's  
21 parking, then a story, and then a story?

22 MS. MUNDUS: It's two stories on top of the  
23 cars.

24 MR. KAPPELL: That's right. Right. And the  
25 first floor would be this office facility that

1 would serve a multitude, you know, a multitude of  
2 office purposes, and on the top floor would be a  
3 clubroom, which is essentially, you know, a place  
4 for the tenants and members of the club to  
5 congregate, socialize, relax, just sit there and  
6 enjoy the view.

7 MR. JAUQUET: Is there parking? There's  
8 parking underneath the structure?

9 MR. KAPPELL: That's right.

10 MR. MC MAHON: Right.

11 MR. JAUQUET: And you see through to the  
12 water.

13 MR. KAPPELL: Exactly. There'll be pilings  
14 underneath the building to hold it up, but, other  
15 than that, it would be -- it would be open to the  
16 view.

17 MR. JAUQUET: You could see clear through.

18 MR. KAPPELL: Yes.

19 MR. JAUQUET: All right.

20 CHAIRPERSON ATKINSON-LOVELESS: Unless  
21 there were cars parked there, of course.

22 MR. JAUQUET: Or a fence or something.

23 MR. KAPPELL: But that's true now.

24 CHAIRPERSON ATKINSON-LOVELESS: Right.

25 MR. KAPPELL: I mean, it's used for parking

1 now.

2 I'm sorry, Pat.

3 MS. MUNDUS: Well, in the first part of  
4 your presentation, I mean, the permitted use is  
5 here. There are 17 permitted uses, and you pretty  
6 much hit probably a third of them for sure. And I  
7 think the Planning Board would probably like to  
8 know what exactly your intentions are to -- what is  
9 your usage there, because, in your application, it  
10 said "all permitted uses." And what we need to do  
11 is try to decipher what is good for you to allow  
12 you to do what's legally allowable on that  
13 property, but, also, to balance how it is going to  
14 impact everyone else.

15 So, the way I understand -- and, again, you  
16 have a thousand more times experience in this than  
17 I do, but I'm a fast learner, and I'm willing to do  
18 my homework. What I would like to know is when you  
19 submit your application, since we're in a scoping  
20 session now, if you could outline exactly what  
21 you're going to do there, it would really help the  
22 Planning Board and, of course, the public, when it  
23 gets to that, just understand what you're doing  
24 there, because we have an email from one of our  
25 Board Members who's not able to be here tonight,

1 and his first line said, "Why the third story?"  
2 So, if you were able to tell us exactly what's  
3 going to go on up there, a yacht club, are you a  
4 yacht club? Do you have a tax I.D. number? Are  
5 you a nonprofit? Are you, you know, a fractional  
6 ownership? And what exactly is it you're going to  
7 do there? We need to know that, because if you're  
8 going to serve alcohol up there, that opens up a  
9 whole new can of worms, which is not just permitted  
10 use, it's altogether --

11 MR. KAPPELL: Can I respond to that quickly?  
12 We're not going to run a restaurant, or a bar, or  
13 anything like that.

14 MS. MUNDUS: Well, a yacht club, every  
15 yacht club I've been to, and I've been to a lot of  
16 them, serve alcohol.

17 MR. KAPPELL: Paul, do you have any  
18 intention to serve alcohol up there?

19 MR. HENRY: I don't even drink.

20 MR. KAPPELL: Yeah.

21 (Laughter)

22 CHAIRPERSON ATKINSON-LOVELESS: But I  
23 think, if it's for the --

24 MS. MUNDUS: You said it was for the  
25 enjoyment of your boat-owners.



1 CHAIRPERSON ATKINSON-LOVELESS: Marina  
2 tenants might be drinking up there.

3 MR. KAPPELL: Well, they might be --

4 CHAIRPERSON ATKINSON-LOVELESS: And they  
5 might invite a lot of people over.

6 MR. KAPPELL: Well, they might bring  
7 their --

8 CHAIRPERSON ATKINSON-LOVELESS: And that  
9 would just be something to know.

10 MR. KAPPELL: They might bring their own  
11 beer up there. They drink on the boats.

12 MS. MUNDUS: Right.

13 MR. KAPPELL: You know, there's nothing to  
14 stop them right now from having a beer on the back  
15 of the boat.

16 MS. MUNDUS: So the answer to our friend's  
17 email is why the third story? If you said it's for  
18 the enjoyment of your boaters, if they can drink  
19 alcohol on their own boat, what do they need the  
20 third floor for? That's what his question is, why  
21 the third floor?

22 MR. HENRY: Could I see that email?

23 MS. MUNDUS: Sure.

24 MR. JAUQUET: Do you guys have a facade  
25 rendering yet, elevations yet?

1 MR. KAPELL: No, not yet. No, no.

2 MS. MUNDUS: He's unable to be here today  
3 and that was his question by proxy.

4 MR. HENRY: Okay. I just haven't seen this  
5 --

6 MS. MUNDUS: Yeah.

7 MR. HENRY: -- so I just wanted to review.

8 CHAIRPERSON ATKINSON-LOVELESS: I think as  
9 it came up in January, there was just concern that  
10 a lot of things are allowed, and this -- the thing  
11 that's drawn, as we see it now, fits within the  
12 code, including the height and so on. So it's  
13 permissible, but, I mean, the reason for the  
14 Planning Board is sort of to review things that  
15 people can do and make sure that they do them in a  
16 way that, you know, just doesn't take full  
17 advantage of the law, so that -- you know, to the  
18 maximum extent.

19 I think what we talked about in January was  
20 that this is a very small piece of property and  
21 it's separated from the other side of the street.  
22 You know, so, in other words, if in the normal  
23 circumstance, maybe this property would go with  
24 something behind it, and there would be -- it would  
25 be a bigger thing, or it would be part of a bigger

1 thing. This is just a very small piece of  
2 property, and if it's -- if this is completely  
3 maxed out to the permitted-under-the-code  
4 dimensions, it might seem very, very imposing and  
5 very -- very much -- a very big impact on the -- on  
6 that neighborhood in terms of changing what's there  
7 to what would be there after the thing was built.

8 MR. HENRY: May I just add --

9 CHAIRPERSON ATKINSON-LOVELESS: Yes.

10 MR. HENRY: -- that pretty much every  
11 structure around this property is that high. And I  
12 understand that there's concern about what this  
13 would look like. I share those concerns. And, you  
14 know, if we're talking architecturally in terms of  
15 something aesthetic, I would work very hard with  
16 anybody who wanted to to make it pleasing in that  
17 regard.

18 MS. MUNDUS: This is your property with the  
19 same -- with the same height as this property right  
20 next door. You're absolutely right, there are  
21 other properties immediately all around that are 35  
22 feet high. But proportional, their pyramid and  
23 what they call bulking effect, you're going to bulk  
24 everybody. And that's the Planning Board's job, is  
25 to weigh the benefit to one property owner against

1 everyone else. So, when you -- I'm not making any  
2 kind of a judgment now, but I'm telling you that I  
3 would like very much to see, when you put your  
4 application in, since that's the purpose of this  
5 meeting right now, we'd like to know exactly why it  
6 has to have a third floor on it, exactly what  
7 you're going to use it.

8           And I don't think that it's fair to ask for  
9 a buckshot permitted use of any of these things,  
10 because the Planning Board is charged with trying  
11 to analyze whether your submitted usage is  
12 appropriate for that piece of property, not, "We're  
13 allowed to do it by code, so we can have it,"  
14 because when you submit this, it's going to open up  
15 a much larger can of worms. It's in the middle of  
16 a residential area.

17           MR. KAPPELL: No, it's not, it's located on  
18 waterfront commercial property.

19           CHAIRPERSON ATKINSON-LOVELESS: No. It is,  
20 Dave.

21           MS. MUNDUS: We understand what the zoning  
22 is connected --

23           MR. KAPPELL: It's adjacent. It's adjacent.

24           CHAIRPERSON ATKINSON-LOVELESS: These are  
25 all --

1 MR. KAPPELL: Adjacent.

2 MS. MUNDUS: Okay. But let me just tell  
3 you that when you read through this and you find  
4 out where the parking situation has to be, you're  
5 going to open up a whole new can of worms. You're  
6 going to have to screen the parking from the  
7 residents' property. You're going to have safety  
8 issues with only a six-foot setback off the road.

9 Sterling street has been before the Zoning  
10 Board and the Planning Board several times before  
11 this with the very same issues, safety, access, the  
12 benefit of one versus the well-being of the others.  
13 And it's a very large can of worms you're opening  
14 here, mixed usage in the same property.

15 MR. HENRY: You know, I would just add that  
16 it doesn't -- in my vision, there's no additional  
17 people or usage coming to the property from  
18 anything that we're proposing.

19 MS. MUNDUS: No, but you're bulking  
20 everyone else who -- most of the people who travel  
21 up and down Sterling Street are not us. I live  
22 there, too, I see it every day. Most of the people  
23 who go up and down Sterling Street are passing  
24 through there, walking their dog, riding their  
25 bicycle, they're recreating. And the vista,

1 according to the Waterfront Revitalization Plan, is  
2 one of our environmental concerns, that people are  
3 going to look very hard at that.

4 MR. HENRY: I share that concern.

5 MS. MUNDUS: Yeah.

6 MR. HENRY: I don't think that the top  
7 floor is automatically going to be so obtrusive.

8 MS. MUNDUS: Okay.

9 MR. HENRY: I think we're really talking  
10 about architectural, which is a bit subjective,  
11 which can be dealt with.

12 MS. MUNDUS: Well, it's not going to be  
13 dealt with here, because you're going to have to go  
14 in front of the Architectural Review Board -- the  
15 Historic Review Board.

16 CHAIRPERSON ATKINSON-LOVELESS: Well, I  
17 guess so, but here, too.

18 MS. MUNDUS: So you're going to have a lot  
19 of other people besides us to convince, and the  
20 more you flesh that out now, the easier it's going  
21 to be to go down the road.

22 MR. HENRY: I'm here to flesh.

23 MS. MUNDUS: Okay.

24 MR. KAPPELL: That's why we're here.

25 MS. MUNDUS: Okay. The reason that I said

1 that is that what we got nine months hence is  
2 exactly the same thing that you submitted in  
3 January. So, after nine months --

4 CHAIRPERSON ATKINSON-LOVELESS: Well, we're  
5 starting again here, is obviously the fact, because  
6 the nine months has --

7 MR. KAPPELL: We're not -- can I make a --

8 MS. MUNDUS: Yes.

9 MR. KAPPELL: We're not rushing the Planning  
10 Board.

11 MS. MUNDUS: Okay.

12 MR. KAPPELL: Okay? Let's make that clear.  
13 We're not in a hurry; otherwise, we would have been  
14 here a lot sooner. Okay?

15 CHAIRPERSON ATKINSON-LOVELESS: Yeah,  
16 this is --

17 MR. KAPPELL: So there's no --

18 CHAIRPERSON ATKINSON-LOVELESS: We're  
19 starting again.

20 MR. KAPPELL: Yeah.

21 CHAIRPERSON ATKINSON-LOVELESS:  
22 Pre-submission.

23 MR. KAPPELL: There's no pressure on the  
24 Planning Board to come to a judgment tonight, or  
25 lock yourself into anything at all.

1           CHAIRPERSON ATKINSON-LOVELESS: One thing I  
2 remember discussing back in January was the  
3 possibility of seeing, you know, if there was any  
4 idea that you had that could be smaller, you know,  
5 if we could see -- the Architect was here;  
6 remember?

7           MR. KAPPELL: Yes, yes.

8           CHAIRPERSON ATKINSON-LOVELESS: And there  
9 was a thought that maybe we could -- there might be  
10 a possibility of something smaller, something that  
11 didn't maximize what you're allowed to do, and this  
12 is another possibility to think about. If there is  
13 something -- if there's any way that your ideas  
14 could happen in a smaller thing, that might be a  
15 way to, you know --

16           MR. JAUQUET: What is the plan for the  
17 first area, the first floor of the enclosed space?  
18 So you walk upstairs on one end?

19           MR. HENRY: There'll be stairs --

20           MR. JAUQUET: You walk up the stairs.

21           MR. HENRY: -- going up to the first floor  
22 and --

23           MR. JAUQUET: And then you go in. It's  
24 only 16 feet wide, so --

25           MR. HENRY: Right, right. That's right.



1 MR. JAUQUET: So what are you doing on that  
2 first floor? What do you envision for that?

3 MR. HENRY: Well, I think it was --

4 MR. JAUQUET: Is that like common space, or  
5 everybody -- the club space?

6 MR. HENRY: You know, whether the common  
7 space is on the first floor or the second floor is  
8 really yet to be determined.

9 MR. JAUQUET: Yeah. This is -- the whole  
10 thing, I guess, is club space, bathroom, showers.

11 MR. HENRY: What the intention is, not to  
12 increase the usage or the density of the property,  
13 but to provide additional usage for the existing  
14 people who are there.

15 MR. JAUQUET: Yeah.

16 MR. HENRY: You know, I've been a boater  
17 for a long time. I cruise a boat, go to a lot of  
18 marinas and have a lot of experience in terms of  
19 services for providing to cruisers and boaters.  
20 One of the things that we must have is a restroom  
21 and a bathroom that feeds into the sewer.

22 You know, right now, my tenants are  
23 required by contract to use the pumpout boat, but I  
24 think that the real answer is to, you know, go to  
25 the sewer and take showers into the sewer, as

1 opposed to letting the gray water go into Sterling  
2 Harbor.

3 MS. MUNDUS: No. We absolutely want you to  
4 do that.

5 MR. HENRY: Okay, good.

6 MS. MUNDUS: But I want to ask you --

7 CHAIRPERSON ATKINSON-LOVELESS: A pumpout  
8 station --

9 MR. JAUQUET: The showers and the bathrooms  
10 are on the first floor, so you walk up and --

11 MR. HENRY: You know, we're still kind of  
12 like kicking that around. I mean, you know, this  
13 is, hopefully, a give-and-take session.

14 MR. JAUQUET: Yeah, I understand.

15 MR. HENRY: We're trying to work with you  
16 guys and find out, you know, where we can go  
17 together to get to yes on this.

18 CHAIRPERSON ATKINSON-LOVELESS: Another  
19 thing that occurs to me about the second floor, if  
20 that's the community gathering thing, that maybe it  
21 be a half a thing and deck be the other part. Let  
22 me just -- you know, your Architect might think  
23 about that. In other words, you have your second  
24 story up there, that some part of it enclosed, but  
25 some part of it open, might, you know, minimize

1 this -- you know, the massiveness of the structure.

2 MR. HENRY: Well, you know, the -- are we  
3 talking first floor, second floor, in terms of two  
4 stories above the parking?

5 CHAIRPERSON ATKINSON-LOVELESS: Yeah.

6 MR. HENRY: Because let's just, for the  
7 point of this discussion --

8 CHAIRPERSON ATKINSON-LOVELESS: Right.

9 MR. HENRY: -- use -- adapt that  
10 nomenclature.

11 CHAIRPERSON ATKINSON-LOVELESS: The first  
12 floor is that elevated floor, and then the second  
13 floor is the --

14 MR. HENRY: The first floor is the first  
15 living floor.

16 CHAIRPERSON ATKINSON-LOVELESS: Yeah.

17 MR. HENRY: Okay. So the second floor  
18 doesn't have to be as wide and long as the first  
19 floor. In fact, on some of the drawings that we've  
20 been playing with -- and, you know, it's a process  
21 for us, and I've never been through this before.  
22 But on the top floor, we're looking at -- again,  
23 aesthetics is very pertinent to myself as well. If  
24 you look at my property and how we've improved it,  
25 if you look at my home, I take it very seriously,

1 and I'm not planning or interested in destroying  
2 any aesthetics of the neighborhood. In fact, I  
3 would only build something that increased, and  
4 participated, and contributed to that.

5 But I think that there's a lot of different  
6 ways to build that second floor, and it doesn't  
7 have to be as big, or obtrusive, or, you know,  
8 flat-roofed, it can be beautiful. In fact, I  
9 think -- is Gus here? I know he's not, but I love  
10 what he built. I love the aesthetics of the  
11 beautiful lines.

12 MS. MUNDUS: It's a great place, but you  
13 don't have room for any of that on your property.

14 MR. HENRY: I wish I did, but absolutely  
15 not.

16 MS. MUNDUS: I mean, how many marinas have  
17 you been to in your vast cruising experience that  
18 were built on a lot 22 by 73 feet long?

19 MR. HENRY: More than I care to remember.

20 MS. MUNDUS: It's a touchy situation.

21 MR. JAUQUET: How many --

22 MS. MUNDUS: And I'm with you, you've got  
23 to have showers, and you have to have a washer and  
24 dryer, and you have to be hooked up to the sewer.

25 CHAIRPERSON ATKINSON-LOVELESS: And the

1 pumpout station, right? That was always --

2 MR. HENRY: Well, I don't need a pumpout  
3 station, I've got the sewer there.

4 CHAIRPERSON ATKINSON-LOVELESS: Well, I  
5 mean, I remember --

6 MR. HENRY: Oh, a connection to the boats.

7 CHAIRPERSON ATKINSON-LOVELESS: Yeah, a  
8 thing for pumping out the boats was something that  
9 the Coastal Advisory Committee was interested in  
10 when the marina part was developed.

11 MR. HENRY: There's nothing that's not on  
12 the table, you know. But I can tell you this, that  
13 if I have restrooms there, the pumpout becomes, you  
14 know, a secondary issue, because the people that  
15 are using the restrooms -- most boat owners will  
16 choose a restroom over their own head if they have  
17 to pump it out, so, I mean, that's just, you know,  
18 the way it works.

19 MS. MUNDUS: And we want them to.

20 MR. HENRY: Yeah. I mean, it's in  
21 everybody's interest, right.

22 MS. MUNDUS: Right.

23 MR. HENRY: It's in everybody's interest.

24 MS. MUNDUS: Right.

25 CHAIRPERSON ATKINSON-LOVELESS: I don't

1 know much about boating myself. Maybe people went  
2 out boating and then they come back and they've got  
3 a thing that has to be dealt with.

4 MR. HENRY: Right.

5 MR. JAUQUET: Well, how many members are  
6 there in your yacht club; does it correspond to the  
7 number of slips that you have?

8 MR. HENRY: You know, listen. You know,  
9 each year is a different year, different people,  
10 different size boats.

11 MR. JAUQUET: Right.

12 MR. HENRY: You know, what I'd like --

13 MR. JAUQUET: What's the capacity, though?  
14 What's the slip capacity? It changes?

15 MR. HENRY: Well, you know, again, it  
16 depends on the size of the boats.

17 MR. KAPPELL: I think, if I can interject, I  
18 think what Peter's driving at is whether there's a  
19 direct relationship between the size of the club  
20 and the number of boats that can be accommodated at  
21 the docks.

22 MR. JAUQUET: Yeah. I just want to get an  
23 overview. I mean, are there 30 boats, or 10 boats,  
24 less than that?

25 MR. HENRY: No. There's -- I think there's

1 eight boats in there.

2 MR. JAUQUET: Eight, yeah. So it probably  
3 varies from six to 10, or whatever, over a season.

4 MR. HENRY: Exactly.

5 CHAIRPERSON ATKINSON-LOVELESS: Yeah. And  
6 if you had gigantic boats, you only have a few of  
7 them. If you have tiny boats, you could have a lot  
8 more.

9 MR. JAUQUET: Yeah, I know, but --

10 MR. HENRY: And, by the way, one of the  
11 things I'd like to see more transient, no-car  
12 tenants there. You know, a very pertinent part of  
13 this project is preserving parking, because I'm  
14 sensitive to the street. And I park all my cars,  
15 or I try to get all of our cars on the streets as  
16 best we have can. Sometimes we pack them in like  
17 sardine cans.

18 But, you know, the beautiful thing of the  
19 lifting of the building to -- you know, after 30  
20 inches of water in my driveway, I'm a little  
21 sensitive to that. But the beautiful thing about  
22 lifting it up is we preserve the parking, and  
23 that's important to us.

24 But I don't think that you can necessarily  
25 assume that the second floor is going to be some

1 kind of square box that everybody looks at and, you  
2 know, makes faces at. I'm convinced that we could  
3 make something nice there.

4 CHAIRPERSON ATKINSON-LOVELESS: Yeah.  
5 Well, I guess partly what we're saying is when we  
6 do get the actual application, that's the kind of  
7 thing we'll be looking for; how does -- what's the  
8 presence of the building on that little lot, how  
9 does it fit in?

10 MR. HENRY: I would totally agree.

11 CHAIRPERSON ATKINSON-LOVELESS: And if your  
12 Architect -- if you have a few different ideas,  
13 that's another thing that could help us to see --

14 MR. KAPPELL: Some alternatives.

15 CHAIRPERSON ATKINSON-LOVELESS: Some  
16 alternatives, you know.

17 MS. MUNDUS: A lot of applicants come in  
18 with version A, version B, version C. And, you  
19 know, it is a very, very tiny building, granted,  
20 but it's one-third of the vista. And the vista in  
21 Greenport is the golden goose that everyone  
22 benefits from, so --

23 MR. KAPPELL: But can I just say something,  
24 Pat? You know, in all fairness, the public is  
25 enjoying a vista across a piece of private



1 property. It's not --

2 MS. MUNDUS: All these lots along here are  
3 also commercial waterfront.

4 MR. KAPELL: No. But my point is -- my  
5 point --

6 MS. MUNDUS: So, if your client gets his  
7 okay, then the next one is going to come, and then  
8 the next one.

9 MR. KAPELL: But they're also --

10 MS. MUNDUS: And then we're going to have a  
11 Wall of China. We have no more golden goose. You  
12 see where your position is?

13 MR. KAPELL: I understand, but it's not  
14 public property. It's not a park, it's private  
15 property.

16 MS. MUNDUS: It's owned by taxpayers.

17 MR. KAPELL: No, this is owned by Paul.

18 MS. MUNDUS: This is owned by Paul.

19 MR. KAPELL: Right.

20 MS. MUNDUS: But the road, the  
21 right-of-way, you know, the whole harbor, that's  
22 Greenport's historic harbor. We need to treat this  
23 with respect.

24 MR. HENRY: Well, you know, I have to --

25 MS. MUNDUS: It's a can of worms. I'm just

1 saying, it's simple, cut and dry.

2 MR. KAPPELL: I have to put forth -- I think  
3 that the way I've cleaned that property up --

4 MS. MUNDUS: Oh, you did a beautiful job,  
5 beautiful docks.

6 MR. HENRY: -- and the way that I operate  
7 in all the places that I've been involved in would  
8 certainly be in synch with that concept.

9 MR. JAUQUET: Are you -- what sort of  
10 architectural designs are you thinking of, I mean,  
11 modernist, like, you know, something that's --

12 MR. HENRY: I'm more of a traditionalist,  
13 Peter. I would like so see something, you know,  
14 traditional in --

15 MR. JAUQUET: I like the modern. I like to  
16 see the other. It's sort of a --

17 MR. HENRY: You're not going to think that  
18 I'm Dune Road, I promise you that.

19 CHAIRPERSON ATKINSON-LOVELESS: This is a  
20 subjective conversation.

21 MR. JAUQUET: We don't have to get into  
22 this discussion, but --

23 MS. MUNDUS: That's not our purview.

24 CHAIRPERSON ATKINSON-LOVELESS: This is not  
25 our role.

1 MR. JAUQUET: I was hoping against gabled  
2 roofs.

3 MR. KAPPELL: I can understand the  
4 sensitivity. I mean, what its look like -- what it  
5 looks like, it's --

6 CHAIRPERSON ATKINSON-LOVELESS: Yeah.

7 MR. JAUQUET: There's a lot of different  
8 possibilities for a small, little box like that, if  
9 you're thinking of a box.

10 MR. KAPPELL: It's a small property, so it's  
11 an unusual application.

12 MR. JAUQUET: Yeah.

13 MR. KAPPELL: We recognize that, we're  
14 sensitive to it, and it's also a challenge for us.

15 MR. JAUQUET: Yeah.

16 MR. KAPPELL: So I think the question of  
17 design is pertinent, you know, even at the early  
18 stages. I can understand that; I think Paul does,  
19 too.

20 MR. HENRY: And I'm sensitive to that.

21 MR. KAPPELL: We're happy to -- we're happy  
22 to work with the Board on that.

23 I think one of the key questions and one of  
24 the things that would limit the impact of the  
25 height is whether you use a flat roof or a gabled

1 roof, or, you know, what the roof design will, you  
2 know --

3 MR. JAUQUET: I mean, because the facade is  
4 everything, because that's what people are going to  
5 look at. And, you know, you can take it in a lot  
6 of different directions that --

7 CHAIRPERSON ATKINSON-LOVELESS: I think  
8 another --

9 MR. JAUQUET: You know, you can emphasize  
10 the architecture, is what I'm saying, really,  
11 because it's just out there, no matter if it's got,  
12 you know, a building pyramid, which they use in the  
13 city all the time.

14 MS. MUNDUS: Greenport has no pyramid laws.

15 MR. JAUQUET: Yeah, I'm just saying -- you  
16 know, I'm just saying --

17 MS. MUNDUS: We have no legal ability to  
18 prevent this.

19 CHAIRPERSON ATKINSON-LOVELESS: What are we  
20 saying? What's a pyramid?

21 MR. JAUQUET: You know, they -- if you got  
22 a lot of housing all together and you start getting  
23 higher, they want you to pyramid.

24 MR. KAPPELL: Set back, yeah.

25 MR. JAUQUET: Set back from the street.

1 MR. KAPPELL: At different levels.

2 MR. JAUQUET: And also --

3 MS. MUNDUS: Because one's bulk and  
4 verticality --

5 MR. JAUQUET: Getting away from --

6 MS. MUNDUS: -- overshadows everyone down  
7 the line.

8 MR. JAUQUET: -- pyramiding in all  
9 directions as you start getting higher.

10 CHAIRPERSON ATKINSON-LOVELESS: Well, I  
11 don't think it's our job to micromanage.

12 MR. JAUQUET: Yeah, I know. I know.

13 CHAIRPERSON ATKINSON-LOVELESS: I think  
14 what we need to do is just get them -- have the  
15 Applicant understand what kinds of things we're  
16 looking for, and what kinds of things we're  
17 concerned about. The big -- this on the small lot  
18 is one thing. The other thing that we'll want to  
19 see in the application is a -- you know, as much  
20 detail as possible as to things like lighting.  
21 Lighting is a concern both for boaters on the  
22 water. We would sort of -- I think the Village may  
23 have made an overt attempt to be Dark Skies, you  
24 know, to limit that kind of thing, and, also, you  
25 know -- so there's the lighting issues, there's the

1 trash issues, there's the -- yeah. And that's the  
2 -- just the more thorough the application when we  
3 finally look at it, the more easily we can respond  
4 to what's in it.

5 MR. HENRY: Well, just for the record, we  
6 intend to comply with anything that's required. I  
7 mean, and, you know, this is one of the things that  
8 I'm a little confused about, about the process. I  
9 mean, like --

10 CHAIRPERSON ATKINSON-LOVELESS: Aren't we  
11 all?

12 (Laughter)

13 MR. HENRY: Yeah.

14 MR. JAUQUET: Like what we do.

15 MR. HENRY: I mean, you know, like you let  
16 people --

17 CHAIRPERSON ATKINSON-LOVELESS: And when do  
18 we do it?

19 MR. HENRY: -- have kitchens and garages,  
20 even though they could use those things in a  
21 hundred different illegal ways. You know, so, I  
22 mean, like the usage of this property, there's a  
23 lot of laws already existing that, you know,  
24 restrict it and require it to do this and not that.

25 MS. MUNDUS: Which in the end may prevent

1 you from actually doing what you want to do,  
2 because it's pretty articulated in the --

3 MR. HENRY: Well, you know, if so  
4 determined, then I wouldn't want to do those.

5 MS. MUNDUS: Well, that's what I'm saying,  
6 be prepared, because as you start building it,  
7 you're going to find those things out. And the  
8 law --

9 MR. HENRY: I'm not sure you can.

10 MS. MUNDUS: The Village Code is very  
11 clear.

12 CHAIRPERSON ATKINSON-LOVELESS: I think  
13 he'll find them out before he starts building it.

14 MR. HENRY: Yeah.

15 MS. MUNDUS: But the Planning Board, this  
16 Board is the one that we can speak for. It's  
17 pretty clear. The question that we are required to  
18 ask for every applicant, is this proposal and  
19 proposed usage within the capability of that  
20 particular piece of property, and within the code,  
21 as it applies to that property, not, "We have a lot  
22 and here's the list of things we can use it for,"  
23 because we have to look at traffic, access, impact  
24 on Sterling Street, landscaping and screening,  
25 because it is adjacent to and surrounded by other

1 residential properties. That's going to change  
2 your plan, perhaps, if you start finding out what  
3 you have to do.

4 MR. KAPELL: I'm not sure -- I'm not sure I  
5 understand that, because the principal use is  
6 already in place. You know, we're not talking  
7 about bringing substantial new traffic to the  
8 property or to change -- or to change the parking  
9 arrangement. The parking plan was there.

10 MS. MUNDUS: But a building on concrete  
11 pillars six feet away from the edge of the road,  
12 you know, could cause a safety concern.

13 MR. KAPELL: No, but let's -- but you  
14 mentioned a bunch of other things like screening.

15 MS. MUNDUS: That's an impact on the  
16 traffic, yeah. I mean, if you go through and you  
17 look at the parking restrictions for different  
18 uses --

19 MR. KAPELL: But the parking -- the parking  
20 plan was already approved.

21 CHAIRPERSON ATKINSON-LOVELESS: They don't  
22 have to screen the parking that's already there.

23 MS. MUNDUS: But commercial parking on --  
24 commercial parking has to be screened from  
25 residential areas.



1           CHAIRPERSON ATKINSON-LOVELESS: Well, Pat  
2   it's already --

3           MR. KAPPELL: But the parking already  
4   exists.

5           CHAIRPERSON ATKINSON-LOVELESS: The parking  
6   is already there and no --

7           MS. MUNDUS: Yeah, but it's preexisting as  
8   it is now.

9           MR. KAPPELL: We're not changing the  
10   parking.

11          MS. MUNDUS: It's not going to be  
12   preexisting once you submit a new application with  
13   a new building and a new everything. You've  
14   already -- I mean, what used to be there was a  
15   little shed roof thing for garbage cans, that is  
16   preexisting. Now you're talking about a whole  
17   new --

18          MR. KAPPELL: Well, so is the parking lot,  
19   so is the existing marina operation. Most of what  
20   we propose to do is already in place and approved  
21   by a prior Planning Board. They didn't require any  
22   screening of the parking areas.

23          MS. MUNDUS: No, but you're slicing the  
24   salami here. You built the marina and then you  
25   came to ask for a building to serve the marina that

1 was already approved.

2 MR. KAPPELL: The marina was -- actually,  
3 the marina was built by a prior owner.

4 MS. MUNDUS: It wasn't a marina, it was a  
5 few slips that people used, sometimes didn't use,  
6 sometimes it was a pile of garbage with a -- with  
7 a -- we all know what it was. Don't, you know, try  
8 to gild the lily here.

9 MR. KAPPELL: I think to submit --

10 MS. MUNDUS: You did a massive beautiful  
11 improvement there, but it was never a marina with a  
12 giant capital M.

13 CHAIRPERSON ATKINSON-LOVELESS: It was a  
14 mini marina. That's what it was called and that's  
15 what it is, but that doesn't --

16 MR. HENRY: And so it will always be.

17 MR. KAPPELL: So let's call it a docking  
18 facility. But the point is, is that it was the  
19 subject of a site plan application. The Planning  
20 Board had acted on it. They required a certain  
21 parking scheme, we complied with the parking  
22 scheme, and that now exists. Are you suggesting  
23 that the construction of a building over that  
24 parking renders that approval moot?

25 MS. MUNDUS: I would say that it's going to

1 be a whole new application and they --

2 MR. KAPPELL: For everything, for the entire  
3 use?

4 MS. MUNDUS: Well, you're going to have --  
5 you're going to have to go through a lot of  
6 criterion to be able to make it work.

7 MR. PROKOP: I think it does open up  
8 a really significant --

9 MS. MUNDUS: And I'm just saying, be  
10 prepared. We would love to see all those details.

11 MR. PROKOP: But it's a significant change  
12 in the site plan. If you had a prior site plan  
13 that was approved that did include this building, I  
14 think the introduction of the building basically  
15 changes the significant elements of the site plan,  
16 you know, would bring it under review. It allows  
17 the entire site plan to be reviewed. But I don't  
18 think it really has a new use. I don't think it --  
19 I mean, I'm not personally familiar with the  
20 property, but, I mean, it seems like it's -- except  
21 for the -- except for the retail, it seems like  
22 there's going to be the introduction of a retail  
23 use here now, if I'm not mistaken.

24 MR. KAPPELL: There's actually -- you're not  
25 planning to sell anything there?

1 MR. HENRY: There's no retail use.

2 MR. KAPPELL: It's an office associated  
3 with --

4 MR. PROKOP: But what I wrote down, and I  
5 wrote down what you were saying, was basically  
6 sale -- first off, sale of boats, but, also, then  
7 sale of goods and supplies for boating and fishing.  
8 Isn't that a retail use?

9 MR. HENRY: That's not the intention. I  
10 think that that was just taken verbatim.

11 MR. PROKOP: I just wrote down everything  
12 that you said.

13 MR. HENRY: And let me comment. That's not  
14 the intention. I think that was taken verbatim  
15 just from the allowed usages, because that line  
16 has, you know, five or six different usages, and we  
17 took the whole sentence, but we're not -- we have  
18 no interest in having a retail operation there.

19 CHAIRPERSON ATKINSON-LOVELESS: Well, so  
20 that's just another thing to see in the final  
21 application, is a narrower --

22 MR. KAPPELL: A narrative, a narrative.

23 CHAIRPERSON ATKINSON-LOVELESS: A narrower  
24 focus to --

25 MR. PROKOP: Yeah, whatever it is.

1 MR. KAPPELL: Yeah.

2 CHAIRPERSON ATKINSON-LOVELESS: Because I  
3 know it is -- it's tempting, when you have all the  
4 possibility, to maximize your potentials, of  
5 course.

6 MR. KAPPELL: We'd like to put a hotel on  
7 there, too, a restaurant.

8 CHAIRPERSON ATKINSON-LOVELESS: Yeah. I  
9 mean, you'd like to have the right to, even if you  
10 didn't intend to do.

11 MR. KAPPELL: If we want to revive a hotel  
12 up on the top floor.

13 MR. HENRY: We actually had a contingent  
14 contract from Hilton for this (laughter).

15 CHAIRPERSON ATKINSON-LOVELESS: Yeah. I  
16 mean, but I totally get that, as the owner, you  
17 want -- you want all your options. That's what  
18 people like, all their options. We're here to  
19 narrow them to some extent, you know, to some  
20 extent.

21 (Laughter)

22 MS. MUNDUS: It's laid out right in black  
23 and white for the Planning Board; will it be in  
24 harmony with the appropriate and orderly  
25 development of the existing properties and

1 precedence effects on others? It's pretty simple.  
2 And everyone's going to look at it very carefully,  
3 because what the Planning Board decides on this  
4 little piece could then be Brennan, then it could  
5 be all the way down the line, and that's --

6 MR. HENRY: Well, you know, I'm just not  
7 clear on like how the zoning and the planning kind  
8 of like, you know, come into play here. I mean, we  
9 have zoning. I bought a piece of property, that I  
10 looked at the zoning, and said, "Oh, I can do this,  
11 this and this." Now the Planning Board obviously  
12 has authority, but what is the exact, you know,  
13 agenda of the Planning Board, then?

14 MS. MUNDUS: Like I just said, to balance  
15 the use of the property against everyone else in  
16 the Village. It would be anarchy in it --

17 MR. KAPPELL: Within the context of the  
18 zoning, though.

19 CHAIRPERSON ATKINSON-LOVELESS: Right.

20 MS. MUNDUS: Within the context of the  
21 zoning.

22 MR. KAPPELL: Right, right.

23 MS. MUNDUS: Right.

24 CHAIRPERSON ATKINSON-LOVELESS: In other  
25 words, you wouldn't need a Planning Board if all

1 you had to do is meet the zoning, because then you  
2 would just either meet the zoning, or you'd go  
3 before the -- for a variance, and if you got it,  
4 boom, you're done, you wouldn't need a Planning  
5 Board. So the purpose of a Planning Board is,  
6 hopefully, to give a community, you know, some  
7 ability to oversee what's done, and to make sure  
8 that it's as much in harmony between the different  
9 forces, you know, because, in a way, when you start  
10 to develop this property, you become kind of  
11 adversarial to the community in some sense, because  
12 you're --

13 MR. HENRY: I don't think that that's  
14 necessarily true.

15 CHAIRPERSON ATKINSON-LOVELESS: Okay.  
16 Well, good, and, hopefully, it won't be that. All  
17 I'm saying is that there are various interests to  
18 be balanced and weighed, and that's where the  
19 Planning Board comes in. Because if it were just a  
20 matter of meeting the zoning, it would be cut and  
21 dry, there would be no -- there would be no role  
22 for a Planning Board. You'd meet the zoning or you  
23 wouldn't. If you didn't, you'd try to get a  
24 variance. If you got it, you were done.

25 MS. MUNDUS: You should look at this

1 Section, 139, you know, which is the Waterfront  
2 Consistency Review. If you don't have a copy, you  
3 can get it right from the Village website.

4 MR. KAPPELL: No, we have it. Thank you.

5 CHAIRPERSON ATKINSON-LOVELESS: Anyway,  
6 what I want to do before we finish this up is to  
7 just ask any other Members of the Board if they  
8 have -- want to -- in other words, what we're  
9 trying to give the Applicant here, and his  
10 representative, is an idea about what we need and  
11 want to see --

12 MR. KAPPELL: Would like to see, right.

13 CHAIRPERSON ATKINSON-LOVELESS: -- when we  
14 get the actual submission. And I think -- I hope  
15 that we've made it clear. In other words, the most  
16 detail possible, maybe some alternate ways to --  
17 just an understanding, I think, that all of us have  
18 a concern about just the fact that it's going to be  
19 a building on this little, small lot. We  
20 understand a building can be built there, we just  
21 want to see --

22 MS. MUNDUS: Mitigated as much as possible.

23 CHAIRPERSON ATKINSON-LOVELESS: And maybe  
24 to see a few different options. I mean, it's --  
25 maybe you can build something that is very maximum,



1 but somehow everybody looks at it and says, "You  
2 know, that will be fine." I don't know. I have no  
3 idea yet.

4 MR. HENRY: So can we just cut to the  
5 chase? We're talking about design of the building,  
6 right?

7 MS. MUNDUS: And maybe even site location.  
8 I mean, there have been other people who said,  
9 "Well, maybe we could move it this way or that  
10 way," or maybe put the back towards, you know, Gus'  
11 property so that you've got sandwiched, clustered  
12 bulk, if you will. You know, there are a lot of  
13 different possibilities.

14 MR. KAPPELL: The problem is that would  
15 raise a --

16 CHAIRPERSON ATKINSON-LOVELESS: A zoning  
17 issue.

18 MR. KAPPELL: Well, yeah, it would raise a  
19 setback problem.

20 CHAIRPERSON ATKINSON-LOVELESS: Yeah.

21 MR. KAPPELL: Yeah.

22 CHAIRPERSON ATKINSON-LOVELESS: I can  
23 understand why you would want to work within the  
24 envelope that's already allowed, absolutely.

25 MR. KAPPELL: We're trying to work within

1 the existing zoning.

2 MS. MUNDUS: There is no setback here,  
3 that's right on the property line.

4 MR. KAPELL: No, but there's a required  
5 six-foot setback from the street.

6 MS. MUNDUS: No -- yeah. But I'm talking  
7 there's no setback on here.

8 MR. KAPELL: So, if you're talking about  
9 turning it, no, there's no required setback here.

10 MS. MUNDUS: Well, that's what I'm saying,  
11 maybe you might have to reconfigure the building.

12 CHAIRPERSON ATKINSON-LOVELESS: You don't  
13 have a required one.

14 MR. HENRY: I mean, the building could be  
15 wide instead of long, like turn it 90 degrees; is  
16 that what you're talking about?

17 CHAIRPERSON ATKINSON-LOVELESS: Once again,  
18 I don't think that it's our job to micromanage. I  
19 think we're just trying to let you know what we  
20 want.

21 MR. KAPELL: Well, we're trying to -- we're  
22 trying to understand what -- you know, what the  
23 Board's thinking is at the same time.

24 So, just to explore this for a second, if  
25 we were to do this, the problem that would arise is

1 we'd have a problem with front yard setback, so  
2 that would necessitate a variance.

3 MS. MUNDUS: Well, maybe it doesn't need to  
4 be 30 feet long.

5 MR. JAUQUET: Can they cantilever over the  
6 water?

7 MS. MUNDUS: It's already cantilevered over  
8 the water.

9 MR. JAUQUET: That's my question.

10 MR. HENRY: Just the deck.

11 MR. KAPPELL: Just the deck.

12 MR. JAUQUET: Just the deck. You can't  
13 build into the water in Greenport unless you're  
14 grandfathered in, I guess.

15 MR. HENRY: We have a deck underneath it  
16 already.

17 MR. JAUQUET: Yeah.

18 MR. HENRY: It's really a deck over a deck.

19 MR. KAPPELL: Over a deck.

20 MR. JAUQUET: Roof, are you using the roof?

21 MR. HENRY: We don't know yet. We haven't  
22 decided on the final design of the second floor.

23 MR. JAUQUET: There are zoning laws.

24 MR. KAPPELL: We didn't want to get -- you  
25 know, get involved in pinning it all down until we

1 had this conversation, so we can begin to see how  
2 we can accommodate the Board's concerns in what we  
3 present.

4 MS. MUNDUS: So you truly don't know what  
5 you're going to use that second floor for?

6 CHAIRPERSON ATKINSON-LOVELESS: No.

7 MR. HENRY: No, no.

8 CHAIRPERSON ATKINSON-LOVELESS: I think he  
9 made it clear, it would be a community room for the  
10 marina.

11 MR. HENRY: I'm clear what I want to use  
12 this building for, and whether I -- what I do on  
13 each floor is up for, you know -- I mean, is  
14 that -- does the Planning Board really need that  
15 kind of detail?

16 MS. MUNDUS: Well, I don't think that you  
17 can take a grab bag of all 17 things and decide to  
18 use them all.

19 MR. KAPPELL: Well, we understand that.

20 CHAIRPERSON ATKINSON-LOVELESS: I think  
21 we've been through this.

22 MR. KAPPELL: We understand that.

23 MS. MUNDUS: So we would like -- I  
24 personally would like to know. I live on that  
25 street. Is there going to be parties up there?

1 Are you going to have weddings up there?

2 MR. JAUQUET: I'm glad you asked.

3 CHAIRPERSON ATKINSON-LOVELESS: People are  
4 allowed to have parties on their boats, small ones,  
5 you know.

6 MR. KAPPELL: Small weddings.

7 MR. JAUQUET: You can have a 30-by-60  
8 wedding.

9 MR. HENRY: I mean, you know, nobody's  
10 asking my neighbors if they're going to have  
11 parties. I'm just not sure what that has to do  
12 with this, to be honest with you.

13 MS. MUNDUS: Because you're setting a  
14 precedent for all these other properties down the  
15 line.

16 MR. HENRY: Well -- but they can all have  
17 parties now.

18 CHAIRPERSON ATKINSON-LOVELESS: They can  
19 have parties in their yard and stuff, I mean, you  
20 know.

21 MR. HENRY: The point is there's laws  
22 against parties, there's laws governing parties.  
23 There's already things in the books that prevent  
24 people from doing --

25 MS. MUNDUS: I'm just playing devil's

1 advocate --

2 MR. HENRY: Okay.

3 MS. MUNDUS: -- because that's what my job,  
4 is to find out what -- how this is going to impact  
5 everybody else on the street, everybody else in the  
6 community, because it's a balance. You know, usage  
7 is a balance.

8 MR. HENRY: Well, I'm not having any  
9 parties.

10 MR. JAUQUET: Write that down.

11 CHAIRPERSON ATKINSON-LOVELESS: Okay.

12 MS. MUNDUS: I went through this myself.  
13 My house was waterfront commercial also and I  
14 changed it to residential, so I've been in your  
15 chair, I know what you're going through. I chose  
16 to make mine residential.

17 MR. HENRY: Well, for the record, I'm not  
18 looking to have a residential usage there.

19 MS. MUNDUS: Good.

20 MR. HENRY: I'm not planning to live there,  
21 I'm not planning to have a store there.

22 MR. KAPPELL: Or rent it to anybody.

23 MR. HENRY: I'm not renting it to anybody.

24 MS. MUNDUS: Well, these are the kind of  
25 things the Planning Board needs to know.

1 MR. JAUQUET: Well, these are the things  
2 that we're dealing with.

3 MR. HENRY: So what -- tell me what else  
4 you want to know, I'm happy to answer.

5 MR. JAUQUET: For the use, how many  
6 boats --

7 MS. MUNDUS: It will be in your  
8 application.

9 MR. JAUQUET: -- and the people that  
10 correspond with the boats. We would want to get an  
11 idea of people pulling in and out of there. It's  
12 only six spaces, and if they come for the weekend,  
13 they'll probably only park there and sitting on  
14 their boats. I mean, that's the kind of thing a  
15 small gentlemen's marina operation is, like a --  
16 you know, it's for everybody's weekend  
17 entertainment, during the week. It's mostly going  
18 to be handled during the summer.

19 CHAIRPERSON ATKINSON-LOVELESS: Once again,  
20 I don't think that we're going to dictate how this  
21 is used.

22 MR. JAUQUET: Yes.

23 CHAIRPERSON ATKINSON-LOVELESS: Some people  
24 may be there all summer, other people may come and  
25 go. And we also --

1 MR. JAUQUET: No. I just want to get a  
2 feel for what will come and go.

3 CHAIRPERSON ATKINSON-LOVELESS: You know,  
4 the number of spaces depends on the size of the  
5 boats.

6 MR. HENRY: For the record, right now, I  
7 have full-time seasonal tenants there.

8 MR. JAUQUET: Yeah.

9 MR. HENRY: They're all there.

10 MR. JAUQUET: Right, okay.

11 MR. HENRY: They're wonderfully integrated  
12 into the community. They're wonderful people.  
13 They're law-abiding citizens. They haven't had any  
14 parties that they've invited me to.

15 (Laughter)

16 CHAIRPERSON ATKINSON-LOVELESS: Okay.

17 MR. JAUQUET: There's already a dock there,  
18 right?

19 MS. MUNDUS: A beautiful dock.

20 MR. JAUQUET: There's a substantial dock  
21 there, right?

22 MR. HENRY: The docks are finished. The  
23 docks are finished.

24 MS. MUNDUS: It's beautiful.

25 MR. JAUQUET: All the infrastructure is



1 there.

2 MR. KAPPELL: No. The use is well  
3 established and in place.

4 MR. JAUQUET: Yeah.

5 MR. KAPPELL: Yeah, the primary use.

6 MS. MUNDUS: Beautifully done, by the way.

7 CHAIRPERSON ATKINSON-LOVELESS: I think  
8 that we've made our points.

9 MR. KAPPELL: What's that?

10 MS. MUNDUS: Beautifully done.

11 MR. HENRY: Thank you.

12 CHAIRPERSON ATKINSON-LOVELESS: I believe  
13 that we've all made our points and our concerns and  
14 what we hope to see on the application. Yes?

15 MR. JAUQUET: Yeah, but it's hard to see  
16 anything until we get some elevations.

17 CHAIRPERSON ATKINSON-LOVELESS: Yes. We  
18 don't have it yet. That's -- this is what we're  
19 trying to give them, the sense of what we need, and  
20 what we want to see, and what our concerns are. I  
21 think we've done that. So my next question would  
22 be, is there anything more you would like from us?  
23 I mean, is there any clarification --

24 MR. HENRY: Yeah.

25 CHAIRPERSON ATKINSON-LOVELESS: -- of what

1 kind of thing we're looking for that we --

2 MR. HENRY: I would like one clarification.

3 I mean, it sounds to me like you're kind of like  
4 alluding to you want to see the design and you want  
5 to know if you like it, if it's compatible with the  
6 neighborhood; is that pretty much what we're  
7 talking about?

8 MS. MUNDUS: That's what the Planning  
9 Board's job is.

10 CHAIRPERSON ATKINSON-LOVELESS: Yeah,  
11 that's pretty -- it does seem to have a motion --

12 MS. MUNDUS: Is it compatible and how are  
13 you --

14 MR. HENRY: So it's your job to evaluate  
15 our structural design?

16 MS. MUNDUS: Not aesthetically, but its use  
17 and its bulk on the surrounding properties, yes.

18 CHAIRPERSON ATKINSON-LOVELESS: Well,  
19 impact, which --

20 MR. HENRY: Well, wouldn't -- I don't know  
21 how you separate aesthetics from impact. I mean,  
22 isn't that what we're talking about?

23 CHAIRPERSON ATKINSON-LOVELESS: Aesthetics  
24 is part of it, and, I guess, if there were -- what  
25 we would look at when we look at a site plan is

1 just all the different things. How can -- how --  
2 what would be the effect of this building when it  
3 occurs there, and are there ways to make it more  
4 compatible than what we see?

5 MR. KAPPELL: The two -- if I can break it  
6 down, as I understand it, there are two concerns.  
7 One is physical, it's called, not the word  
8 "design," but physical.

9 CHAIRPERSON ATKINSON-LOVELESS: Right.

10 MR. KAPPELL: Right? And the other is use,  
11 you know, how is it going to be used?

12 CHAIRPERSON ATKINSON-LOVELESS: Exactly.

13 MR. KAPPELL: So what we're going to --

14 MR. JAUQUET: Right.

15 MR. KAPPELL: We're going to get specific  
16 with you in our application --

17 CHAIRPERSON ATKINSON-LOVELESS: That is  
18 what we want. We just want to --

19 MR. KAPPELL: -- with respect to -- on both  
20 those subjects, and we'll take it from there. How  
21 does that sound?

22 CHAIRPERSON ATKINSON-LOVELESS: A sense of  
23 the physical structure, and a sense of the use of  
24 it.

25 MR. HENRY: I'm good with it.

1           CHAIRPERSON ATKINSON-LOVELESS: Okay. So  
2 we're all good, right?

3           MR. KAPPELL: Thank you very much.

4           MR. HENRY: So we'll see you tomorrow.

5                           (Laughter)

6           MS. MUNDUS: Thank you.

7           CHAIRPERSON ATKINSON-LOVELESS: Well, yeah.

8           MR. HENRY: Thank you very much, appreciate  
9 it.

10          CHAIRPERSON ATKINSON-LOVELESS: Within six  
11 months, remember, of this conference.

12          MR. HENRY: No. We're on track now. We're  
13 on track.

14          CHAIRPERSON ATKINSON-LOVELESS: Okay.

15          MR. KAPPELL: Thank you very much.

16          MS. MUNDUS: Thank you.

17          MR. KAPPELL: Take care.

18          MR. JAUQUET: Thank you both.

19          CHAIRPERSON ATKINSON-LOVELESS: Okay. I  
20 move that we approve the minutes from the July  
21 26th, 2013 and the August 1st, 2013 meetings.

22          MS. MUNDUS: I second that.

23          MR. JAUQUET: Aye.

24          MS. MUNDUS: Aye.

25          MR. MC MAHON: Aye.

1 CHAIRPERSON ATKINSON-LOVELESS: Aye.

2 I move that we accept the minutes from the  
3 August 29th, 2013 meeting.

4 MR. MC MAHON: Second.

5 CHAIRPERSON ATKINSON-LOVELESS: Okay. Aye.

6 MR. JAUQUET: Aye.

7 MS. MUNDUS: Aye.

8 MR. MC MAHON: Aye.

9 CHAIRPERSON ATKINSON-LOVELESS: All right.  
10 Our next upcoming regular meeting is scheduled for  
11 October 3rd, 2013, at 5 p.m.

12 And I also remind the Board that our next  
13 Work Session --

14 MS. MUNDUS: When was -- when is the next  
15 meeting?

16 CHAIRPERSON ATKINSON-LOVELESS: This is not  
17 right.

18 MS. MUNDUS: No.

19 CHAIRPERSON ATKINSON-LOVELESS: Something's  
20 wrong here. I'm sorry. Hold off. Are you looking  
21 at a calendar, please?

22 MR. PROKOP: I think that's right.

23 CHAIRPERSON ATKINSON-LOVELESS: No.

24 Well --

25 MS. MUNDUS: October 10th is the second

1 Thursday.

2 CHAIRPERSON ATKINSON-LOVELESS: Oh, wait.  
3 This is a Work Session, so our next -- yeah. Our  
4 next -- next week is our Planning Board meeting,  
5 regular Planning Board meeting. That is October  
6 3rd, 2013? Yes. And our next -- okay, right. I'm  
7 sorry.

8 MR. PROKOP: Do we have anything on the  
9 agenda for next week?

10 CHAIRPERSON ATKINSON-LOVELESS: Our next  
11 Work Session will be three weeks later, on October  
12 24th. Okay. I hereby -- oh, yes.

13 MR. PROKOP: No. I just wondered if we had  
14 anything on the agenda for -- is there a reason to  
15 have a meeting next week? There's no meeting  
16 next --

17 CHAIRPERSON ATKINSON-LOVELESS: Oh, we have  
18 dealt with everything. I hereby declare that we do  
19 not have a meeting next week.

20 Okay. So our next meeting, guys, that we  
21 see each other is October 24th, 5 p.m.

22 MS. MUNDUS: So that's going to be another  
23 Work Session, or is that --

24 CHAIRPERSON ATKINSON-LOVELESS: That will  
25 be another Work Session.

1 MS. MUNDUS: Okay.

2 CHAIRPERSON ATKINSON-LOVELESS: And we'll  
3 see what's what then.

4 And now I move that we adjourn.

5 MR. MC MAHON: Second.

6 (Whereupon, the meeting was adjourned at  
7 5:51 p.m.)

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C E R T I F I C A T I O N

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STATE OF NEW YORK )  
                          ) SS:  
COUNTY OF SUFFOLK )

I, LUCIA BRAATEN, a Court Reporter and Notary  
Public for and within the State of New York, do  
hereby certify:

THAT, the above and foregoing contains a  
true and correct transcription of the  
proceedings taken on September 26, 2013.

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 5th day of October, 2013.



\_\_\_\_\_  
Lucia Braaten



A				
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