

1 VILLAGE OF GREENPORT
 2 COUNTY OF SUFFOLK STATE OF NEW YORK
 3 -----x
 4 PLANNING BOARD
 5 SPECIAL MEETING
 6 -----x
 7 Third Street Fire Station
 8 Greenport, New York
 9
 10 November 14, 2019
 11 4:00 p.m.

12
 13 B E F O R E:
 14 WALTER FOOTE - CHAIRMAN
 15 JOHN COTUGNO - MEMBER
 16 LILY DOUGHERTY-JOHNSON - MEMBER
 17 PATRICIA HAMMES - MEMBER
 18 REED KYRK - MEMBER
 19
 20
 21 ROBERT CONNOLLY - PLANNING BOARD ATTORNEY
 22 PAUL PALLAS - VILLAGE ADMINISTRATOR
 23 KRISTINA LINGG - CLERK TO THE BOARD
 24 AMANDA AURICHIO - CLERK TO THE BOARD

25

1 (The meeting was called to order at 4:02 p.m.)

2 CHAIRMAN FOOTE: Good afternoon. Welcome
3 to the Village of Greenport's Planning Board.
4 This is a Special Meeting.

5 We have two items to discuss tonight. The
6 first item is for 326 Front Street. And this is
7 a discussion and possible motion of the Board to
8 solicit comments regarding the application of the
9 Greenporter, located at 326 Front Street, and
10 provide those comments to the Zoning Board of
11 Appeals at the request of the Zoning Board of
12 Appeals; Suffolk County Tax Map No. 1001-4.-8-29,
13 and Lots 30 and 31.

14 In our -- this basically is for the purpose
15 of communicating our thoughts and comments to the
16 Zoning Board, any concerns we, as a Planning
17 Board, based upon our review and pre-submission
18 conference, have had concerning this particular
19 project.

20 AUDIENCE MEMBERS: We can't hear you.

21 CHAIRMAN FOOTE: You can't hear me? Oh,
22 I'm sorry. Okay. You could hear me, right?

23 MS. BRAATEN: Yes.

24 CHAIRMAN FOOTE: Okay. I'll just -- I'm
25 going to wait for the door to go down. No wonder

1 you couldn't hear me.

2 (Laughter)

3 CHAIRMAN FOOTE: Okay. So, to reiterate,
4 this is for 326 Front Street, this is the first
5 item. We're going to discuss among the Board
6 Members to solicit comments regarding the
7 application of the Greenporter Hotel, located at
8 326 Front Street.

9 I'm going to ask each Board Member at this
10 time to express the concerns they've had based
11 upon our prior review of this application, with
12 the thought of communicating our ideas and
13 thoughts and concerns to the Zoning Board,
14 because I understand there's -- it's still in
15 public hearing at the Zoning Board and they had
16 requested our feedback.

17 At the -- as a -- following our giving our
18 individual concerns, we can put together very
19 promptly a letter summarizing those concerns and
20 address it to the Zoning Board.

21 So going on that basis, I'd like -- I turn
22 now to Reed. Do you have any thoughts you'd like
23 to, and concerns you'd like to express in this
24 application.

25 MEMBER KYRK: Yes. I mean, some of them

1 that I'm going to have to use, I guess. Yes,
2 I do.

3 Some of our concerns have been discussed
4 among us, and my overall concern about the
5 application is just the -- a matter of
6 aesthetics, really. It looks entirely different
7 than the entrance to our town, and it always has.

8 But I think, though, in adding a third
9 floor and actually making it much more imposing,
10 I think that that's a concern to me. I mean,
11 perhaps it hasn't been gifted with the older
12 trees that the rest of the -- you know, the rest
13 of the street exhibits. It's just -- so if you
14 want, you know, if you want my concern, it's
15 really one of aesthetics as you enter the town.
16 It really doesn't -- I think the third floor
17 actually accentuates the difference, yeah.

18 CHAIRMAN FOOTE: Okay. Thank you, Reed.
19 Lily, would you like to comment?

20 MS. DOUGHERTY-JOHNSON: Yeah. I don't
21 really have an issue with the height, especially
22 because it's the -- I think it's just the solar
23 panels and a vent that would really go over.

24 As to the aesthetics, if you knew what it
25 looked like before, you know, like originally, I

1 think this is actually an improvement, not now,
2 but like in the 1980s, when I first knew it.

3 But parking I think is always the concern,
4 so I do think that it's just always a concern,
5 and something to -- I don't think we shouldn't
6 allow it, but I do think, just thinking that what
7 it could be used for in the future, you're still
8 going to have that amount of parking. You have
9 to think about that when you're doing a variance.

10 But I think that's -- those are my only
11 thoughts.

12 CHAIRMAN FOOTE: Thank you. John?

13 MEMBER COTUGNO: Yes. I think it's too
14 intense of a use. These extra units for the site
15 size and the parking is way out of line. And
16 aesthetically, I think it's not good looking at
17 all. I would be against a height issue, no
18 matter what, but it's just like adding a box on
19 top of another box, so it's completely out of
20 line with Greenport. But, as I say, I think the
21 parking is the biggest issue, the height is the
22 second biggest issue, and the aesthetics is up
23 there in the top two.

24 CHAIRMAN FOOTE: Thank you. Trish?

25 MEMBER HAMMES: I have some similar

1 concerns with respect to the overall significance
2 of the building, once it's been joined into one
3 structure from the front. But my biggest concern
4 is the parking. And I know that they've tried to
5 give assurances that the restaurant is closed and
6 that doesn't need to be counted. But I think, as
7 we saw, as we've seen with some other
8 applications for other businesses that are coming
9 before us, things change, and who owns it today
10 may not own it tomorrow and may want to do
11 something different with it.

12 So, at a minimum, I think the parking needs
13 to be addressed one way or the another. I'd be
14 in favor of at least applying payment-in-lieu-of
15 provisions to buy it down, because they're 27
16 over, is my understanding, on the variance.

17 And then in terms of the overall aesthetics
18 and the size, you know, it's been a concern of
19 mine. Could I get over it? I guess that's
20 something we haven't as a Board had a public
21 hearing on yet. So, as I understand, that's not
22 really per se what the variances are for, they're
23 for the height and for the parking, so that's
24 kind of what I had focused on.

25 The height I have less of an issue than the

1 joining of the two buildings into one big
2 structure, which I don't think the variance
3 specifically addresses, but, obviously, the use,
4 the use of it.

5 CHAIRMAN FOOTE: Okay. Thank you, Trish.

6 As far as the parking, would it be possible
7 to -- Rob, to get a legal memo on this, just in
8 terms -- because it's very complicated, because
9 different parts of the existing hotel were bought
10 at different periods of time. And one of the
11 things that, you know, the owner is suggesting
12 is, you know, certain aspects of it, if not all
13 of it, are grandfathered and excluded from the
14 parking restrictions.

15 And I -- it's just so complicated. It
16 would be helpful for us, and I think also for the
17 Zoning Board, if we could, you know, share it
18 with the Zoning Board, just to get a legal memo
19 that sort of expresses what our -- what the
20 Village's position is on it.

21 TRUSTEE ROBINS: Sure, I could put together
22 the memo. I could say that the Zoning Board gave
23 them multiple opportunities to apply for
24 interpretations instead of area variances for the
25 parking, and the applicants decided to go forward

1 with the variance request. But, you know, the
2 Zoning Board is -- gave them multiple
3 opportunities to not seek the variances and just
4 get an interpretation. But I can put together a
5 memo.

6 CHAIRMAN FOOTE: Okay. Okay, thank you.

7 As far as my concerns, I also am concerned
8 about the height of the structure. I -- for a
9 couple of reasons. One is just where it's
10 located. It just seems like -- I was just
11 driving by it the other day, actually this
12 morning, and it just suddenly struck me, because
13 of its proximity particularly to the street, it's
14 so close to be turned into a three-story
15 structure. I think it's really going to stand
16 out and throw me off, throw us off. And it just
17 doesn't look like it -- as Reed suggested, it
18 doesn't really fit into the landscape. And it's
19 just -- it's jarring, I guess is the word I would
20 use.

21 The other -- I don't mind so much the
22 combination of the buildings, that doesn't -- I
23 think, actually, the architectural choices to
24 merge it are actually quite beautiful, but I
25 think that the -- I have a real problem with the

1 balconies. And the balconies I have a problem
2 with because they're balconies, and because it
3 makes the structure that much closer to the
4 street. However, I must say, on the other hand,
5 the Architect did a very good job of explaining
6 that, well, actually the balconies are intended
7 to soften the facade, that the facade itself is
8 rather unattractive alone. I'm not going to use
9 that word, probably I think what he meant, but --
10 and for that reason, it actually makes it look
11 better. So that's -- that's my aesthetic
12 concern.

13 And then the other part of that is just we
14 have to think about the precedent this could --
15 this could set. So, you know, everything in
16 Greenport, as far as I know, with very rare
17 exceptions, is two story. And there's confusion
18 in the code about whether or not three story is
19 permitted. And, you know, conservatively, it's
20 decided that it's not in and that you need a
21 variance. But it just to me, to authorize a
22 three-story usage here is -- could set a bad
23 precedent, because the next owner of a two-story
24 commercial structure, just going down towards
25 Front -- towards Main, will say, "Well, you

1 let" -- "You did it here, why can't you do it
2 here, and why can't you do it?" Now, imagine
3 Front Street with everything suddenly a
4 three-story structure. I think we all have a
5 problem with that, I know I would.

6 So it's just something that, again, this
7 is -- I'm trying to put my head as a member, you
8 know, on behalf of the public and how I foresee a
9 concern about allowing for this to go forward,
10 and that's how I feel about that.

11 At this point, I don't think -- unless
12 anybody else has anything to add, I think we're
13 done talking about this particular application.
14 And, again, we can summarize our thoughts in a
15 quick letter to the Planning Board that --

16 MEMBER HAMMES: Zoning Board.

17 CHAIRMAN FOOTE: To the Zoning Board.

18 Sorry.

19 (Laughter)

20 CHAIRMAN FOOTE: I'll probably give one to
21 ourselves, too. And that's it. Okay.

22 Let's go on to the next item. This is for
23 123 Sterling Avenue. This is a pre-submission
24 conference regarding the application submitted by
25 Paul Pawlowski on behalf of 123 Sterling Avenue

1 Corp. on Thursday, November 14th, 2019, at 4 p.m.
2 The application is for possible amendments to a
3 stipulation agreement, dated March 12th, 2007,
4 for the property located at 123 Sterling Avenue.
5 This property is located in the Waterfront
6 Commercial District.

7 I think it's also -- a parcel of it is also
8 in the R-2 District as well, although the
9 property, the structure under most discussion is
10 in the Waterfront Commercial District.

11 This property is not located in the
12 Historic District, although, again, part, part of
13 the parcel, I think, is in the Historic District,
14 right?

15 MR. PAWLOWSKI: Yes.

16 CHAIRMAN FOOTE: The back parcel, yeah.

17 So let me just say the ground rules here,
18 because I know that a lot of people have high
19 interest in this. I'm going to start off by
20 inviting the applicant to come up and give us a
21 presentation. And following that, I'm going to
22 give members of the public the opportunity to
23 speak. We have to be efficient with our time.
24 This is not a public hearing where I can't put a
25 limit on how much you can speak, but we do want

1 to give you the opportunity to give this initial
2 input. And I'm going to limit generally each
3 person's thoughts to -- you know, I'd like to
4 keep it to a few minutes, two or three minutes,
5 literally. So don't forget, there will be a
6 public hearing later on, so you can always add
7 that later on.

8 So, at this point, I'd like to invite the
9 applicant to come up and announce yourself, and
10 let us hear your ideas.

11 MR. PAWLOWSKI: What I'm showing you guys,
12 I have copies.

13 Hello. Paul Pawlowski, owner of 123
14 Sterling. Thanks for your time tonight. I want
15 to review what we have submitted for, just a
16 little history.

17 We purchased this property this past year.
18 The property, when we purchased it, came with
19 approved building permit, approved site plan from
20 the previous sellers. And several years ago, the
21 previous owners, the Neighborhood Association and
22 the Village Board, of whom reached an agreement
23 based on the approved plan.

24 Our goal here today is to start the
25 potential process of a few modifications to this

1 approved plan. We are proposing a modification
2 to the site plan and to the use of the property,
3 while staying within the already approved merits.
4 We feel that this modification will reduce the
5 impact to the neighborhood and improve the
6 overall site plan.

7 I've met with the Neighborhood Association
8 several times, as my goal is to work with them,
9 as well as with the Village Board, to improve the
10 plan that's approved. Here is what we are
11 proposing:

12 Just briefly on the approved plan, approved
13 plan is a 45,000 square foot three-story
14 structure with balconies, 12 market rate condos,
15 five affordable rate condos, 15,000 square foot
16 of commercial space, one detached outbuilding for
17 marina use, parking along Sterling Avenue. Total
18 spots required, 83, and provided is 83. No
19 perimeter landscaping.

20 What we are proposing, and based off of
21 this application and the submission, we're
22 proposing to work within the same exact approved
23 building in size, height, shape, and with the
24 balconies. So the footprint as approved and as
25 proposed, and the height, etcetera, does not

1 change. We're proposing new exterior siding and
2 overall look.

3 We're proposing 20 market rate
4 single-family condos, five affordable rate condos
5 in the outbuilding. The outbuilding footprint to
6 increase to 30-by-50, versus 30-by-40. Rooftop
7 pool on that outbuilding. The five affordable
8 rates condos to go within that building.

9 With that outbuilding, 1650 square foot of
10 commercial space. The 1650 square foot
11 commercial space is roughly an 87% reduction from
12 what's approved currently. I would say that's
13 the biggest modification we're looking for, is
14 the -- is the use modification from commercial to
15 more residential.

16 No parking along Sterling, and relocated to
17 the first floor parking garage. Parking required
18 is 49 spaces as proposed, and provided would be
19 77 spaces, of which roughly 17 would be on the
20 first floor indoors and not viewable from
21 Sterling Ave.

22 Public access at Stirling Basin, there's a
23 small section that we would donate for public
24 access on the north, northeast corner of that
25 property. We're also going to be providing with

1 the wetlands permit application, we're going to
2 provide a pumpout station within our marina for
3 the Village pumpout, Village boat to be able to
4 pumpout there, versus having to go all the way
5 around to the ferry location.

6 So those are the main merits of what we're
7 proposing in a bullet-point fashion.

8 I just want to point out on the approved
9 site plan, the footprint would stay the same with
10 the larger structure, and the smaller outbuilding
11 would increase by 10 feet, with similar allowable
12 setbacks. The biggest change to the site plan
13 would be to relocate or remove these parking
14 spots along Sterling Avenue, because how they
15 are, the cars would be faced in towards the
16 building in the rear. The car would be roughly
17 almost on Sterling Avenue.

18 The proposed site plan, just to point it
19 out, would have sidewalks and curbing all the way
20 down to the public access point on the water.
21 The parking would be on the first floor, mainly,
22 most of the first floor. This drive-through
23 would just mainly be a one-way drive-through for
24 deliveries, and most of the exterior parking lot
25 would be on the west side of the property.

1 As we know, this is the approved
2 appearance. We would stay within the same
3 footprint, same balconies, but our goal is to
4 improve the appearance. And with the -- with the
5 proposed appearance, with the proposed
6 appearance, our goal is, again, to work within
7 what's approved, replace the siding with a
8 reclaimed brick and gray shiplap. None of that's
9 metal, it's -- besides the railing might be, and
10 then improve the windows. Again, we're -- our
11 goal is to work within what's approved, and
12 improve on that with this appearance.

13 The brick would be reclaimed, and the
14 shiplap would be a Hardie, Hardie material that
15 comes prepainted gray, just to add a little bit
16 of change to the building.

17 The goal behind this is to make it look
18 like a refurbished large old oyster factory, and
19 versus what the approved, approved appearance is.

20 (Laughter)

21 AUDIENCE MEMBER: Old fishery.

22 CHAIRMAN FOOTE: Quiet, please.

23 MR. PAWLOWSKI: So those are our bullet
24 point proposed modifications and proposed
25 appearance.

1 A lot of questions have been asked about
2 why stay with the current building. We don't
3 want to -- you know, there was a lot of work done
4 years ago by a lot of people involved to get to
5 this approved point. We don't want to go down
6 that road again. What we're really asking for is
7 to improve the site plan. I think it would be
8 hard to disagree that taking parking along a
9 residential road away is a good thing, and
10 improve on the potential use.

11 I fully respect that when the oyster
12 factory was there, it was much more of a
13 commercial situation going on down Sterling
14 Avenue. Since then, since that building was
15 demolished, it's only a residential neighborhood.
16 So our second major modification is for the use,
17 to reduce that commercial impact to the street,
18 and add more of a crystal ball in knowing what
19 the use would be with residential units.

20 The other modification would be the -- a
21 small pool on the rooftop. The main reason for
22 the rooftop is we simply -- you know, the
23 property is narrow. If we do it on the rooftop,
24 it won't take up any green space, it would be
25 self-contained. And that's the goal with the

1 pool, which is to have a private pool for the
2 potential buyers, that would be private for them,
3 and also private for neighboring properties by
4 putting it on the rooftop.

5 We definitely want to, obviously, honor the
6 five affordable rate condos. The reason we
7 proposed to put them in the outbuilding is
8 because they're small units, they're basically
9 one-bedroom apartments. The other units are
10 larger two to three-bedroom apartments. So it
11 would be nice to have those units separated, just
12 because it's two different potential, you know,
13 family sizes and stuff, so it works out well. By
14 putting them in the outbuilding, it allows us to
15 remove the parking along Sterling and put the
16 parking on Main, using much of the first floor.

17 Without relocating those uses, I don't
18 know -- you know, we -- the parking calculations
19 by code, we can fulfill them. We don't need any
20 public parking spaces, we could do it all on our
21 own property. But by relocating the five units
22 to the outbuilding, and the commercial space to
23 the outbuilding, it makes the site plan better by
24 being able to remove those parking spots along
25 there.

1 As far as why we are sticking with this
2 building as well, it's the optimal location
3 for -- on this waterfront property. Obviously,
4 we'd like to be close to the water. When -- and
5 then most of the exterior parking lot would be
6 hidden in the back. Even on Ludlam, we would be
7 providing a sidewalk and green space and
8 screening as well.

9 So for one of the largest parking lots in
10 Greenport, you really wouldn't see it much at
11 all. You actually wouldn't see it at all, except
12 for the two 24-foot-wide entrances.

13 This building offers us the ability to --
14 you know, regardless of approved or proposed, we
15 could keep moving forward, because the structure,
16 the structural aspect, the height, nothing
17 changes in that regards. This is the best
18 analogy I could give. It's basically what
19 changes. What happens on the inside of these
20 walls is what the modification is, not so much
21 the building itself.

22 I realize the appearance is very important.
23 I'm not going to make everyone happy, but I
24 think, when complete, it will look good, I'm
25 confident in that.

1 When factoring any project, there's a lot
2 of things to factor, the investment itself, how
3 people would like to live in that -- on that
4 property. So this building offers full-floor
5 living versus walk-up. This building is much
6 more efficient than say doing multiple buildings,
7 because we could do it with one elevator, one
8 parking garage, and it's -- for those apartments,
9 they mainly all would have a water view.

10 So I respect that this is a large project
11 for the Village and for the neighborhood, but I
12 kind of want to point out that if you look at
13 comparable projects and properties similar to
14 Stirling Cove, which is 48 units, Oyster Point,
15 which is 34 units, Pipes Cove and us, we're
16 technically the smallest, one of the smallest out
17 of all of those waterfront accessible
18 communities, and all of them have been around for
19 20 to 30 years plus.

20 So it is a big project. I understand and
21 respect the emotion behind the project, but I
22 really want to say this isn't anything new to the
23 Village at all for what we're proposing. And I
24 say that to help reduce some of the stress behind
25 this project. We're not trying to come in here

1 and put a power plant in or something of big
2 magnitude. Yes, it's a big building, there's no
3 denying it, but the scale of the project is one
4 of the smallest of its kind in the Village.

5 I also point this out because everyone's
6 concerned. I'd be concerned with traffic. My
7 goal is to own one of them and maintain one of
8 them once it's done, you know, until my kids are
9 out of the Mattituck School District. During
10 that time, my parents will be living in one of
11 these, and they're going to be concerned about
12 traffic on the road.

13 You know, if you look at Stirling Cove,
14 it's almost double the amount of proposed units
15 we're asking for. And I've gone down that street
16 a lot, and yes, there's cars, yes, there's
17 traffic, but you barely even notice it. I didn't
18 even know there was 48 units back there. So I'm
19 not saying that to say, "Hey, this isn't a big
20 project." I'm just really pointing out that what
21 we're proposing is very similar to what's already
22 in the Village.

23 Our goal today is to move forward and
24 improve on what's approved. We fully, as the
25 owners of this project, realize that we're at the

1 mercy of the Boards and the Neighborhood
2 Association and the other people in the Village.
3 We hope that, within reason, you know, we could
4 improve on this, and that's our goal. Like I
5 said, I met with the Neighborhood Association
6 four times. While I realize they much -- rather
7 be much more involved in the design aspect, and
8 maybe a different scenario, you know, six of the
9 seven points that we discussed together we came
10 to somewhat of a common ground with.

11 And I'm here to keep the communication
12 open, I'm here to answer questions, and I
13 appreciate everyone's time.

14 CHAIRMAN FOOTE: Thank you. Okay. Would
15 somebody from the public like to speak concerning
16 this at this time?

17 MR. HILBRAND: Well, let's get the ball
18 rolling.

19 (Laughter)

20 My name is Jaap Hilbrand. I didn't plan --
21 I live at 160 Sterling Street.

22 I didn't plan to stand here and talk,
23 actually, but I thought this was an application
24 for a hospital, it looks like a hospital. Where
25 does the red brick come from in the neighborhood?

1 I live at 160, one of the Victorian houses,
2 and I've been there for approximately 45 years.
3 Our sole intent has always been to be a business
4 or presentation to the boaters of the Greenport
5 Village, and I think we have succeeded in doing
6 that, by keeping everything in the old style.
7 This changes everything.

8 On that picture, where would the pool be?

9 MR. PAWLOWSKI: I'll get back up at the end
10 to answer all the questions.

11 MR. HILBRAND: Okay. Am I looking at the
12 beginning of Sterling Avenue here? If I tell you
13 how many trucks and --

14 CHAIRMAN FOOTE: Can you stop for a second?

15 MR. HILBRAND: I'm sorry.

16 CHAIRMAN FOOTE: I think it's more
17 efficient. You can -- if you don't mind, he
18 can --

19 MR. HILBRAND: Sure.

20 CHAIRMAN FOOTE: You can address each
21 question individually. It will just get the flow
22 more efficient that way.

23 MR. PAWLOWSKI: I'll just bring up the
24 poster. So there was two questions. The first
25 one was where, where is this building. So this

1 is Stirling Basin, so that you would be
2 looking -- this is the northeast corner of the
3 property, similar to that rendering. The
4 proposed pool would go above the already approved
5 outbuilding on the roof.

6 MR. HILBRAND: So not on the entire
7 complex?

8 MR. PAWLOWSKI: Not on the -- it's on the
9 property --

10 MR. HILBRAND: Yeah.

11 MR. PAWLOWSKI: -- but on the roof of one
12 of the structures of the property.

13 AUDIENCE MEMBER: Indoor pool or outdoor
14 pool?

15 MR. PAWLOWSKI: It's outdoor rooftop pool.

16 MR. HILBRAND: What size?

17 MR. PAWLOWSKI: Twenty-by-forty.

18 MR. HILBRAND: Sizable. Okay. Back to the
19 issue. Could you move that so we can see the --
20 is it a brick outside?

21 AUDIENCE MEMBER: Yes, reclaimed brick.

22 MR. PAWLOWSKI: So the proposed siding is a
23 reclaimed brick, and the gray is a gray shiplap.

24 MR. HILBRAND: As I mentioned, I wasn't
25 planning on speaking until I saw that. And I

1 thought this is a hospital. What is the brick
2 doing in that neighborhood?

3 MR. PAWLOWSKI: So some of the rationale
4 behind the brick, and now, again, this is open to
5 discussion and personal preference, but we came
6 to the brick aspect because brick is very
7 prevalent in maritime communities. And while I
8 understand that a lighter color, or shiplap, or
9 something of that nature, when you're dealing
10 with a building of this size, the brick will
11 disappear and not stand out nearly as much as a
12 brighter, lighter building, not nearly, and
13 that's -- that's one of the rationale?

14 MR. HILBRAND: I would certainly disagree
15 on that, but I would --

16 MR. PAWLOWSKI: So it's --

17 MR. HILBRAND: I'll leave the floor open to
18 some of the people in that neighborhood who
19 are much --

20 MR. PAWLOWSKI: So just --

21 MR. HILBRAND: -- better versed in the
22 technicalities --

23 CHAIRMAN FOOTE: Okay.

24 MR. HILBRAND: -- where the Planning Board
25 is concerned.

1 CHAIRMAN FOOTE: Very good. Thank you.

2 Yes.

3 MS. SHEMIN: Hi, everyone. Anita Shemin,
4 S-H-E-M-I-N.

5 I actually have a question that I'd like to
6 address to the Town Attorney, if that's in order.
7 My understanding is that there was a 2007
8 stipulation that came through the courts. And my
9 question is where is the authority for the
10 Planning Board to make any changes whatsoever?
11 It would seem to me that the appropriate body to
12 address these proposed changes would be to go
13 back to the court. So where -- so the question,
14 to make it very simple, is where does the
15 Planning Board get its authority?

16 MR. CONNOLLY: It's on Page 7 of the
17 stipulation.

18 MS. SHEMIN: Excuse me?

19 MR. CONNOLLY: On Page 7 of the stipulation
20 it says that "123 Sterling reserves the right at
21 any time to seek any modifications and plans
22 through the ordinary channels for obtaining such
23 modifications at that time." So that means that
24 they're coming through the proper channels at the
25 time, they're starting at the Planning Board.

1 MR. MOORE: Just read a little further,
2 though, the next section about abandonment.

3 MR. CONNOLLY: There's nothing about that
4 being abandoned. He hasn't abandoned the
5 modified plans.

6 MS. SHEMIN: Please speak up so we can hear
7 you. I didn't hear what you said.

8 MR. CONNOLLY: The plans haven't been
9 abandoned, so --

10 CHAIRMAN FOOTE: Yeah.

11 MR. CONNOLLY: He's doing what he's --

12 MS. SHEMIN: Well --

13 CHAIRMAN FOOTE: And even if they were,
14 it's the same process --

15 MEMBER HAMMES: Right.

16 CHAIRMAN FOOTE: -- because if it's
17 abandoned, so you still go through the ordinary
18 channels for obtaining such approvals.

19 So, I mean, the stipulation, in my reading
20 and our Legal Counsel's reading, is that this is
21 the plan that's approved, but the developer has
22 the right to seek further modifications, if that
23 person goes through the normal approval channels.
24 Now, the consequence of that would be that the
25 Neighborhood Association, which -- if everything

1 was built exactly according to the stipulation,
2 the Neighborhood Association would not be
3 permitted under the terms of the stipulation to
4 challenge it legally. They'd get kicked --
5 that's what the stipulation says. However, if
6 there is a modification, my reading is that would
7 open the right of the Neighborhood Association to
8 go back and challenge it in court. So that's
9 really what's going on here.

10 MEMBER HAMMES: I think they'd be
11 actually -- it would happen once we made a
12 determination, and then they would challenging
13 the determination in the same way that they
14 challenged the original determination in favor
15 of it.

16 MS. SHEMIN: So the process -- excuse me,
17 I'd like -- so the process is the -- it's the
18 Board that makes the final decision about the
19 proposed changes to the 2007 stipulation. And
20 the Neighborhood Association has the option to go
21 back to court and to challenge those, those
22 changes that were approved by the Planning Board.

23 CHAIRMAN FOOTE: Yeah, well, it's not just
24 this Board, but if there's a zoning issue that
25 comes up, the Zoning Board. It's if something

1 comes up.

2 MS. SHEMIN: So it's a joint -- so it's a
3 joint --

4 CHAIRMAN FOOTE: Yeah.

5 MS. SHEMIN: -- decision.

6 MEMBER HAMMES: If there's -- if there's a
7 variance required.

8 CHAIRMAN FOOTE: I said if a zoning issue
9 comes up, yeah. Okay.

10 MS. SHEMIN: So in order for you to, let's
11 say, come to an agreement on the proposed
12 changes, what resources do you -- do you use? I
13 mean, on the Board, do we have people who are
14 engineers, who are aware of environmental law,
15 who are just aware of land usage and zoning?
16 Well, zoning perhaps you do have some expertise.

17 CHAIRMAN FOOTE: Yeah.

18 MS. SHEMIN: But where do you get -- you
19 know, how do you come to your, you know,
20 decision-making processes?

21 CHAIRMAN FOOTE: These are great questions,
22 and we do have these resources available to us at
23 our request. For example, we have our own
24 Counsel who's advising us on the zoning related
25 issues, land use issues.

1 As far as architectural issues, that's a
2 great question, and we do intend to, at least,
3 you know, I do, and I think my fellow Board
4 Members would agree, intend to look into
5 retaining somebody to look at the architectural
6 features. We may, we may want to consider asking
7 the Historic Board to weigh in on their views on
8 it, because Greenport's an historical town. And
9 even though it's technically -- the building
10 itself is not in the Historic District, we think
11 it might be a meaningful input to get.

12 Obviously, most importantly, quite frankly, are
13 getting the input from people like you, the
14 public, the community, and getting, you know,
15 their concerns expressed, and all of that gets
16 factored in before we make any kind of decision.

17 MS. SHEMIN: Okay. I do appreciate that.
18 I just wanted to point out that, to me, that some
19 of the objections that were raised regarding the
20 Greenporter Hotel just now, just a few moments
21 ago, I've heard those exact same reservations
22 being made about this project, and the objections
23 all came from the dais here. So, I mean, just
24 keep that in mind, that there has to be
25 consistency in the decision-making. What's good

1 for one is good for the other.

2 Thank you very much.

3 CHAIRMAN FOOTE: Thank you.

4 (Applause)

5 CHAIRMAN FOOTE: Yes.

6 MR. SPIRIDAKIS: Hi, everybody. I'm Tony
7 Spiridakis, and I live on Sterling Street.

8 One of the questions that I had is, is
9 there parking under the building?

10 MR. PAWLOWSKI: First floor parking, not
11 underground, but in the first floor.

12 MR. SPIRIDAKIS: So residents have their
13 parking in --

14 MR. PAWLOWSKI: Correct.

15 MR. SPIRIDAKIS: So it's not all in the
16 back. Okay, that's great. Because it would seem
17 like --

18 CHAIRMAN FOOTE: Excuse me, but that's
19 under the proposed modifications. The current
20 plan doesn't call for parking on the first floor.

21 MR. SPIRIDAKIS: Of any kind, yeah, I
22 understand. I was asking about the proposed.

23 I just want to reiterate what was brought
24 up about -- the one thing that came to mind about
25 what I heard before about the Greenporter

1 location is this idea of three stories and two
2 stories. I mean, I understand -- I don't really
3 understand. I guess this was approved in 2007,
4 correct? So now we've carried something up to
5 2019, and it seems like -- it seems gigantic
6 compared to the other. I respect also the other
7 housing that have more units than you, but all of
8 those are two story, if I'm not mistaken, are
9 they not, all those?

10 MR. PAWLOWSKI: Just to clarify in the
11 height, the height of this building would not
12 exceed the height of Stirling Cove's building.
13 Yes, Stirling Cove's are two-story, I believe,
14 with the roof, but the overall height is exactly
15 the same height.

16 MR. SPIRIDAKIS: But this is a three-story.

17 MR. PAWLOWSKI: Still maintaining the same
18 height, the overhaul height of Stirling Cove.

19 MR. SPIRIDAKIS: Okay. So Bay, the Bay
20 Apartments, would they be the same height as this
21 as well?

22 MR. PAWLOWSKI: (Nodded yes).

23 MR. SPIRIDAKIS: Okay. So the other thing
24 that I worry about, that I don't know, that
25 parking is one thing, but I live on Sterling

1 Street, which if you live on Sterling Street, you
2 know that it's barely possible to get two cars
3 down the street at the same time, literally.

4 MR. HILBRAND: Impossible.

5 MR. SPIRIDAKIS: It's impossible. So
6 there's parking along the one side of Sterling
7 Street and no parking allowed on the other side.
8 This absolutely becomes a one-lane thoroughfare.
9 So I'm just wondering how -- and then when you
10 turn on Sterling Avenue, you dead-end, so now you
11 have to go right or left.

12 I'm just concerned, living -- you know,
13 moving into a new quiet, wonderful neighborhood,
14 how -- which I have to be very careful when I
15 come out of my street at the church. You know,
16 turning, it's just -- in terms of the traffic
17 impact, have you done the study on the actual
18 impact to the -- to that aspect?

19 MR. PAWLOWSKI: Well, one of the main
20 reasons for our proposed modification to the use
21 is to reduce the commercial, which will then in
22 turn reduce the traffic flow, because it's more
23 residential than commercial. And we're also --
24 we're going to have two entrances to the
25 property, one off Ludlam and one off Sterling

1 Avenue, to help with that impact, but similar to
2 if you go to Stirling Cove and you sit there on
3 the weekend or in the summer. If the main use is
4 residential, we feel it's much less than the
5 approved use.

6 MR. SPIRIDAKIS: It's just I would bring it
7 up as an issue. And then I -- you know, the idea
8 of making it modern in terms of what the
9 neighborhood, I guess, has -- I mean, I've been
10 coming out here my whole life, so it's not like
11 I'm unfamiliar with the Village or the
12 architecture, and so forth, and that is a tough
13 call. I mean, I personally think that in -- from
14 the time of Sharkey's, this has become a very
15 beautiful neighborhood with a lot of cedar
16 shingle and the historic -- and the detail, you
17 know, getting a garage built these days, so that
18 it actually is approved because of its
19 architectural design and, you know, the affinity
20 of the Village. This just seems very out of
21 place in terms of all of that. But I don't know
22 what the options were for you, so that's it.

23 CHAIRMAN FOOTE: Thank you. Would anybody
24 else from the public like to speak? Yes.

25 MR. MACKEN: Hi. Frank Macken from

1 Sterling Avenue.

2 So living on Sterling Avenue, our primary
3 concern -- well, there are two concerns. One is
4 the visual, and the other is the flooding issue,
5 because this property is in a FEMA floodplain.
6 And, actually, most of the property where they're
7 building right now is in a FEMA floodway per the
8 FEMA 2009 map. And in a floodway it needs to be
9 maintained free of encumbrances, and it also --
10 you cannot raise the grade. And, actually,
11 what's happening now is that they're raising the
12 grade about two feet, judging by the water -- the
13 waterproofing on the -- on the foundations
14 they've already put in. They've put in a solid
15 foundation, whereas every other house that was
16 built across the street had to have a
17 wash-through underneath, so water could pass
18 underneath. So what this does, you're creating a
19 solid raised island. So then you're, you know,
20 basically forcing about 100 -- 100,000 cubic feet
21 of water up our street.

22 And Hurricane Hugo in 1985, water came
23 halfway up our street. In Sandy, water came
24 halfway up our street, and this entire lot was
25 flooded. The entire lot we're talking about was

1 underwater. So we're really concerned.

2 This is not being -- I mean, this property,
3 because of this stipulation, it seems to have
4 armor-plated this property against any review.
5 Normally, the -- it would have gone before the
6 Planning review, Planning Board in terms of the
7 visual, which is, I mean, unlike anything, apart
8 from the ELI Hospital, is unlike anything on the
9 North Fork.

10 And they're currently having a big
11 discussion in Riverhead about planning in
12 Riverhead, and opposing a -- there's a four-story
13 building that was proposed down there. And as
14 somebody said, several people said, all the
15 issues that were raised in terms of the
16 Greenporter and The Menhaden, which was also
17 mentioned tonight in terms of the three story
18 thing.

19 What this shows here, this original
20 building, even at -- which was supposed to mimic
21 a -- the part of the building, which is only
22 one-third of the size of the original Sharkey's
23 building, of that Fish Express building, was that
24 kind of industrial look, and it was nowhere near
25 the height of this building.

1 In the stipulation, the 2007 stipulation,
2 there is no mention of height. And so what has
3 happened, without any Planning review, is that
4 the developer has gone into the Village with a
5 set of plans and says, "This is what I want to
6 build" and they've gone, "Boy, Paul, that looks
7 great," rubber stamp, without any consideration
8 of the height.

9 So they've got a two-foot foundation. Then
10 per the plans, they've got a 34-foot building on
11 top of those foundation. That's 36 feet already.
12 Then they got parapets.

13 And then what is not shown on this,
14 actually, it's on the other one, what is not
15 shown is the series of bulkheads that have to be
16 up there. There's an elevator bulkhead, there's
17 stair bulkheads. There's a whole mess of
18 mechanical equipment that is going to be put on
19 the roof, especially considering flood issues.
20 So all that stuff is going to be up there. And
21 we're wondering, even given the height, the
22 visual impact and the bulk of this building,
23 which is going to alter the landscape of
24 Greenport completely.

25 I mean, nothing this big has -- no one

1 single building has ever been built this large in
2 Greenport or this high, except if you count maybe
3 the cinema or something, and that's all downtown.
4 So this neighborhood is a residential
5 neighborhood, always was a residential
6 neighborhood. It was this remnant of an oyster
7 plant, which had become Fish Express. They had
8 like about one fish -- they had one Arctic truck
9 came through every three days, and that was the
10 extent of -- the extent, and a pickup or two.
11 That was the extent of the commercial traffic.

12 So to say that there's going to be no
13 effect on commercial traffic when you got 83
14 parking spaces coming in is just ludicrous.
15 Ludlam Place is narrower than Carpenter Street,
16 which is about the same or narrower than Sterling
17 Street. So the only wide street is Sterling
18 Avenue. The Stirling Cove condos, they have
19 Central Avenue and have Bay Avenue, both of which
20 are quite wide, or as wide as Sterling Avenue.
21 So to force this amount of traffic into this
22 neighborhood is going to be really radical.

23 And in terms of the visual impact, yeah, I
24 covered that. Okay.

25 So the stipulation, the famous stipulation,

1 which has been used to shield any -- this
2 development from any proper review, was arrived
3 at to, in -- because the Village were trying
4 desperately to cling to Waterfront Commercial, or
5 at least not to let -- not to let it go without a
6 fight. So they insisted that the waterfront --
7 that the -- whatever was built there had to
8 observe the Waterfront Commercial. So Mayor
9 Kapell, at the time, insisted on this.

10 And so the developers wanted to build
11 residential, and the Village had a
12 no-condo-allowed thing anymore. So what was
13 arrived at was 15,000 square feet of commercial
14 with a marina application. So -- and that was a
15 stipulation. And, basically, they said even
16 though the Sharkey's building was not three --
17 was not three-story, only part of it, a very
18 small part of it at the front was three-story,
19 the rest was two-story. And as somebody pointed
20 out, Stirling Cove is all two-story, and all of
21 the other condo developments are all two-story.

22 So, basically, what happens, if you take
23 what is proposed now, to take that 15,000 square
24 feet and reduce it to 1200 square feet basically
25 just guts the original stipulation and makes it

1 meaningless, because now you're talking
2 residential, and that could be a totally other --
3 that should be and could be a completely other
4 thing.

5 And the one-story marina building that they
6 have, that they now propose to turn into a
7 three-story building with a rooftop pool, I don't
8 think there's anything like that in Greenport,
9 and I doubt that's permitted.

10 In any case, this is a large property. It
11 all floods, and so it's going to have a really
12 dangerous effect in terms of flood, and will
13 probably raise flood insurances, insurance rates
14 for everybody all the way around.

15 And the last thing I wanted to say was
16 there are -- another element of the stipulation
17 was affordable housing. To add affordable
18 housing, which is now 12 years later, is even
19 more relevant than ever. So, basically, taking
20 the -- the developer originally wanted to move
21 that affordable off the -- off site, but the
22 Village said no. So now the idea is to take the
23 affordable and separate it from market and put it
24 in this adjoining building. And that's something
25 that's been -- that's an issue, certainly,

1 everywhere in terms of affordable housing. And,
2 certainly, it's an issue in New York City and
3 everywhere else, is to basically, you know, not
4 separate it and, you know, ghetto-ize it, or
5 whatever and -- but just to -- that it all be
6 mixed use.

7 And this building will not then be -- it
8 will be all basically million dollar condos with
9 balconies, with elevator, all that kind of stuff,
10 and parking underneath, just like you would have
11 in Brooklyn waterfront or Miami waterfront, but
12 it does not fit in Greenport, this does not.

13 And everything -- just one last thing. I
14 know I've gone on for a little while, but
15 everything that you decide on this project will
16 set a precedent for everything else that's
17 happening in Greenport, that is going to happen
18 in Greenport. The Claudio's redevelopment is
19 coming up. They're making tentative probes in it
20 now, but that -- and then Clark's Shipyard, and
21 then all the way around. And the whole of Front
22 Street is up for grabs, because there's big money
23 moving in and development is coming. And so
24 whatever you do, whatever is decided on this is
25 going to be -- is going to have huge

1 repercussions.

2 And I think if you had been reviewing the
3 building that -- on the other -- that
4 Mr. Pawlowski is proposing there, at least on the
5 third floor you would have required setbacks,
6 which is normal, breaking the line, breaking that
7 big square line, and, you know, doing setbacks,
8 or gables, or whatever, and just reducing it.

9 And I don't think that it's in any way
10 credible to say that this building is going to be
11 the same height as the Stirling Cove condos.

12 MR. PAWLOWSKI: Why? Why?

13 MR. MACKEN: Because it's just visually
14 alone, and also because those are -- it's just
15 not going to be. It's not going to look like
16 that. Those are all broken like that. Even if
17 at any point any of them are 35, 35 feet, and
18 yours is going to be bigger than 35 feet, as I
19 pointed out earlier on, but where are you going
20 to put the bulkheads?

21 MR. PAWLOWSKI: So just to -- without
22 arguing with you, but mathematically and
23 factually, this will not be any taller than
24 Stirling Cove. Actually, if you factor in the
25 HVAC systems that are on Sterling, some of those

1 roof systems, they are technically taller.
2 There's no doubt the scale of this is larger,
3 without a doubt, I'm not arguing that. And
4 you're right on the scale, but height you're
5 wrong. Height's mathematics.

6 As far as this building, the one that's
7 permitted is 35 feet from grade. The one
8 proposed is 35 feet from grade. That building
9 right there has no parapet wall. That building
10 right there you would see the elevator bulkheads
11 and everything like that. With what's proposed,
12 you're not going to see one HVAC unit from
13 anywhere. And there's not going to be an
14 elevator going to this roof, there's just going
15 to be a service staircase. So you will not see
16 one HVAC unit with what's proposed.

17 MR. SPIRIDAKIS: How is that possible?

18 MR. PAWLOWSKI: Because there's a parapet
19 wall on this proposed that will hide every HVAC
20 unit that is 36 inches in height, maximum. So
21 height, this -- what's proposed is less than
22 what's permitted. And I'm just arguing back
23 facts, I'm not trying to get into an argument
24 with you, but that is the facts behind this.

25 MR. MACKEN: Okay.

1 MR. PAWLOWSKI: As far as compared to
2 Stirling Cove, the height of the top -- Stirling
3 Cove has a different architecture, so that's not
4 my point. I'm talking about overall height.
5 They have a 12-foot visual roof line. That, that
6 takes the place of our third floor. And the big
7 reason why this is -- the proposed is still third
8 floor -- three floors is because we're going off
9 what's permitted, but we're trying to improve the
10 parking situation by putting it on the first
11 floor.

12 MR. MACKEN: Okay. But it doesn't compare
13 to those in terms of the roof line as you talk
14 about. And the other thing is that grade is
15 not -- the 35 feet is not -- as far as I know,
16 technically, it's not -- it's measured from the
17 crown of the road, it's not very -- measured from
18 grade.

19 MR. PAWLOWSKI: Ours is.

20 MR. MACKEN: And it looks like you guys are
21 raising the grade there, which is not permitted
22 under FEMA rules.

23 MR. PAWLOWSKI: We're not raising the grade
24 at all. There will be a stone veneer along that
25 foundation.

1 MR. MACKEN: Well, it's -- all of these
2 things, I mean, we basically feel that like, you
3 know, there's nobody looking at this, there's
4 nobody that's monitoring it properly, there's
5 no -- there's no impartial professional
6 viewpoint. We're supposed to take the developer
7 and the builder's and the architect's word at
8 face value, but how do we monitor? How do we
9 know that these things are true? I mean, how do
10 we know that like that's what it's going to end
11 up looking like?

12 You know, I mean, this is another issue in
13 terms of like -- because the Village does not
14 have a proper Building Inspector. And we feel
15 that it's not -- just not, you know, it's not
16 being -- this thing has just been pushed through,
17 rubber-stamped, and nobody's taking any
18 consideration of what it's going to look like.

19 And the visual impact is going to be huge.
20 You can say that's a different architecture over
21 there, but yours should be the same architecture
22 as that one, you know, not this, you know, thing
23 that belongs in Brooklyn, or Miami, or somewhere
24 else, but not in Greenport.

25 Anyway, thank you very much.

1 CHAIRMAN FOOTE: Okay. Thank you.

2 MR. MACKEN: I apologize for going on so
3 long.

4 CHAIRMAN FOOTE: Yes. Before the next
5 speaker speaks, one of the comments he made was
6 that the stipulation did not permit a three-story
7 building to be built. It's my understanding
8 that, in fact, the plans attached to the
9 stipulation did show a three-story building; is
10 that correct?

11 MR. CONNOLLY: It did, yeah.

12 CHAIRMAN FOOTE: Okay. So I just wanted to
13 clarify that understanding. Yes.

14 MS. MOORE: Good evening. Doug Moore,
15 26 years at 145 Sterling Street, and now fondly a
16 former resident. But I have a great appreciation
17 for our neighborhood, and I think everybody does.

18 One thing I'd like to say is I think most
19 people would like to see a resolution. I'm sure
20 the Village would like to see the tax rate go to
21 an occupied status, rather than vacant, and I
22 think everybody would support a solution.

23 And the original stipulation, I'd like to
24 point out, was a compromise. It was what
25 everyone said through an agreement that they

1 could tolerate, and it had very specific
2 requirements. And, unfortunately, the agreement
3 has not a lot of detail in it, planning and also
4 process. And that's my concern, is the process
5 that's going on.

6 One of the previous speakers wondered how
7 the Planning Board could make all the approvals,
8 and you indicated that's not the case. But I
9 would also caution you that you have to determine
10 what is a minor change and what is a significant
11 change.

12 I think the abandonment part referenced, I
13 think, a total change. The developers would come
14 back and ask for something totally different.
15 But it does point out that any change that occurs
16 should come under review. And I think that
17 applies to the main building as well, even though
18 the footprint is something that essentially is,
19 you know, set in place now, it's a footprint.
20 But I think that any change from what the plans
21 actually specify should have a review as if this
22 is something coming to the Planning Board for
23 their full consideration.

24 And I have a feeling that your first action
25 at the formal plan submission and review is to

1 immediately refer to the Zoning Board, and you
2 may need many pages to enumerate all the
3 variances that will be necessary.

4 This new building in the back, which is a
5 total change of use from the original commercial
6 service building, is a nightmare for the Zoning
7 Code, I can assure you, even though it's on a
8 residential lot. So I would hope that you are
9 getting good advice from your Attorney, and that
10 you are looking at details.

11 I'd like to point out that the consent
12 agreement was generated out of fatigue.

13 (Laughter)

14 MR. MOORE: That drives a lot of decisions.
15 And I hope you will not become fatigued in your
16 ability to review the plans. Let's get this
17 resolved.

18 MR. HILBRAND: Doug, would you tell the
19 Board what your history is as far as Zoning Board
20 and Planning Board?

21 MS. MOORE: I did before. Seven years as
22 Chair of the Zoning Board of Appeals.

23 CHAIRMAN FOOTE: Yeah. Thank you. Next,
24 please.

25 MS. MUNDUS: Hi there. Pat Mundus,

1 182 Sterling Street.

2 I'm not going to reiterate what everybody
3 already said, I think the concerns are pretty
4 clear. I just want to say thank you very much.
5 The Planning Board and the Zoning Board are both
6 volunteer groups, and thank you very much for
7 your service to the community.

8 Not only -- it's my understanding, I wasn't
9 here in Greenport when the Stirling Basin
10 Neighborhood Association signed off on this
11 stipulation agreement, but, as Doug pointed out,
12 it was -- the end product was fatigue, and they
13 lost two lawsuits trying to fight this.

14 So I have to say this is very clever
15 marketing. Who would want this in their
16 neighborhood? No matter where you live in
17 Greenport, all it need is some coils and some
18 barbed wire on the top, it looks like a prison.

19 (Laughter)

20 MS. MUNDUS: No matter where you live in
21 Greenport, nobody wants this in their backyard.

22 So this is now, like I said, very clever
23 marketing. Well, you know, it's a huge
24 improvement, there's no question about it. But
25 when I 9put this picture up on the Village of

1 Greenport's Facebook page -- thank you, Mary
2 Bess, for supporting that -- there were 225
3 comments. Nobody, not one single person said
4 that it was good looking, appropriate, or it
5 spoke to our neighborhood. They said things like
6 prison, doctor's office, drug testing facility,
7 hospital, okay?

8 (Laughter)

9 MS. MUNDUS: I would think, this is your
10 legacy, your name's going to be all over this,
11 that you would want to try to build something
12 that we all could support.

13 And when you came in in May and gave us a
14 beautiful thing with the clustered housing and
15 all of that, almost everybody in the neighborhood
16 was behind you, and then, suddenly, we're back to
17 square one. I understand, as a businessman,
18 where you're coming from, but, you know, to tell
19 us that this speaks to our neighborhood is
20 bullshit.

21 (Laughter)

22 MS. MUNDUS: It means nothing, okay? The
23 idea that this is in the same scale as all the
24 other condos, condos were basically a moratorium
25 after they all went up, okay?

1 This is reactionary thinking. This is --
2 the whole thing was approved in 2007. And I
3 thank you very much for bringing this to the
4 Planning Board, because this is the only bulwark
5 that we as a community have to have any kind of
6 support for our neighborhood. There are houses
7 there that were built in the late 1700s. One of
8 them was built in the middle 1700s, 1850, my own
9 house, 1935. This speaks -- has nothing to do
10 with the vernacular of our neighborhood.

11 It's very clear in the Village Code that
12 the Planning Board's job is to, on the behalf of
13 the Village residents, balance the -- you know,
14 the use of the economic wellbeing of the owner
15 against the greater good of the community. And
16 it's in plain English, explicitly, where it tells
17 the Planning Board they must make sure that any
18 new commercial waterfront property that's
19 developed in the neighborhood has to speak to the
20 neighborhood and has to respect the vernacular.

21 So thank you very much. I'm glad this
22 process is unfolding. We got absolutely no
23 support from the Village Trustees when we brought
24 them. We had gotten no support at all from Town
25 Hall. So it's in your hands, and we thank you

1 very much for careful review. Thank you.

2 (Applause)

3 FATHER JOSLIN: Good evening. I'm Roger
4 Joslin. I'm the Priest at Holy Trinity Episcopal
5 Church on Main Street. And so I don't live on
6 Sterling, on the basin myself, Avenue or Street,
7 but I do walk there a lot and I deeply appreciate
8 it. I live on Main Street. I've been here 2 1/2
9 years and I've grown to really appreciate this
10 beautiful village that we live in.

11 And there's a couple of things. As far as
12 the aesthetics go, people have different opinions
13 all the time. I'm not going to jump into that
14 one. My guess is that as a developer, you want
15 to sell these units, and so you want to build
16 something beautiful. So I expect at some point,
17 our interests in there seem like they ought to
18 align in the neighborhood and your wanting to
19 sell something that people want to live in.

20 I do have a couple of concerns. One's
21 really more just a question, a clarification,
22 because we live in a very walkable city. I think
23 it's one of the most valuable things that we have
24 about living in Greenport is that we are, in
25 fact, compact, our houses are close to together.

1 So I don't -- you know, density for me isn't
2 really a bad word. Being close together enables
3 us to support local businesses with enough people
4 that we can have a grocery store, and bars, and
5 restaurants, and coffee shops that enough people
6 live close enough that -- and we can walk, walk
7 to each other's houses, so that's not such a bag
8 thing. Traffic, that's another issue around how
9 you deal with it.

10 And I applaud the design, moving, moving
11 the parking away from the street itself, that
12 seems a great vast improvement. Because we're a
13 walkable place and the most -- one of the most
14 valuable things that we have as a village is our
15 waterfront. Do I understand that public access
16 is available along the basin, the basin itself, a
17 boardwalk, sidewalk something along those lines?

18 MR. PAWLOWSKI: It is.

19 FATHER JOSLIN: So people could walk in
20 front of there, that's good.

21 The other thing I want to raise that hasn't
22 been, maybe it was touched on, is that another
23 great thing about Greenport is that we have
24 housing for -- people of a wide range of incomes
25 live here. We've got rich and poor living side

1 by side. And I'm glad to see that there's
2 affordable housing here. However, since it's
3 been changed from commercial to residential,
4 you've increased the number of residential units.
5 So before it was something like maybe a quarter
6 of the residential units were affordable, and now
7 that's been -- excuse me, more like a third. I
8 suppose there were affordable --

9 CHAIRMAN FOOTE: Right. There's five out
10 of 17.

11 FATHER JOSLIN: Five out of 17 --

12 CHAIRMAN FOOTE: Yeah.

13 FATHER JOSLIN: -- were affordable. And
14 now, if you're going to have 20 units, there's
15 still five. And so you've reduced the percentage
16 of affordable housing there. And it would be
17 nice to see you retain those, that separate
18 building with those affordable units and put some
19 other -- one of the -- some of the larger units
20 in the main structure as affordable as well,
21 because there are families who need affordable
22 -- not just single people, one bedrooms. There
23 are, you know, families who need that as well.

24 So I'm going to leave the aesthetics up to
25 you guys, that you'll build something good that

1 all of our village can enjoy. Thank you.

2 CHAIRMAN FOOTE: Thank you.

3 MR. PAWLOWSKI: So, and I'll be brief, and
4 I just want to touch on a few points that were
5 brought up.

6 As far as rubber-stamp and pushing this
7 through, that's exactly the complete opposite of
8 what's actually happening. Two days after I
9 bought the property I met with the Neighborhood
10 Association. I met with them four times. I've
11 met with the Village Administrator a few times.
12 We're here tonight. We're going to go through a
13 process. Nothing is being pushed through, quite
14 the contrary. I'm here to communicate. I've
15 been communicating. We're going to go through a
16 process, and that's what we're going to do.

17 And if, at the end of the day, we get
18 through this process and these modifications
19 could happen, or we could come to a mutual
20 agreement, that's going to be good for all of us.
21 But if we can't, I have a permit to build what's
22 approved. That's not my intentions, that's not
23 my goal, but we invested a lot of money, and we
24 know that that's what we may have to do. But
25 we're -- our intentions are to work with you.

1 And I hope, I hope I've proved my communication.
2 I hope I proved that we're not trying to push
3 this through in any way, but we are definitely
4 working within the parameters of the approved
5 building and approved site plan.

6 So, when it comes to height, the
7 discussion's over with. I'm going by what the
8 permit says. I'm here for two modifications, use
9 and some site plan changes. If I can't -- if we
10 can't come to that agreement, I'm moving on. And
11 I say that just because the last thing that I
12 want to -- you know, people to think is we're
13 just trying to push this through. We're not.

14 MR. SPIRIDAKIS: When you say you're moving
15 on, are you moving on 17 and five, or are you
16 moving on 20 and five?

17 MR. PAWLOWSKI: No, no, I would never.

18 MR. SPIRIDAKIS: I just want to know what
19 you mean by that, that's all.

20 MR. PAWLOWSKI: To be very clear, I will
21 never move out of what's permitted or the
22 stipulation --

23 MR. SPIRIDAKIS: Which is, which is --

24 MR. PAWLOWSKI: -- ever without approval.

25 MR. SPIRIDAKIS: Which is the 17 and the

1 five?

2 CHAIRMAN FOOTE: It's twelve. It's 12
3 and --

4 MR. SPIRIDAKIS: I just wanted to make
5 sure.

6 CHAIRMAN FOOTE: Twelve and five, isn't it?

7 MR. PAWLOWSKI: Twelve and five, with a
8 total of 17.

9 MR. SPIRIDAKIS: I just wanted to make sure
10 I understand that. Thank you.

11 MR. PAWLOWSKI: So we knew buying this that
12 we might be stuck to the stipulation. We're
13 trying to go through a process to make
14 modifications, and based on those modifications,
15 height is the same, bulkheads are improved,
16 parking's improved, potential traffic flow is
17 improved. We don't need an engineer to tell us
18 what's going to be more traffic or less traffic,
19 15,000 in commercial, or a few more residential.
20 So that's -- that's our goal.

21 The one big thing, you know, as far as the
22 percentage, that's a good point. If there's a
23 compromise to keep an equal percentage of
24 affordable housing, I'm all for it. That adds --
25 you know, we'll figure that out. We'll figure

1 out siding. We'll work together, for sure.

2 But separating the affordables from the
3 main building was mainly because of family size.
4 There's not one ounce of this that will make them
5 lesser value or anything. My sister, who works
6 in Greenport, will be living in one of those,
7 whether it's in the main building or the
8 outbuilding. So there's no part of me.

9 I proposed the largest affordable housing
10 project in Southold history, so I'm all for it.
11 So it's not about separating, it's just about
12 figuring out how to remove the parking, what's
13 best to do with that parking, and how to make
14 these initial merits work.

15 As far as gutting the stipulation, and it
16 was very conflicting, but the big difference
17 between what we're asking for and what's approved
18 is the commercial aspect of this, and this will
19 go to the ZBA. But on one hand, one of the
20 residents brought up traffic flow, and this and
21 that. Do you want the commercial? It's more
22 traffic flow. I'm not saying that to say
23 anything except for the fact.

24 You know, precedent, we have a permit. We
25 are asking for modifications that I hope other

1 developers in the area do take precedent over.
2 We're proposing to hide our parking. We're
3 proposing to reduce impact. So the precedent
4 that's set by what's approved versus what's
5 proposed is much worse than what I'm proposing.

6 So I'm willing to go through this process,
7 I'm excited to go through the process, and we are
8 improving on what's approved. That has to be
9 very, very clear, we are improving. I'm not
10 going to make everyone happy on aesthetics. I
11 realize 203 people were negative. If you counted
12 those 203 comments, it was roughly 27 of the same
13 people.

14 I'm here to improve a situation. I'll work
15 with you. I'll hear you, Ellen, I'll hear you
16 Pat, I'll hear the Planning Board, I'll hear the
17 ZBA, and I'll do that until we reach an
18 agreement, but I'm not going to go around and
19 around and around forever, I'm just not.

20 The approved I could sell and fill, the
21 proposed I could sell and fill. I'm excited to
22 improve it. I hope you guys are, too. This is
23 not about forcing anything through.

24 I put the foundation in to beat the
25 weather. And whatever the building is, based on

1 these modifications, there's not -- you know, the
2 structure doesn't change, the structural doesn't
3 change, its use and an improvement to the site
4 plan, and what's what I -- you know, based on
5 those comments. There's no clever marketing
6 either. The approved was to sell the picture.

7 MS. MUNDUS: It's either or, I mean, it's
8 pretty obvious to everyone here.

9 MR. PAWLOWSKI: So I'm just pointing out
10 what we're proposing, I'm not marketing anything
11 here. The approved is the seller's picture or
12 the previous owner's. This is what we're
13 proposing, and the only way to do it is to put a
14 picture. I'm not --

15 MS. MUNDUS: If you soften it, the
16 neighborhood will help you, that's what I would
17 say.

18 MR. PAWLOWSKI: Great. Give me -- give me
19 constructive criticism on how to soften it and we
20 will take it into account.

21 MS. MUNDUS: Well, that's what the Planning
22 Board is for, so we have it.

23 MR. PAWLOWSKI: Good.

24 CHAIRMAN FOOTE: Thank you.

25 MR. PAWLOWSKI: Everyone have a good night.

1 AUDIENCE MEMBER: And how about speed bumps
2 on the adjacent streets?

3 MS. ALLEN: No.

4 MR. PAWLOWSKI: What?

5 MS. ALLEN: No

6 AUDIENCE MEMBER: Yes.

7 CHAIRMAN FOOTE: Let's -- hold on.

8 MR. PAWLOWSKI: That's not my fault.

9 CHAIRMAN FOOTE: I don't want comments made
10 unless somebody's up at the podium to address
11 them. Would you like to speak next? Thank you.

12 Before you do speak, I have one kind of
13 legal question for Rob, and which is I'm looking
14 at the stipulation, and the language reads, "In
15 the event that 123 Sterling obtains all approvals
16 for the modified plans and no such approvals are
17 challenged or invalidated, 123 Sterling reserves
18 the right to abandon the modified plans, except
19 that if it abandons the modified plans, but
20 thereafter seeks to develop the property,
21 123 Sterling shall apply for approvals of the new
22 development plans de novo through the ordinary
23 channels for obtaining such approvals."

24 So my question is were the modified plan --
25 is this the first time that the modif -- that

1 wasn't -- because I think a lot of people out
2 here are saying, "Well, look it was 2007, and
3 it's 12, 12 years later. What do you mean it
4 wasn't abandoned?" You know, nothing was done
5 for 12 years. So how do we take -- how is the
6 Village taking the position that it wasn't
7 abandoned, is my question.

8 MR. CONNOLLY: Well, there's no -- the
9 final draft in 2007, there'd be a sunset
10 provision in the stipulation.

11 CHAIRMAN FOOTE: Right.

12 MR. CONNOLLY: There's no sunset
13 stipulation in here for that sort of sunset
14 provision.

15 CHAIRMAN FOOTE: Right. But I'm saying, if
16 it was -- let's say it was considered abandoned.
17 Then, in fact, the way I read this, it's like he
18 had to start all over again. He wouldn't be
19 subject to the terms of the modified plan if --

20 MR. CONNOLLY: Right.

21 CHAIRMAN FOOTE: Right?

22 MR. CONNOLLY: Correct.

23 CHAIRMAN FOOTE: So, really, it's a
24 critical question to answer, is was that, in
25 fact, abandoned or not? Now, I think that the --

1 you know, as a lawyer, the thing that sort of
2 weighs in the favor that it wasn't was that it
3 says that in the event that 123 Sterling obtains
4 all approvals for the modified plans, and no such
5 approvals are challenged or invalidated. So that
6 has to happen first if that -- before you
7 determine whether or not an abandonment occurred.
8 If that never happened, then maybe that's why
9 it's considered not to have been abandoned.

10 MR. CONNOLLY: They applied for a building
11 permit. It's based on that the plans were
12 submitted with the stipulation.

13 CHAIRMAN FOOTE: I understand that. So --

14 MEMBER HAMMES: I'm sorry.

15 CHAIRMAN FOOTE: Yeah.

16 MEMBER HAMMES: But my understanding is, is
17 that they applied for a building permit last year
18 before they sold. The building permit was issued
19 based on these plans.

20 CHAIRMAN FOOTE: Okay, I under -- yeah.
21 But, so the question is there was never a permit
22 issued previously, this is the first time?

23 ADMINISTRATOR PALLAS: That's correct.

24 CHAIRMAN FOOTE: Okay.

25 ADMINISTRATOR PALLAS: I totally

1 understand.

2 CHAIRMAN FOOTE: All right. Thank you.

3 MR. HILBRAND: That's why the basement, the
4 foundation is in there, capisce?

5 CHAIRMAN FOOTE: Yes, go ahead.

6 MS. SCHNEPEL: Ellen Schnepel,
7 S-C-H-N-E-P-E-L. I hadn't really expected to
8 speak today, because I've spoken before, and I
9 don't like to take time from other people's
10 comments, and I'm not actually referring to any
11 of the building plans. I just want to make a few
12 clarifications about some of the things that have
13 been said so far.

14 Paul, you constantly are mentioning we've
15 had meetings with you, the Association. It's
16 been the Steering Committee that has met with
17 you, not the whole association.

18 MR. PAWLOWSKI: Sorry.

19 MS. SCHNEPEL: And because we meet with you
20 doesn't mean we've given you tacit approval for
21 your plans. We have constantly been recommending
22 things to you, which you have not listened to or
23 incorporated into your plans.

24 So when you mention that you've been
25 transparent, I'd like to know what your

1 definition is of transparent, because these plans
2 have changed from May. You had us at hello when
3 you showed us the plans of the cluster housing in
4 May. And I'm making a reference to Jerry
5 Maguire's movie, the movie, because you had us at
6 hello. Now you have us at goodbye.

7 I don't know what -- what got you from May
8 to here when we were with you in May six months
9 ago. We would have given you every single
10 approval you wanted. You wouldn't have to go
11 through this whole process, other than, you know,
12 it has to be presented for changes from the
13 original stipulation.

14 When you say that you've made concessions
15 to us, the one concession was the walkway, and
16 that wasn't even going to be a huge walkway with,
17 you know, parking benches, it was just a little
18 access for the public. We wanted there to be
19 space around the, you know, perimeter of the
20 building so that people could enjoy Stirling
21 Basin.

22 So I'm just making those clarifications,
23 because I think we're not talking together over
24 these issues. If you want us to work with you,
25 then you have to listen to us. And the meetings

1 we've had with you have sometimes been with
2 lawyers, sometimes not.

3 But, again, it's negotiation. It's not,
4 you know, pushing through your ideas without
5 listening to us. And this is why there's --
6 there are these meetings. And we hope, you know,
7 you will be able to listen to what the Planning
8 Board Members have and what the community has,
9 because both are very important.

10 CHAIRMAN FOOTE: Thank you.

11 MR. PAWLOWSKI: So to touch -- now, thanks,
12 Ellen, for that.

13 To touch base on this, from May 2nd to now,
14 May 2nd I showed the approved building, a
15 townhouse concept and a clustered concept, to get
16 an understanding of not only what the
17 Neighborhood Association would potentially want,
18 but also the Village residents themselves. That
19 was May 2nd. What I proposed on May 2nd, nothing
20 on merits has changed from May 2nd to today. A
21 few points changed that were spoken about in our
22 Steering Committee meetings, whether with a
23 lawyer or without, that I added to.

24 So immediately after having the May 2nd
25 meeting, I got down to -- a meeting with the

1 architect, the engineers, to see how all this
2 would work, would cluster work, would the
3 townhouses work, would all that work, and with
4 balancing all of them, that's how we came back to
5 the main building.

6 The cluster aspect would not -- we would
7 not meet our parking calculations by code by
8 doing that design, we could not meet it. We
9 wouldn't be able to remove the parking along
10 Sterling. So we came back to this.

11 So once I figured that out, I immediately
12 called for another meeting with the Steering
13 Committee, because I did want to be transparent,
14 and in that meeting we reviewed the -- some of
15 the aspects the neighborhood community wanted.
16 And I said base any on your support, I flat out
17 said we're staying with this building. Base any
18 of your potential support, knowing that it's
19 going to be the pre-approved building, and the
20 rest of the things we spoke about in our
21 meetings, I'm going to, you know, try to amend.
22 And that was -- I said that very clearly.

23 From that meeting, one of the big things
24 was gaining some public access to the end of
25 Stirling Basin, which we are donating that

1 property. Another one was remove the parking
2 along Sterling, so we're trying to do that.
3 Another was to make sure that there's no limited
4 landscape lighting, which we're not proposing
5 any, we'll only do what's needed by code.
6 Another one was that our drainage would be
7 self-contained; it is. Another was the parking
8 lots would stay permeable stone, which we are
9 doing.

10 The one thing we did try and see, just to
11 reduce density, not to take away the merits,
12 maybe relocating the affordable units within the
13 Village, but that's not acceptable by the Boards.

14 So -- and then I received a letter back
15 from your attorney to my attorney based on those
16 meetings, and I fulfilled seven -- six out of the
17 seven. The seventh was you had clearly stated
18 you wanted more input on the design. So that's
19 as transparent as I possibly could be.

20 I have not changed my tune on the proposed
21 merits since day one. The only change is
22 150 square foot more to -- 450 more square foot
23 to the commercial, from 1200 to 1650, and the
24 rooftop pool.

25 So that -- I just really want to be clear

1 on that. You know, I don't know how else to be
2 more transparent. And I could -- we could have
3 further meetings, we could discuss the siding
4 next, whatever, whatever you guys want to do, but
5 I'm trying to keep this within a reasonable
6 approach, and based on modifications, without
7 recreating the whole wheel.

8 CHAIRMAN FOOTE: Yes.

9 MR. MANCINI: John Mancini, I live on 103
10 Sterling Street, I've been there for 30 years. I
11 was one of the antagonists of the oyster factory.
12 We -- I understand now you're going to the Zoning
13 Board?

14 MR. PAWLOWSKI: I don't know the process
15 yet.

16 MR. MANCINI: Well, you know, the whole
17 story with the three houses across from your
18 proposed building, those were spot-zoned at one
19 time, and our group brought you to court --
20 brought Mr. Middleton to court, the owner of the
21 oyster factory. And those were reverted to
22 residential, that's why they're residential,
23 because the Village Board had actually spot-zoned
24 those residential lots into commercial.

25 Now, according to the stipulation, you

1 18-wheeler couldn't possibly go down Sterling
2 Avenue or Ludlam. But I'd like a one-way street.

3 You're talking about 25 apartments now as
4 though apartments don't generate traffic. You
5 know, you sell these apartments, and people buy
6 furniture, they have furniture trucks coming.
7 They want to do renovations, they have
8 contractors coming. They all come down Sterling
9 Street, so you're not really saving us any
10 traffic.

11 If you had 17 apartments and a commercial
12 space that wasn't doing much business, we'd be
13 better off. I'd like to see 17 apartments. And
14 whatever you do with the commercial space has got
15 to be waterfront commercial. You got a boat
16 display area, whatever you call it, but I don't
17 think it will generate as much traffic as five --
18 all these additional apartments.

19 So my big concern is the traffic. I don't
20 know, you're the Planning Board. What are you
21 going to do with Sterling Street? They don't
22 even pave Sterling Street.

23 (Laughter)

24 MR. MANCINI: You know, we're probably the
25 highest taxpayers in this village and we don't

1 get our street paved. I've been there for 30
2 years, it's never been paved, right? So is that
3 in the plan? I don't know.

4 And now I'd like to ask you another
5 question. With all these apartments, what kind
6 of cooling system and heating system are you
7 having for these apartments? Are you going to
8 have a cooling tower, or are you going to have
9 compressors on the roof? I mean, we've got to
10 talk about a lot of noise here. You're not
11 having bulkheads on the roof, right?

12 MR. PAWLOWSKI: I am.

13 MR. MANCINI: Oh, now it's going to --
14 you're going to have bulkheads?

15 MR. PAWLOWSKI: You wouldn't see the
16 compressor.

17 MR. MANCINI: Well, I'm not talking about
18 seeing them, hearing them.

19 MR. PAWLOWSKI: You wouldn't hear them.

20 MR. MANCINI: Yeah. I don't know what else
21 you have going there. You're going to have a --
22 you're going to have heat pumps, or electric
23 heat, or ductless, or AC? I don't know what
24 you're going to have. Again, actually, somebody
25 should be looking at that already. What's going

1 on this week? I know one of the roofs is going
2 to have a pool. You're going to have elevators.
3 Is there going to be a motor room up there, or is
4 it going to be hydraulic on the first floor? I
5 don't know.

6 There are a lot of questions here. And all
7 I want to tell you is I don't know what kind of
8 due diligence has gone into this, but the bigger
9 it gets the worse it gets for us. Tone it down.

10 You know, my house burned down and I had to
11 rebuild it. I'm right near this, I'm only one
12 block -- one house away from it.

13 MR. HILBRAND: Tell them about the fire
14 trucks.

15 MR. MANCINI: Well, the fire truck, my
16 house burned down because the fire truck couldn't
17 get through the streets. And then they found out
18 the hydrant wasn't working, so my house burned
19 down. That was built in 1731. It's gone. It
20 survived candles, flintlocks, fireplaces.

21 (Laughter)

22 MR. MANCINI: Some jerk that I had as a
23 tenant burned it down with a cigarette. But when
24 I rebuilt, I'm not in the Historical District,
25 I'm on Sterling Street, but they told me I had to

1 use HardiePlank, they told me how many muntins I
2 had to have in my windows. Now, you have brick,
3 yet Stirling Cove is all clapboard -- it's not
4 clapboard.

5 AUDIENCE MEMBER: Cedar shake.

6 MR. MANCINI: Cedar, cedar shake. This,
7 this does look like a hospital. I mean, again,
8 there's a lot that has to go into this thing.

9 And why aren't there trees anymore? I'm
10 going to be walking down -- I go down that
11 Sterling Avenue quite a lot and I don't want to
12 see that from the street level. There should be
13 trees. Cover this thing up, even if they only go
14 10 or 12 feet high. I don't want to see this
15 thing.

16 That's all I have. Thank you.

17 CHAIRMAN FOOTE: Would anybody else like to
18 speak at this time from the public?

19 MR. HILBRAND: Jaap Hilbrand, 160 Sterling
20 Street. As I earlier indicated, they call me the
21 80-year workaholic. Why? Because I live in a
22 beautiful home and I plan to maintain it. The
23 neighborhood houses are W-O-R-K, but it's
24 beautiful.

25 We don't need to comment on this anymore,

1 but I'd like to say to the Planning Board, thanks
2 for all your time. And if you are going to
3 Southold by ways of the beach -- I brought this
4 up to the Board of Trustees, but I want you to
5 think of it as well, because you're more involved
6 with the aesthetics. There's three newly built
7 Greek monstrosities.

8 MR. SPIRIDAKIS: Hey, watch that.

9 (Laughter)

10 MR. HILBRAND: It's true, Tony.

11 MR. SPIRIDAKIS: Tone it down.

12 MR. HILBRAND: Do you know the buildings
13 I'm talking about, three in a row?

14 AUDIENCE MEMBER: Oy.

15 MR. HILBRAND: Jewish, he had a very good
16 expression for it, it's Oy. How could anybody
17 build something that ugly? We don't want that to
18 happen on Sterling Street. Once it's built, it's
19 going to be there forever. Thank you.

20 CHAIRMAN FOOTE: Thank you. I'd like to
21 take a five-minute recess, and then we'll
22 reconvene.

23 (Recess: 5:33 p.m. - 5:39 p.m.)

24 CHAIRMAN FOOTE: Okay. We're back. So --
25 excuse me. Would you all be quiet now so we can

1 continue the meeting? Thank you. Order, order.
2 Okay.

3 So, at this point, we're going to -- I'm
4 going to ask the individual Board Members just to
5 kind of weigh in and give us your preliminary
6 thoughts on this, ask any questions you'd like to
7 the applicant. I'll start on the left from
8 Trish.

9 MEMBER HAMMES: First, I had -- I had two
10 questions related to the affordable units,
11 because it wasn't clear to me based on -- I had
12 actually been at your presentation back in May,
13 as well as some of the Board meetings where this
14 has come up. So is it your intention to leave
15 those as that you're going sell them, or are you
16 still asking to convert them to rental?

17 MR. PAWLOWSKI: So, as far as that
18 intention, so the intention is to keep the five
19 that we have to do. Currently, they are for
20 sale. The problem I see with that is being for
21 sale is not in the best interest of affordability
22 in perpetuity. Those units would sell for
23 \$175,000, capped at that number, which is very
24 affordable. Like can I have one? Seriously.
25 But that buyer could flip it the next day and

1 only pay a 25% flip tax. I don't really
2 necessarily agree with that.

3 If part of this compromise, and this
4 compromise would be in all of our favor, if we
5 would all like to see these rentals, and I stick
6 to the affordable housing rates in perpetuity,
7 I'm all for that.

8 We have no choice but to sell these units.
9 And there's two good ingredients to it. A person
10 has to either live or work in the Village or the
11 school district for a certain amount of time. So
12 it's going to go to someone here, which is great,
13 I'm all for that, but that person can in turn
14 sell it and it loses the affordability aspect.
15 So working with the Planning Board or the Housing
16 Committee, I'm game for making them in perpetuity
17 however we need to, because it is very important.

18 MEMBER HAMMES: So the other related
19 question was, it wasn't also clear me based on
20 various newspapers I've seen, is I think that
21 they're -- under the settlement agreement,
22 they're -- they have to be between 600 and 650
23 square feet; is that correct?

24 MR. PAWLOWSKI: Correct.

25 MEMBER HAMMES: You're not proposing to

1 reduce that?

2 MR. PAWLOWSKI: No.

3 MEMBER HAMMES: Okay.

4 MR. PAWLOWSKI: Say one bedroom, you know,
5 whether they're 600, 800, we'll figure that out,
6 but we're not looking to reduce that.

7 MEMBER HAMMES: Those were really my
8 questions for you. I mean, I guess my -- I just
9 a couple of general thoughts. There, obviously,
10 was a lot said tonight, there's been a lot said
11 at prior meetings. I think, for -- you know,
12 from my perspective as a Planning Board member, I
13 hear a lot of concern about even the so-called
14 modified plans that are already approved. I'm
15 not really -- I don't really think that's within
16 our bailiwick at this point. And what's before
17 us and what I think I need to give some thought
18 to, and perhaps I'll have more questions as I
19 think through it, is really kind of your proposal
20 of the switch from the commercial to a higher
21 residential, and also the increase in the size of
22 the second building. And I guess related to
23 that, it would be helpful at some point to get
24 input from the Village as to what variances they
25 think, if any, would be required, as well as the

1 Planning Board people, just to understand kind of
2 where we are on that.

3 I mean, I know that you've already been
4 working on the first building. Presumably, the
5 second building you won't really start on until
6 this gets resolved.

7 MR. PAWLOWSKI: Correct.

8 MEMBER HAMMES: And that will also limit,
9 then, presumably what you can you do, even within
10 the confines of the first building in terms of
11 finding out whether you can move the --

12 MR. PAWLOWSKI: No work will be started
13 that's not permitted anywhere on the property.

14 MEMBER HAMMES: You know, there's a lot
15 here. Obviously, people have a lot of emotions
16 about this. I think, you know, it's going to be
17 worthwhile to maybe also get some input from the
18 Historic District Preservation Committee.
19 They've been doing a lot of work, thinking about
20 our Village historic preservation, you know,
21 scheme of the whole Village, and get some input
22 from them.

23 I think one of my thoughts, in terms of
24 just the appearance, assuming we go along with
25 all of this and discuss it further, is,

1 obviously, it's a box any way you look at it.
2 And I hear people liking the idea of shingles and
3 things like that, but I'm not sure how shingles
4 would look on a box, and it doesn't seem to me
5 that you are asking to change the box. So that's
6 something I'd be interested in hearing people
7 that probably have -- you know, from an architect
8 and/or the HPC that have anymore thoughts in
9 terms of the historic nature, because, obviously,
10 that is a key concern from that perspective, as
11 well as, obviously, the loss of and the
12 precedent-setting of losing more commercial
13 waterfront space, which is just -- again, those
14 are kind of my preliminary thoughts.

15 CHAIRMAN FOOTE: Okay. Thank you. John?

16 MEMBER COTUGNO: So how long do you want to
17 stay here tonight?

18 (Laughter)

19 MR. PAWLOWSKI: The goal tonight is just to
20 answer a lot of questions and start a process.

21 MEMBER COTUGNO: I think there's a lot of
22 questions to be answered, a lot of questions.

23 I'll start with the accessory building. I
24 think you made a mistake when you said it only
25 increased by 10 feet, because on your approved

1 plan, it was 40 feet, now at 55 feet. That's
2 minor, just five feet, but you said it like three
3 times.

4 MR. PAWLOWSKI: The square footage is the
5 same. Sorry.

6 MEMBER COTUGNO: There's no -- there's no
7 setbacks on the site plan, so how far is the
8 accessory building from the property line? And I
9 asked the Village, it must make a difference that
10 it changed from your approval of a one-story
11 building to a three-story building. So that --

12 MR. PAWLOWSKI: The setback from the
13 property lines did not change.

14 MEMBER COTUGNO: But what are they?
15 They're not on here. There's a few front yard
16 setbacks, but on this site plan there's no
17 setbacks, and I --

18 MR. PAWLOWSKI: This -- they'll -- we'll
19 put all the details the Planning Board is going
20 to require on --

21 MEMBER COTUGNO: Is there a difference in
22 setback for a one-story accessory building than a
23 three-story accessory building, plus a roof?

24 ADMINISTRATOR PALLAS: No, no difference.

25 MEMBER COTUGNO: There's no difference?

1 ADMINISTRATOR PALLAS: It's a --

2 MEMBER COTUGNO: Well, that makes a big
3 impact difference on the neighbors.

4 MR. SPIRIDAKIS: It's no longer an
5 accessory building, I would think.

6 MR. SALADINO: It's not an accessory
7 building.

8 MEMBER COTUGNO: A one-story building
9 versus -- it's a three-story building, plus
10 there -- plus the pool, right? So that's really
11 a four-story building. And that building is not
12 depicted anywhere, other than the site plan,
13 right?

14 MR. PAWLOWSKI: It's merely a proposal at
15 this point.

16 MEMBER COTUGNO: But we have to see what it
17 looks like if you want us to entertain it.

18 MR. PAWLOWSKI: That's --

19 MEMBER COTUGNO: I don't -- I have no idea
20 what this building looks like.

21 MEMBER DOUGHERTY-JOHNSON: Well, is it
22 that?

23 MEMBER COTUGNO: I assume it's just as good
24 looking as the main building.

25 MR. PAWLOWSKI: No, it's not on there, no.

1 AUDIENCE MEMBER: It's by the tennis
2 courts.

3 MR. PAWLOWSKI: It's by the tennis courts.
4 I will -- I will give that to you. This is a
5 pre-submission meeting to get to the next step.
6 This is based on use and the site plan
7 modification. Whatever you need, I will get you,
8 but I did not think that was needed today for
9 this meeting.

10 MEMBER COTUGNO: On your floor plan you do
11 show a garage entrance on the west side of the
12 building, but on the site plan you're showing
13 parking spaces there.

14 MR. PAWLOWSKI: There will be a curb cut
15 into that garage.

16 MEMBER COTUGNO: But then you can't have
17 the parking spaces and the shrubs that you show.

18 MR. PAWLOWSKI: Yeah. We still are more
19 than adequate. We provide more parking --

20 MEMBER COTUGNO: Yeah. I'm just saying,
21 but one, there's a conflict, in other words. The
22 two can't exist. You can't have an entrance of
23 the garage and you can't have parking and shrubs
24 in the same place.

25 MR. PAWLOWSKI: Fair point, but any

1 details -- the point of starting this process is
2 to add to the details the Planning Board wants.
3 But when it comes to parking, what we're
4 proposing needs 49 and we're providing 77.
5 What's approved is 83 and providing 83, with that
6 garage as well.

7 CHAIRMAN FOOTE: Anything else?

8 MEMBER COTUGNO: I'd rather not talk all
9 night.

10 CHAIRMAN FOOTE: Okay. Thank you. Lily?

11 MEMBER DOUGHERTY-JOHNSON: I just had a
12 question. You said that one of the entrances was
13 mainly going to be for deliveries, but I couldn't
14 see what you were pointing to.

15 MR. PAWLOWSKI: Oh, I'm sorry.

16 MEMBER DOUGHERTY-JOHNSON: So I was just
17 confused about which one it might be.

18 MR. PAWLOWSKI: So --

19 MEMBER HAMMES: Lily, I'm sorry, I didn't
20 hear what you said.

21 MEMBER DOUGHERTY-JOHNSON: I -- he said
22 that one of the entrances for driving in would be
23 mostly for deliveries.

24 MR. PAWLOWSKI: So, with the proposed --
25 currently, they're approved to have parking spots

1 all along Sterling. The proposed would get rid
2 of the individual parking spots and just have a
3 one-way delivery now.

4 MEMBER DOUGHERTY-JOHNSON: Oh.

5 MR. PAWLOWSKI: These curb cuts are already
6 there.

7 MEMBER DOUGHERTY-JOHNSON: And I guess my
8 other question was the waterfront access that you
9 said to Ellen that, yes, you could have, but is
10 it just this --

11 MR. PAWLOWSKI: Yes.

12 MEMBER DOUGHERTY-JOHNSON: -- little
13 parcel? It's not a whole walkway around?

14 MR. PAWLOWSKI: No, no.

15 CHAIRMAN FOOTE: Anything else? That's it?

16 MEMBER DOUGHERTY-JOHNSON: Those were my
17 only questions at the moment, yeah.

18 CHAIRMAN FOOTE: Thank you. Reed?

19 MEMBER KYRK: Just to clarify on the --

20 CHAIRMAN FOOTE: Reed, would you speak on
21 the mic, please?

22 MEMBER KYRK: Yes. Just to clarify on the
23 proportion of affordable housing, I know we
24 talked about the number of units, but what does
25 that represent from the -- what is to me the

1 original proposal, what was -- you know, existed
2 with the stipulation, and now in terms of square
3 feet? My question, I know we're finding it's for
4 five units, but how much square feet of --
5 percentage of square feet of the housing was
6 affordable originally, versus percentage of
7 square feet that's --

8 MR. PAWLOWSKI: Proposed.

9 MEMBER KYRK: Yeah.

10 MR. PAWLOWSKI: Equal, it will be equal
11 from what's original to proposed in square
12 footage and in quantity.

13 MEMBER KYRK: Yeah. The question was, was
14 a percentage of square feet compared to the --

15 MR. PAWLOWSKI: Actually --

16 MEMBER KYRK: I'm actually just trying to
17 get a feel for whether it went up or down, or did
18 it change.

19 MR. PAWLOWSKI: So the actual units
20 themselves, the square footage is the same.
21 Compared from 12 units to 20, it's probably --
22 it's not exact, but, roughly, it's 18 to 20%
23 decrease.

24 MEMBER KYRK: Okay. Thanks.

25 CHAIRMAN FOOTE: Okay. So these are my

1 preliminary thoughts. And thank you. You know,
2 you guys were thanking us. We thank you for
3 weighing in and giving us your thoughts. You
4 guys have put a lot of thought into it. This has
5 been with the community for a long time, you
6 know, for a long time. And in some ways we're
7 kind of catching up, so be patient with us and
8 we'll do our best to, you know, do our jobs
9 properly.

10 Just what -- okay. This is what I see
11 happening. So we have this, as somebody pointed
12 out, a contentious development, you know, a long
13 time ago. Probably, I think it started in 2003,
14 actually, not 2007, and it was settled after much
15 years of litigation, so -- and the settlement
16 seemed to be -- leave everybody with a bad taste
17 in their mouth, even back then.

18 And then the applicant comes in, he sees --
19 you know, he's an experienced developer and he
20 sees a good opportunity for a site that's been
21 standing -- sitting there. And subject to the
22 stipulation, and the stipulation calls for a
23 certain kind of structure that nobody, or very
24 few, in the existing community wants.

25 And, you know, contrary to what you said,

1 Paul, I do feel like, you know, it was a little
2 disingenuous of you to show the before picture
3 with all the -- not only making it very
4 unattractive, that building, but, also, you
5 sticking the delivery trucks and the Mack
6 truck --

7 MR. PAWLOWSKI: I didn't do any of that.

8 CHAIRMAN FOOTE: Well, but that's what
9 you're showing.

10 MR. PAWLOWSKI: That's what the sellers
11 had, that's not our plans.

12 CHAIRMAN FOOTE: Well, but that's what
13 you're showing.

14 MR. PAWLOWSKI: That's the permit. So, no,
15 I did not put that -- I have to show --

16 CHAIRMAN FOOTE: Well, regardless,
17 regardless --

18 MR. PAWLOWSKI: I have to show what's
19 actually --

20 CHAIRMAN FOOTE: Okay. Regardless of
21 whether you're responsible for it, it looks --

22 MR. PAWLOWSKI: No, I'm not disingenuous.

23 CHAIRMAN FOOTE: It's -- to me, it seems
24 disingenuous to do that, and it's -- and it's --
25 I can understand that it adds to the frustration

1 and, frankly, anger that the community is feeling
2 at this time.

3 MR. PAWLOWSKI: To show what's approved is
4 disingenuous? I don't know how else to do it.

5 CHAIRMAN FOOTE: All right.

6 MR. PAWLOWSKI: I really -- I will argue
7 that point, there's no way.

8 CHAIRMAN FOOTE: Okay. I'll tell you what,
9 you can -- fine, you can argue, but let me
10 finish, because I'm not done. Okay.

11 Now, the other thing -- okay. And then
12 Ellen mentioned that back in May there was a
13 reaching out from you to the -- to the
14 Neighborhood Association, and you were presenting
15 different options. And from the sounds of it, it
16 sounded like they were very -- you know, if you
17 were tonight proposing the cluster development,
18 where -- with the campus style, there was a very
19 positive reaction, and we probably would be very
20 close to, you know, moving on to a public
21 hearing, if that's where we were. Now, and I
22 understand that you've made a business decision
23 that that didn't work. And I think one of the
24 things you said was, well, you didn't have
25 sufficient parking in that kind of design. Okay.

1 My guess is that the Board could have figured
2 that one out pretty easily, frankly.

3 And then, you know, it's just -- I don't
4 know. It's just I feel like there's a sense
5 of you're -- okay. This is what I wanted to add.
6 Your -- you went, and later, when you did the
7 plan that you wanted, presumably because it's
8 more profitable, and I get that, too, this is
9 your business, you go to the community --
10 actually, you -- I don't know quite the timing of
11 it, but you get your building permit. You poured
12 the foundation, and to me -- of the structure
13 that you're insisting on. And that's like a way
14 of saying you're not going to negotiate that
15 anymore, and you're going to say, "I've got the
16 foundation. I've thrown a lot of money, that's
17 off the table." And I think that was really -- I
18 thought that was bad form, frankly, for you to do
19 that. I don't understand why --

20 (Applause)

21 CHAIRMAN FOOTE: I'm not looking for
22 applause, but I don't -- please don't. But I
23 don't understand why you didn't first, you know,
24 go to the Board to approach us for a modification
25 before you went to that level. Was there a

1 business reason you did that?

2 MR. PAWLOWSKI: Definitely. Part of the
3 rationale was to move forward with the permitted
4 plans and to improve with the modifications.

5 I stated why we -- in that May meeting, I
6 didn't just show clustered housing. I showed the
7 approved townhouse concept and the clustered.
8 And then when I immediately realized on an
9 engineering basis the clustered would yield 25
10 parking spots, it would be we would need 100% ask
11 from the Planning Board. We would then need
12 Sterling Avenue for parking. So the second
13 that -- the first meeting was to get an
14 understanding. The second I realized that that
15 wouldn't work, I asked for a meeting with the
16 Steering Committee.

17 As far as why the foundation is in, we are
18 moving forward with the approved permitted plans
19 and trying to make the modifications. If we
20 can't get that, we're still moving forward.

21 CHAIRMAN FOOTE: Okay.

22 MR. PAWLOWSKI: But it is a business
23 decision there, too. We wanted to beat the
24 winter. You know, there's a lot of -- a lot goes
25 into this. You know, it's a big investment

1 for us.

2 CHAIRMAN FOOTE: Right.

3 MR. PAWLOWSKI: And we have that right to
4 do it, we have a building permit.

5 CHAIRMAN FOOTE: But you could have -- you
6 could have -- I mean, you've had plans floating
7 around since at least May. Why couldn't you have
8 just approached and set up a meeting with, you
9 know, an official meeting with the Board to
10 discuss it at that time?

11 MR. PAWLOWSKI: So, in May I started the
12 process of understanding what we were going to
13 do. In mid June, we realized -- you know,
14 late -- early June, we realized that we needed to
15 stick with this current footprint. And I would
16 say I wanted to start the process as soon as
17 possible.

18 CHAIRMAN FOOTE: So, if --

19 MR. PAWLOWSKI: You know, the building
20 permit was issued before I bought the property.

21 CHAIRMAN FOOTE: So, if it was just the
22 parking that was the problem and that was solved,
23 would you -- would you have considered going
24 forward?

25 MR. PAWLOWSKI: No, it wasn't just the

1 parking.

2 CHAIRMAN FOOTE: So, then what else was it?

3 MR. PAWLOWSKI: As I stated earlier,
4 it's -- the current footprint is in the optimal
5 position and location on the property for a
6 waterfront property. We would much rather have
7 full-floor living than walkup. This building
8 allows for a parking garage, the other ones would
9 not. Even if you clustered and had five other
10 garages, you cannot do it with the turning lanes.
11 The other ones take up a much larger footprint on
12 the property. The other model is not affordable.
13 You would need five elevators, versus one. So
14 there was a dozen factors why we stayed with this
15 current building as proposed.

16 CHAIRMAN FOOTE: Okay. So now we're
17 dealing with this existing structure, and you're
18 basically -- the way I read it, and I think the
19 way all of us, I think, are concluding, is you're
20 saying either you -- if you don't -- you know, "I
21 want these changes." Okay, fine, then that's
22 great, you're approaching us for these proposed
23 modifications. "And if you don't, this is what
24 I'm going to build." And this is it, and, "Oh,
25 by the way, look at these parking slots all on

1 Sterling Street," is it, or Ave?

2 AUDIENCE MEMBER: Avenue.

3 CHAIRMAN FOOTE: Avenue, I guess. "Look at
4 this." Well, why couldn't you just propose
5 moving those -- your modification, just to move
6 those parking spaces onsite, ask us for some kind
7 of an allowance to do that? We'd figure out
8 something, so you don't have to have these
9 unattractive parking along the street, without,
10 you know, asking us to, you know, expand the
11 number of residential units? What's the
12 rationale for that?

13 MR. PAWLOWSKI: So, at the same time, as
14 far as the theory of take it or leave it, I'm
15 here today to try and improve it, it's not take
16 it or leave it. If, if the Planning Board and
17 the ZBA and the Neighborhood Association do not
18 want this modification, what do I do?

19 CHAIRMAN FOOTE: That's for you to answer,
20 what do you do?

21 MR. PAWLOWSKI: Exactly. That's not a
22 take-it-or-leave-it situation. I'm here to
23 improve. Please don't say this is a
24 take-it-or-leave-it situation, that's not the
25 goal. If it comes to that point, I would move

1 forward with what's permitted, because it's
2 permitted and that's what we bought the property
3 with. Do I want to do that? Absolutely not.
4 I've invested a lot of money and time.

5 You know, we bought the property April
6 or -- yeah, and we've done nothing until
7 recently. The only reason we put the foundation
8 in is because the winter's coming, but this is
9 not take it or leave it.

10 To answer your questions on the parking,
11 you can't simply remove 21 spots and just say,
12 "You know what, we'll give you a" -- we
13 actually -- we need those spots based on the
14 approval. So unless I get the modifications, my
15 parking calculation is 83 required. If you take
16 them away, I would have 61. So then I would need
17 a variance for less parking. What we're
18 proposing, I don't need those parking spots. So,
19 you know, I think -- I hope that answers your
20 question on a parking basis. We want them off
21 Sterling.

22 CHAIRMAN FOOTE: But why couldn't you
23 just -- okay. You create the first floor garage
24 for the parking, which gets rid of the street
25 parking, right?

1 MR. PAWLOWSKI: Yep.

2 CHAIRMAN FOOTE: Why don't you just do that
3 without creating additional residential units?
4 What's the -- what's the rationale for that?

5 MR. PAWLOWSKI: I -- so the rationale, and
6 I think that is why create more units, why create
7 more density? Is that where you're going with
8 that?

9 CHAIRMAN FOOTE: No. That's a -- just
10 answer that question. I'm not going anywhere.

11 MR. PAWLOWSKI: So they kind of go hand in
12 hand. Like, so right now, the whole first floor
13 is 15,000 square foot of commercial. I can't
14 just get rid of that without your approval. If
15 you say I can get rid of that and reduce the
16 residential, that's why we're here today, I'm all
17 ears. But there's a permit for that whole first
18 floor to be all commercial. The only way that
19 becomes parking is if we reduce the commercial,
20 the only way, and that's why I'm here.

21 CHAIRMAN FOOTE: Also, on the -- thank you.
22 So on the unit size for the affordable housing,
23 you know, since we're here to discuss
24 modifications, would you be open to -- I'm just
25 concerned, like -- what was the square footage of

1 the --

2 MEMBER COTUGNO: Six-fifty.

3 MEMBER HAMMES: Six hundred -- 650 is what
4 was approved.

5 CHAIRMAN FOOTE: Yeah. I'm thinking, you
6 know, affordable housing for a family that's
7 squeezing in a 650 square feet, shouldn't that --
8 shouldn't we talk about bigger unit apartment
9 sizes for these?

10 MR. PAWLOWSKI: Yeah, I'm all --

11 CHAIRMAN FOOTE: I mean, I think that's
12 really --

13 MR. PAWLOWSKI: That's fair, that
14 absolutely is.

15 CHAIRMAN FOOTE: That's really not
16 realistic if it's a family of four or five, you
17 know, to squeeze in. That just seems like out of
18 line to me.

19 MR. PAWLOWSKI: No, I agree, that it's
20 families that need affordable housing, and I'm
21 all for that discussion, whether there's a larger
22 percentage, you know, half of them are larger,
23 smaller, you know. In my experience of
24 affordable housing, I've been a partner of one
25 that's roughly 2300 throughout Long Island. Most

1 of the people that are in need, immediate need of
2 affordable housing are either single or a couple,
3 and that's their, lack of a better word, starter
4 home. But I'm all for if we need to make a few
5 two bedrooms, that is no -- that's fine, that's
6 great.

7 CHAIRMAN FOOTE: Okay.

8 MR. PAWLOWSKI: It just would add to the
9 density on Sterling Avenue. That's -- there's a
10 double edge to this.

11 CHAIRMAN FOOTE: So, also, there was a
12 back-and-forth, I think, in terms of whether the
13 affordable units are -- under the stipulation,
14 they would be owned, as opposed to having them as
15 rental units. Is that -- is that something that
16 you were proposing in the modified plan?

17 MR. PAWLOWSKI: I'm not proposing it yet,
18 but as I've stated, I would definitely -- that
19 conversation can be had --

20 CHAIRMAN FOOTE: Yeah.

21 MR. PAWLOWSKI: -- because that's -- that
22 doesn't change the quantity or the potential
23 square footage. If the Village and the
24 neighborhood all think it's better that there are
25 rentals in perpetuity, and affordable in

1 perpetuity, we are -- we will support that.

2 CHAIRMAN FOOTE: And where -- I didn't see
3 anywhere in the stipulation that said that the
4 units, once they are purchased, could be flipped.

5 MEMBER HAMMES: It's in the Attachment A,
6 which is the summary of the terms.

7 CHAIRMAN FOOTE: Oh, is it? Okay.

8 MEMBER HAMMES: Yeah.

9 CHAIRMAN FOOTE: Okay. Okay. Those are my
10 preliminary thoughts. Thank you very much.

11 MR. PAWLOWSKI: Thank you.

12 CHAIRMAN FOOTE: Yeah. Does anybody else
13 have anything else?

14 (No Response)

15 CHAIRMAN FOOTE: Does anybody else from the
16 public want to speak one more time?

17 (No Response)

18 CHAIRMAN FOOTE: We're ready. We've been
19 here a little over two hours, so maybe it's time
20 that we adjourn this meeting.

21 MEMBER COTUGNO: Yes.

22 CHAIRMAN FOOTE: Okay?

23 MR. PAWLOWSKI: Thank you

24 CHAIRMAN FOOTE: To be continued. Thank you.

25 (Time Noted: 6:03 p.m.)

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