VILLAGE OF GREENPORT

PLANNING BOARD

WORK SESSION

&

REGULAR SESSION

March 12, 2015

5:00 p.m.

Meeting held at the Greenport Firehouse

236 Third Street, Greenport, New York 11944

Appearances:

Peter Jauquet - Chairman

Ben Burns

Chris Dowling

Devin McMahon

Joseph Prokop, Village Attorney

Eileen Wingate, Village Building Inspector

Glynis Berry, Planning Board Consultant
(Whereupon, the meeting was called to order at 5:09 p.m.)

CHAIRMAN JAUQUET: Okay. We're going to start the meeting. This is the Village of Greenport Planning Board. This is the March 12th alternate, because of the snowstorm, meeting, 5:00, and this is a work and regular session meeting agenda combination.

The first thing on the agenda --

AUDIENCE MEMBER: Can you speak up into the mic? We can't hear you back here.

CHAIRMAN JAUQUET: The first thing on the agenda is a public hearing for 119 Main Street. The applicant submitted an application for approval of a conditional use and site plan. The property owner/applicant is Marc LaMaina, and he proposes to expand Lucharito's, the existing restaurant, into the adjacent store in the same building, adding 52 seats, among other improvements, at Section 5, Block 4, Lot 34.

So I guess with the public hearing, if anybody wants to stand up and speak about this one, they can.

MR. MC MAHON: Do we want these letters read in now or --

CHAIRMAN JAUQUET: I'm not going to read the letter. We have a letter from Claudio's, and we'd
like you to put this in the public record on your own. So do you want -- I'll just give this to you?

MS. BRAATEN: Yes.

AUDIENCE MEMBER: Can you read it? That way, if there's objections --

CHAIRMAN JAQUET: I'm not going to -- well, it's too long to read.

(Laughter)

CHAIRMAN JAQUET: I mean, is anybody here for -- well, did you come here to read that letter out loud?

AUDIENCE MEMBER: Well, yeah. The thing is, if there's objections in that letter, maybe we might want to, you know --

AUDIENCE MEMBER: Respond.

AUDIENCE MEMBER: Yeah, we might want to respond to those objections.

CHAIRMAN JAQUET: You want -- should I do that?

MR. DOWLING: Yeah, if they want.

AUDIENCE MEMBER: Well, just tell us what the objections are, because we know there are going to be objections.

CHAIRMAN JAQUET: Well, the objections are about the handling of the refuse, is what it mainly
1 is. Okay.

2 MS. CORWIN: My name is Marilyn White Corwin.

3 I am a Greenport native/resident.

4 Handling of the refuge, okay. I believe that

5 Jan had some concerns about the dumpsters, because, I

6 guess, as it is now, the dumpsters are on her

7 property.

8 CHAIRMAN JAUQUET: Right.

9 MS. CORWIN: My family owns White's Hardware,

10 right across the street, and we have made

11 arrangements with Marc that he can put his dumpsters

12 on our property at the end of the alley. There's

13 plenty of room back there, you know, plenty of

14 property that belongs to us, and we have no problem

15 with him putting his refuge there. So, if that's one

16 of the problems that's going to cause him not to be

17 able to open, I feel that this is going to take care

18 of that problem.

19 MR. DOWLING: Yeah, and that's on his site

20 plan, he has it on there.

21 MS. CORWIN: I also just want to say one other

22 thing. You know, Marc is -- he's a young resident of

23 Greenport. He's been here for many, many years.

24 When you have a young guy like that who is trying to

25 have a business -- his business is I think a real
asset to Greenport, and I'll tell you why. How many restaurants can you really go into and get a reasonable meal? I'm talking about cost-wise. I mean, yes, I've seen a lot in the 63 years that I've been here, and the restaurants and all, I mean, we have wonderful restaurants in Greenport, but how many are really like affordable --

AUDIENCE MEMBER: And year-round.

MS. CORWIN: -- good food, fill you up, that kind of thing? This is what Marc has in his restaurant. It's family-friendly, you can walk in there. If you just want to go in and have a little cocktail, you can do that. If you want to have a nice meal, you can do that, too. So I don't -- I can't imagine why anyone would have any objections to a young family man trying to start a business in Greenport.

We've got all kinds of crazy businesses in Greenport. I think it's really nice that we're getting something that is really going to be useful all year long to the residents, to the tourists, to everybody. So I think, I mean, in my estimation, it's a no-brainer that Lucharito's should be allowed to expand, and he should be allowed to go on without all these petty little reasons why not.
Competition is good, it's what's made America great. And that's all.

(Applause)

MR. ROBERTS: Good evening. Doug Roberts, 133 Sixth Street.

You know, if only we had another cupcake shop in town instead of a Mexican restaurant, maybe that would be better, right? No. Listen, my only objection to this expansion is the expansion it may cause me.

This is important to me, though, because Lucharito's, for all the reasons that she just said, Lucharito's provides a great service here, and Marc employs a lot of local folks. He's a local business, employing local folks. Now he's going to be able to give more jobs to people.

There are a whole bunch of reasons why you need to approve this. We need to not get in Marc's way on this. When the tide rises, all boats rise. So this is good for Claudio's, it's good for the other restaurants in town, it's really good for the town. I hope you'll pass it through. Thank you.

(Applause)

MS. ALLEN: My name is Chatty Allen. I'm a lifelong Greenporter. I'm on Fifth Avenue. I've
known Marc since he was born.

When Hurricane Sandy hit us, it basically
destroyed his business, okay? He's a young guy. He
could have said, "Screw this, I'm out of here, I'm
going to another place where I don't have to worry
about this, I don't have worry about flooding." What
did Marc do? He pulled up his bootstraps and opened
a business, not just for the tourists that come here.
How many places close up shop? They charge
outrageous prices, they close up shop all winter. He
stays open all winter long. And like they said, he
employs local people, people that grew up here. And
for someone who has been here 54 years, this is what
you want in your Village. You want someone who hires
locals, who has a family-friendly atmosphere.
Someone like myself that lives at the poverty line, I
can afford to go in and eat there.

And I'm glad Marilyn's family, which doesn't
surprise me, stepped up as far as the garbage goes.
But like someone else just said, it's a no-brainer.
This should have been approved from the get-go to let
him expand. You poll people in Greenport and they're
like, "God, I wish the place was bigger, because he's
always busy." You need that kind of business in
town. Thank you.
(Applause)

CHAIRMAN JAUQUET: Is that it? So --

MR. MC MAHON: There was another issue raised in the letter, which was access. There's another door that's going to be added, whether or not there's a right-of-way, and whether or not that goes -- I believe it's right next to an existing door that goes to the second-story apartment. So there's already a right-of-way on that driveway. Would that be -- would there be an issue with a second door being right there?

MR. DOWLING: We can pull it with Item 4, then, when we're pulling Item 4, right?

CHAIRMAN JAUQUET: Yeah. This is the public hearing part.

MR. DOWLING: This is the public hearing part, so.

CHAIRMAN JAUQUET: And then we're going to discuss it.

MR. MC MAHON: Well, obviously, it was raised in their letter, that's why.

CHAIRMAN JAUQUET: Yeah. Yeah, okay.

AUDIENCE MEMBER: Can all you guys use your microphones? Thank you.

CHAIRMAN JAUQUET: All right. So we're going
to come back to this at Item #4.

MR. DOWLING: Is there anybody else who wants to make comment on the public hearing part of it?

MS. SCHOTT: Michelle Schott, 517 Main Street. I just want to echo some of the comments that have already been made. We've had a lot of fabulous additions in our dining options over the past decade, but I think if you take stock of the direction we're going in, there aren't very many affordable options for families.

Marc's expanding because the market's spoken and people want this. He's there year-round. He's employing people. He's using local contractors for the expansion.

I don't really understand what the right-of-way issue is. I think maybe the Board needs to be reminded that not too long ago, it was a restaurant there. So, the fact that we have someone who is going back to a use that was in place not too long ago and they're responding to very local demands, I think we should be paving the way for him, instead of putting up roadblocks. Thank you.

(Applause)

CHAIRMAN JAUQUET: Thank you. Okay.

MR. SICHLING: Hi. Mark Sichling, 1090
Cedarfields Drive. I moved here four years ago. Met Marc pretty much the first winter. And when I came out here, I was used to the summers, because I was always boating out here. And when his restaurant opened, all winter we were in there had enjoyed it. As soon as the summer came, it's kind of a little dig between the two us. I don't think I dined there in the last two summers. And I don't think it's fair that the tourists get to go there and I can't get a seat at the restaurant until it becomes November, December. And this expansion would make it possible for us to get in there during the summertime and enjoy it, you know, bring my grandchildren down and the family and be able to enjoy it as well.

So, hopefully, we can get this moving, because I know time is of the essence and he needs to get things moving. Thank you.

CHAIRMAN JAQUET: Thanks.

MR. DOWLING: Thank you

(Applause)

CHAIRMAN JAQUET: Okay. Last call.

MS. WILHELM: Can I just say that we're all in favor of it?

(Laughter)

MS. WILHELM: And we're just going to echo what
everyone is saying.

MR. DOWLING: Yeah.

CHAIRMAN JAUQUET: Okay.

AUDIENCE MEMBER: Mr. Chairman, my apology. Is this about the residences that are two, and three, and four, and five family?

MR. DOWLING: No.

CHAIRMAN JAUQUET: No. We're talking about a restaurant on Main Street.

AUDIENCE MEMBER: I beg your pardon, wrong issue. Sorry.

CHAIRMAN JAUQUET: Okay. All right. So I guess --

MR. DOWLING: Close the public hearing?

CHAIRMAN JAUQUET: Yeah. And how do we do that, just close it?

MR. DOWLING: Yeah.

CHAIRMAN JAUQUET: All in favor?

MR. BURNS: Aye.

MR. DOWLING: Aye.

MR. MC MAHON: Aye.

CHAIRMAN JAUQUET: Aye.

Okay. So Item #1 on the agenda is a continued discussion and possible motion on a site plan approval for a new home to be constructed at 216
North Street. The applicants are Thomas Spurge and Steve Sommer. The property is currently a vacant lot.

So this is a work session, so we're -- this is the point where we discuss this, right?

MR. DOWLING: Yeah. Is anybody here from there?

CHAIRMAN JAUQUET: So I think we should discuss this ourselves.

MR. DOWLING: Right. Do we have the applicant here at all?

CHAIRMAN JAUQUET: I don't know. Is --

MR. BURNS: Did you want to talk?

MR. SPURGE: Tom Spurge, co-owner of the lot at 216 North Street.

MR. DOWLING: Can you tell us about the project?

MR. SPURGE: So, originally, it was -- there was an existing house on the property, which we bought and tore down, with the expectation of being able to rebuild the house as a two-family, because it's in an R-2 Zone. That information was given to us by the Building Department. We went on that information, proceeded with the plans, submitted the plans. They were ultimately denied, because there's
a section in the code that says you can't go from a zero-family, which essentially is a lot, to a two-family. So we accepted that resolution being part of the code, and went back to the Building Department and said, "So what can we build on this property in terms of the size of the house?" And, actually, the drawings that we submitted complied with that. And so we resubmitted the plans as a one-family house, and that was essentially the end of that. Now it's in front of you.

CHAIRMAN JAQUET: Now we have it, we have your plan.

MR. DOWLING: So is your plan, after you build a single-family house, to convert it to a two-family home?

MR. SPURGE: It's a single-family house.

MR. DOWLING: Right. But do you plan to convert it out later to a two-family?

MR. SPURGE: It can't be, can it?

CHAIRMAN JAQUET: You know, the issue with me is that, you know, you basically have your two -- you know, it looks like you have your two-family, you took out a kitchen, and it's -- you know, it's a very intensive use on the interior. There's no backyard. It's all three parking spaces.
The only part of the code that we can look at is the part that says that for -- it is us to look at the block, and how your building is going to change the block. And everything above your building is on the interior and the intensity of the use on the interior, plus the balcony, and the lack of any real play backyard.

MR. SPURGE: But is there anything in the code that prevents that?

CHAIRMAN JAUQUET: The only thing in the code is that, you know, the Planning Board, you know, that's all we have to go on, is, you know, a couple of little sentences that say -- you know, 150-30(A) says, "The Planning Board shall take into consideration public health, safety, welfare, and the comfort and convenience of the public in general, and of the residents of the immediate neighborhood in particular." That's the only thing we have to go on in discussing what you're doing on the block with that -- what you're doing with the house.

And, you know, the only other thing -- excuse me. The only other thing that we've got here is in 150-30(A)(2) -- (A)(3), sorry, is landscaping and screening. And it talks about that all playground, parking and service areas are reasonably screened at
all seasons of the year from the view of adjacent
resident lots and streets, and that the general
landscaping of the site is in character with --
prevailing in the neighborhood.

MR. SPURGE: I don't know that that applies to
a residence.

CHAIRMAN JAUQUET: Well, the only thing I see
in there is the balcony in the back that overlooks
three neighbors, which is something that no one else
has on the block.

And, you know, the thing about your building is
I don't know why they didn't give you a two-family
with just a couple of bedrooms up top and two on the
bottom. You know, I guess they X'd --

MR. SPURGE: I don't either.

CHAIRMAN JAUQUET: They started off with not
allowing a two-family, even though it's a small
footprint.

MR. SPURGE: The main objections from the
public to this house was the size and the placement
on the lot. All of the original objections had to do
with the fact of how close it was, how big it was,
etcetera, etcetera.

CHAIRMAN JAUQUET: And our -- you know, we're
not arguing --
MR. SPURGE: Except it is a Village lot.

CHAIRMAN JAUQUET: Right.

MR. SPURGE: There are houses in the Village that are much closer than this one will be. There are houses in the Village with porches that overlook other neighbors. It's not -- it's not untoward towards everything that's happening in the rest of the Village.

CHAIRMAN JAUQUET: Right.

MR. SPURGE: It is, in fact --

CHAIRMAN JAUQUET: But, you know, I would say this, that there are no other single-family houses of that size in the Village that have four bathrooms, five bedrooms, and two separate heating systems, and two separate hot water -- I know there's nothing in the code about it.

MR. SPURGE: I don't know -- I don't know how any of that is germane to the house.

CHAIRMAN JAUQUET: Well, it's germane --

MR. SPURGE: What I can say -- what I can say is --

CHAIRMAN JAUQUET: It's germane to the intensity of the use and the way it's going to affect the livability of the block. That's the only thing we have to go on in the code.
MR. SPURGE: Because of the number of people?

CHAIRMAN JAUQUET: The potential number of people, yeah. And what are you --

MR. SPURGE: Potential number of people.

CHAIRMAN JAUQUET: That's right. Well --

MR. MC MAHON: There's an intent of use.

CHAIRMAN JAUQUET: Well, the comfort is the potential comfort, too.

MR. SPURGE: There's a presumption on the side of the people who are opposed to this that it's going to be a rooming house.

CHAIRMAN JAUQUET: Well, that's just an adjective.

MR. SPURGE: Well, no. Every letter that I've seen says there's a presumption that it's going to be a rooming house. This is not, if I may --

CHAIRMAN JAUQUET: Well, if you look at the plan, you know, and you're not a builder, or an architect, or a law -- you know, a Building Department looking at law, you know, a layperson is going to say that.

MR. SPURGE: Okay.

CHAIRMAN JAUQUET: Okay.

MR. SPURGE: But as a builder, and as someone who owns three other houses in the Village, all of
which, except one, were saved from the wrecking ball and turned into viable rentals for families that live here, to have an affordable nice place to live, I would take all of you to tour them, they were dumps. They had raccoons living in them, they were falling down. I've invested over $800,000 in renovating those homes, employed local labor, put that money into the economy, and have had long-term tenants. My intention is not to have a rooming house.

CHAIRMAN JAUQUET: Okay.

MR. SPURGE: I'm not an Airbnb kind of guy. But there's a need in this Village for affordable housing, that's what I offer.

CHAIRMAN JAUQUET: Well, see, I disagree with that.

MR. SPURGE: There's no need for affordable housing?

CHAIRMAN JAUQUET: Well, there's a need for affordable housing all across the North Fork, and Shelter Island, and the South Fork.

MR. SPURGE: So what is it that you're disagreeing with?

CHAIRMAN JAUQUET: It is not just Greenport, that's what I'm disagreeing with. South, you know --

MR. SPURGE: I didn't say it was just
Greenport.

CHAIRMAN JAQUET: Yes, you are.

MR. SPURGE: We're only talking about the Village.

CHAIRMAN JAQUET: Yes, you said -- you know, I just -- I'm not going to argue with you. I just have a bone to pick when people say that, you know, we have a housing shortage, because there's a housing shortage everywhere.

MR. SPURGE: Okay. So I'll amend my statement to say that, in general, there's a housing shortage for people of limited means to live somewhere nice.

CHAIRMAN JAQUET: Okay.

MR. SPURGE: I've afforded three separate families that opportunity in a big way, at great personal expense, and I don't think that any of that should be held against me in this case. I'm trying to -- we're trying to provide --

CHAIRMAN JAQUET: You know, here's what I'd like. You know, I don't know where we stand legally with this, you know, except for what I read --

MR. SPURGE: I know where you stand legally.

CHAIRMAN JAQUET: I know you do. I know you know better than I do.

MR. DOWLING: I think one of the problems that
we have is that when you look at the drawings, your plans, it looks like you are building a two-family home. You have, you know, completely redundant systems for your hot water, your laundry, your heating on both floors. I mean, it looks like you're -- it looks like once you build it, there's going to be -- and you have three parking spaces. In the code, you only need one-and-a-half for a single-family home. It makes it --

MR. SPURGE: It gives the appearance.

MR. DOWLING: You have the air here that you're going to have a two-family home here and that's what you're building.

MR. SPURGE: What would be -- what would be the difference?

CHAIRMAN JAUQUET: Well, here's what, you know --

MR. SPURGE: What would be the difference between having eight people living in a house as a single family, or two families of four people each? In terms of taxing the system, there's no difference. In terms of utilities, there's no difference. What is it? What is the objection to having eight people living in a house where you can fit eight people? I'm not putting 14 people in a three-bedroom house,
that's not me, I don't have that. That exists in
Greenport, we know it exists. That is not what I
have here. Redundant systems, you know, are not
indicative of anything except maybe efficiency. I
could have a separate hot water heater, you know,
on-demand hot water heater for every room in the
house.

CHAIRMAN JAUQUET: Well, let me just back up.
Why isn't this house designed, you know, similar to
the other single-families that you've built in town?

MR. SPURGE: Because it is designed similar to
the other single-family homes I have in town.

CHAIRMAN JAUQUET: Well, how many bedrooms and
bathrooms do they have?

MR. SPURGE: Well, they're all smaller houses.

CHAIRMAN JAUQUET: Yeah. Well, you know
that --

MR. SPURGE: And the ones I wanted to make
bigger I couldn't, because the BZA shot it down. So
I just don't understand what would -- give me an
example of what we could do with this house to make
it more palpable to those who object to it. Is it
making it smaller?

CHAIRMAN JAUQUET: Well, here's what I'd
like --
MR. DOWLING: I think if had more actually living space, social spaces than bedrooms and bathrooms --

MR. SPURGE: All you're doing is -- but all you're doing is --

MR. DOWLING: -- it would actually look like people are planning on living there and being a family, and being in one room together.

MR. SPURGE: Okay. So redefine the rooms. That doesn't -- that doesn't affect the site plan at all.

CHAIRMAN JAUQUET: No.

MR. SPURGE: You're only talking about the interior.

CHAIRMAN JAUQUET: Okay. So let's talk about the interior. You know, what I came in here to say about the interior, based on the zoning, the little bit of zoning code that the Planning Board can latch onto, and to avoid a situation where you have, you know, five -- you know, three extra SUVs out front on the street --

MR. SPURGE: Well --

CHAIRMAN JAUQUET: Wait. Just let me speak.

MR. SPURGE: Okay.

CHAIRMAN JAUQUET: Just let me speak. Like I
have across from where I live on Fifth Street, with cars parked on the grass, and barbecues out front, and lots of people milling around, because there's lots of people in the house, a two-family, that are unrelated, but they -- you know, they rent bedrooms or something. Anyway, there's a lot of activity, and it -- you know, there's a lot of activity like that on Fifth Avenue, and, you know, we want to stop that. And this house, with your design, has that going on as far as we can see.

So what I came in here, as a suggestion for the inside, is to take out one bedroom and one bathroom, so there's more living space on the first floor. Do one heating system, one laundry, and one hot water heater, and put some sort of screening on that second floor balcony on the east and west side, so that the activity isn't spilling off only to the back and not to the sides. So that's -- that's what I'd like to see as a compromise for this, to take a little bit of the intensity away, and possibly get rid of one of the parking spaces in the back so there's some playground area. So --

MR. SPURGE: So, on the one hand, I have too many parking spaces, and, on the other hand, you want me to take away a parking space. I mean, is this --
CHAIRMAN JAUQUET: Well, I know.

MR. SPURGE: There's a conflict of interest here.

CHAIRMAN JAUQUET: Well, there is, but, you know, there is a give and take. But, you know, I'd rather see cars on the street than -- and have some green space in the back for this -- for the family that is apparently going in there.

MR. SPURGE: I just want to understand. Your main objection is to what's going on in the inside of the house. This is a site plan review. Is the house --

CHAIRMAN JAUQUET: Well, the intensity of the use on the inside relates to what happens on the block.

MR. SPURGE: And I'll ask you again, why would it matter if there were eight people of one family, or two families of four people each? How does that change anything? It doesn't change anything.

CHAIRMAN JAUQUET: Well, adding --

MR. SPURGE: And adding spaces, the presumption is it's going to be a boarding house, and that some of the other spaces could be turned into bedrooms. There was a letter posted to the Board from the homeowners next door saying that, well, there's a lot
of extra spaces that could be turned into bedrooms. I just don't see how it's germane to the site plan.

MR. PROKOP: Well, actually, to answer your question, I mean, the problem is that you brought this discussion up regarding the use of the interior of the space.

MR. SPURGE: I brought what up?

MR. PROKOP: And with regard to your -- with regard to your -- the answer to your question, two families of four people would not be allowed, it's a one-family house.

MR. SPURGE: I understand that.

MR. PROKOP: Only one family of eight people would be allowed, as long as they were related and otherwise complied with the code.

MR. SPURGE: I understand that.

MR. PROKOP: So, actually, they're not equal.

MR. SPURGE: Well, but in terms of the use of the house is how I -- how I proposed it, because there was some -- there's a lot of talk about how it's going to tax the system, that the sewage system would be overloaded, because there's three extra people in a house on North Street.

CHAIRMAN JAUQUET: I don't know about that.

MR. SPURGE: Well, that's -- I'm only
responding to what was brought up by the letters that were sent in.

CHAIRMAN JAUQUET: Okay.

MR. SPURGE: I don't see that -- in that context -- Mr. Prokop, I wanted to say that in that context, there is no difference between two families of four or eight people in usage of the house. I understand what you're saying, but we're not --

MR. PROKOP: Well, actually, there is, because the families -- the house is not allowed to be used as a two-family house. So, to answer your question, yes, there would be a difference, because --

MR. SPURGE: You're missing my point. I'm talking about --

MR. PROKOP: No, you're missing my point. Two families of four would not be allowed. If you're asking me that the question, that's the difference.

MR. SPURGE: I'm not asking you that question. What I'm saying is that if there's eight people in the house, the amount of utilities that they're using is the same as if there were two families of four. It's still eight people, that's my point. I realize and I accept the fact that it can't be a two-family. What I'm saying is the objections are that it will tax the system, because there's too many people
living in the house.

You brought up the fact, like why didn't they just approve a two-family house, and then you would have two families of four. That was shot down. My point is, is that eight people, no matter how you slice it, who they are, they're still going to use the same amount of utilities, use the same amount of water to flush the toilet, etcetera, etcetera.

CHAIRMAN JAUQUET: It's just that the intensity on the interior is going to reflect to the -- we feel, to the use on the outside, and it's going to affect the block, especially the parking space, the three parking spaces in the back. You know, two would be better. Otherwise, there's no yard for this family. And I have -- you know, I don't like the balcony. You know, at least if it were screened or something, it would be better.

MR. SPURGE: Well, the balcony provides some outdoor space for the family.

CHAIRMAN JAUQUET: Yeah, I know, but you've already got all this intensive use there and it spills out on to the second floor balcony, and creates this potential situation that we want to avoid, and we got one sentence in our code that allows us to request that from you.
And what I want to do is just ask you to think about this. And, you know, we'd like a little more living space in the -- on the ground level. I mean, if you had four bedrooms, and four bathrooms, and one heating system -- I don't know. Why does a single family have to have that? There's no -- you know, there's a reason why you're doing this.

MR. SPURGE: Maybe they want -- maybe they want a home office, you know. Maybe they want a play room for the kids.

CHAIRMAN JAQUET: I don't know. I mean --

MR. SPURGE: I mean, you can relabel the drawings however you want. This doesn't change the fact that the outside of the house is going to be what it is. So I'll ask again, is the house as drawn complying with the code?

CHAIRMAN JAQUET: I think it complies with the code, but it doesn't comply with what we believe is the interpretation of the Planning Board's directive in the -- in what --

MR. SPURGE: So, if I renamed -- I renamed the rooms on the inside of the same exact size house, that's your concession, that's what you would like from me?

CHAIRMAN JAQUET: Well, we still have a
problem with duplicate, with two sets of utilities in there.

MR. SPURGE: Two sets of, I mean --

CHAIRMAN JAUQUET: It just -- it creates a --

it creates a situation where --

MR. SPURGE: Well, what it creates --

CHAIRMAN JAUQUET: -- the intensity of the use could increase way beyond what you're telling us,

MR. SPURGE: It creates the presumption of something else that it's not.

CHAIRMAN JAUQUET: That's true.

MR. SPURGE: That's the basis of -- that's the basis of --

CHAIRMAN JAUQUET: It could go -- you know, we could go either way with it.

MR. SPURGE: Okay.

CHAIRMAN JAUQUET: You know, they could -- they could maybe not use any of the bedrooms upstairs.

MR. SPURGE: Maybe not. But it could also have -- like I said, I could have five separate, you know, hot water heaters for this house.

CHAIRMAN JAUQUET: You could. You could have, you know, all bathrooms.

MR. SPURGE: Yeah.

(Laughter)
MR. DOWLING: I have a question in regards to the exterior. Because of where you have your house placement and your driveway, are you going to remove that large tree?

MR. SPURGE: No.

MR. DOWLING: Can you get -- it looks like the way your house is, looks like that's right in the middle of your driveway, it's going to be coming through in your curb cut.

MR. SPURGE: No. There's an existing driveway to the side.

MR. DOWLING: Is it clear of that?

MR. SPURGE: Yes. The last thing we want to do is cut down a tree in the Village. I plant trees in the Village.

MR. DOWLING: With the -- for a single-family home, you're allowed -- you have to have, you know, one-and-a-half parking spots for every single -- for every family.

MR. SPURGE: Right.

MR. DOWLING: So you have three. We would like to see more yard, because --

MR. SPURGE: That's fine. I don't have a problem with that.

MR. DOWLING: Do you mind going down to two
parking spaces?

MR. SPURGE: I don't have a problem with that.
The reason we did that is because I consistently hear from everybody that there's too many cars in the street, which you mirrored in your comment before. So, if you only want two parking spots, we'll allow the two parking spots. It doesn't really matter to us.

MR. MC MAHON: Okay. My concern is that you opened by saying you wanted this to be a two-family home.

MR. SPURGE: Originally, we did. Not that we wanted, we thought because it's in an R-2 zone. The reason we bought the house was we wanted to rebuild a two-family home there.

MR. MC MAHON: But I am of the opinion that we do need more affordable housing in the Village. I am 29, I have a good job, I can't afford to live anywhere other than my parents' house. There's a severe lack of affordable housing for young working people in this area.

It's just I have an issue if the intended use, what comes here before us, what we're presented with as "I'm going to rent this to a single family," and then some other use develops afterwards. It appears set up for a separate use from what you've applied
for. It looks like a two-family home.

MR. SPURGE: There's no intent to have it be anything other than what is drawn. If there's too many bedrooms -- I mean, I personally know three families that have nine people, you know. It's an extended family. They don't have any -- they can't find a place to live, you know.

MR. MC MAHON: I understand that. And what I'm saying is, if you're intending it to be a single-family house, why are there two heating systems?

MR. SPURGE: I couldn't tell you why there's two heating systems. The engineer -- the engineer said, you know, "You might be better off putting two heating systems in, because otherwise this one will be too big," it will have to be too big, you know.

MR. DOWLING: But you have a full basement for that.

MR. SPURGE: Yeah. No, too big in terms of capacity. You know, why put a 200,000 BTU burner when you could get by with two 75s? I can do -- I can do the heating calculations for this, but my guess is, knowing this architect, is that it made more sense to have two heating systems, because it should be two zones, or it could be five zones, you
know. But you don't want to do that to one system.

MR. DOWLING: You could accommodate five zones
with a single heating system.

MR. SPURGE: I understand that, but maybe it's
not the most efficient way to do it. There's a lot
of talk about, you know, energy efficiency now.
We're trying to, you know -- listen, if it makes --
if it makes a difference to the approval or not, I'll
put one heating system in, but I don't see how it's
germane. It's still -- it's still based on your
presumption that it's going to be something else.
And I'm telling you, we couldn't have a two-family.
We resubmitted it as a single family. What's the
problem? It's all just presumption that it's going
to be something else, and I take offense to that.

MR. MC MAHON: Everything from your statements
to the plans suggest that you still intend to use it
as a two-family home, that's the problem.

MR. SPURGE: I don't see it that way.

MR. MC MAHON: Now, it's hard for me to believe
that you have three other rental properties in town
that you added a second laundry room, a second
heating system just because. You know, that's --
that doesn't seem to hold water with me.

MR. SPURGE: Okay. Take one laundry room out,
I don't care. I don't care. I'm telling you, there's no -- you should have no presumption that this is going to be anything other than a single-family home. I can state that equivocally now. If that's what you want, if you want some assurance, that's -- there it is, I've just given it to you.

CHAIRMAN JAQUET: Well, that's what we would like. You know, if you could -- one heating system, multi-zone, one laundry room, and, you know, maybe you could make one of those bedrooms on the first floor a, you know, family room, just label it a family room.

MR. SPURGE: Fine.

CHAIRMAN JAQUET: And put a screen on the sides, of the east and the west side of that --

MR. SPURGE: There has to be a railing on the deck, and it can't be higher than a certain amount anyway. So running afoul of a couple of different things here. You know, we could place the pickets of the railing a little closer together, if that's --

CHAIRMAN JAQUET: I mean, I'm talking about the balcony on the second --

MR. SPURGE: The balcony, yeah.

CHAIRMAN JAQUET: Just so there's a screen, so
that neighbors on the side don't see what's going on up there.

MR. SPURGE: I would gladly put them closer together so it's more like a solid wall, rather than --

CHAIRMAN JAUQUET: Well, that's --

MR. SPURGE: I don't want to -- I don't want to enclose anybody, though, so it looks like they're in a cage, you know.

CHAIRMAN JAUQUET: I don't think it has to be solid. It just needs to be a lattice, or something like that.

MR. SPURGE: Fine. I have no problem with any of those --

CHAIRMAN JAUQUET: Okay.

MR. SPURGE: Any of those suggestions.

MR. BURNS: Your intention -- excuse me. I think we understand your intention, but it appears that this could morph into a boarding house, or a two-family place very easily to the next owner, or the person that was living on the first floor, or whatever. It has that potential, right?

MR. SPURGE: You'd have to deal with that with the next owner. Right now, you're dealing with me and I'm telling you it's a single-family home.
MR. DOWLING: Well, we don't want to have to go back to the next owner.

MR. SPURGE: But you can't -- you can't legislate that based on -- the size of the house is what it is.

CHAIRMAN JAUQUET: Yeah.

MR. SPURGE: Whoever buys it, you know, they may have some other intention, but that's not my intention.

CHAIRMAN JAUQUET: Well, for right now, can you, for the next meeting, make those changes?

MR. SPURGE: Next meeting?

CHAIRMAN JAUQUET: For the next -- just so that for the next meeting we can have a drawing showing what we just talked about as alterations on the inside.

MR. SPURGE: Are we not at the 60-day today?

MS. WARD: On the 29th we hit the 60-day clock.

MR. SPURGE: I'm sorry?

MS. WARD: The next meeting is the 26th.

MR. SPURGE: When was this originally submitted?

CHAIRMAN JAUQUET: I don't know. Yeah, maybe that -- I don't know.

MR. PROKOP: Well, if that's the case, we would
need the applicant's consent. But we have -- we do have the Planner's comments. I think we should deal with the Planner's comments also, if possible.

MR. BURNS: Okay. I don't have them in front of me.

CHAIRMAN JAUQUET: Well, aside from the deadline, would you be willing to show us a plan with the screens on the second -- a living room, and one heating system?

MR. SPURGE: Yes, if you -- if we move to, you know, put this for approval, because I think -- I think it's at 60 days.

CHAIRMAN JAUQUET: Because I'd just like to see, you know, that stuff put on the --

MR. SPURGE: I'm happy to make -- I'm happy to make whatever changes to the drawings you'd like.

CHAIRMAN JAUQUET: All right. So then --

MS. BERRY: Can I make a suggestion?

CHAIRMAN JAUQUET: Sure.

MS. BERRY: If you are comfortable with, you know, the negotiations, why don't you recommend approval based on certain conditions being met?

CHAIRMAN JAUQUET: Okay. And then, you know, there's other people here that want to speak, I guess, so we should do that now.
MR. DOWLING: Absolutely, yeah.

CHAIRMAN JAUQUET: That's, you know --

MR. SPURGE: I just wanted to confirm, are we at the 60 days?

MS. WINGATE: On the 15th -- oh, 26th right?

We did these calculations.

MS. WARD: You told me that the file -- the application was accepted --

MS. BRAATEN: I'm sorry. Could you state your name?

MS. WARD: My name is Jill Ward. Jill Ward. I live at 220 North Street, next to the adjacent lot, which is --

MS. WINGATE: 1/26, so the -- March 26th would be -- it's 62 days. So March 26th is 60 days, the 28th is 62 days. And the next meeting is --

MR. DOWLING: It's the 26th.

MS. WINGATE: I don't have an agenda.

MR. DOWLING: 26th.

CHAIRMAN JAUQUET: Right. That's a Thursday.

MS. WINGATE: So you're right there.

CHAIRMAN JAUQUET: Right there.

MR. PROKOP: Okay.

MS. WARD: That meeting would have to be --

it's a work meeting. It would have to be changed to
a full Planning meeting to do --

CHAIRMAN JAUQUET: We're going to do a -- I think at some point, we're going to make these combination meetings, because it's too much to do. But we'll do that at that meeting. Is that --

MR. SPURGE: Do what?

CHAIRMAN JAUQUET: Approve it with those conditions.

MR. SPURGE: So what you're telling me is you're going to approve it conditionally?

CHAIRMAN JAUQUET: Well, I just want to -- what I'd rather do is if -- in the meantime, you could just draw those things in on the plan that we just spoke about.

MR. DOWLING: Resubmit the plan with the changes we talked about.

CHAIRMAN JAUQUET: Well, yeah, resubmit it, or just put, you know, the latest plan with one heating system, one laundry, the screens, and --

MR. DOWLING: Two parking spaces only.

CHAIRMAN JAUQUET: And two parking spaces. I'm not that concerned about the --

MR. MC MAHON: There are a few other issues that need to be addressed as well.

MR. DOWLING: I'm sorry?
MR. MC MAHON: There are a few other issues that need to be addressed as well, with the Consultant's notes on the issue. Curb cut, curb cuts proposed, but not designed. The site plan does not show the water and sewer connections. And there's no drainage plans for potential storm water on the site. So those would also need to be addressed in the plans before it could be approved.

MR. SPURGE: Can I get a copy of that?

MR. MC MAHON: Sure.

MR. SPURGE: Along with your other comments?

MR. MC MAHON: Yup.

CHAIRMAN JAUQUET: What was the storm -- what was the drain, storm drain system? It's just on the yard, right?

MR. SPURGE: Well, there would have to be -- containment on the site would mean dry wells, so.

CHAIRMAN JAUQUET: Were you planning on that?

MR. SPURGE: If we need them, we'll put them.

CHAIRMAN JAUQUET: I don't know if we need them.

MS. WINGATE: (Nodded yes.)

CHAIRMAN JAUQUET: We need them. They're saying we need them.

MR. SPURGE: It's not an issue.
CHAIRMAN JAUQUET: All right. So can you just submit to the --

MR. BURNS: The issue for us is, yes, there's no issue to put them in, but we need it on the site plans.

MR. SPURGE: Okay. This is new information to me. I'll be happy to comply.

MR. MC MAHON: Okay.

MR. SPURGE: As long as you tell me what it is.

MR. MC MAHON: If we give you those, the items that we need addressed, would you consent to extending the 62 days until we can have our regular -- our Planning meeting at the end of the month and our --

MR. SPURGE: No.

MR. MC MAHON: No, okay. Then we would deny it based on lack of a complete plan and you could resubmit. Would you rather do that? I'm trying to work with you, but there's -- you said you want action within 62 days. You have an incomplete plan, so we're going to deny the plan. We can work with you.

MR. SPURGE: I have an incomplete plan. I have an incomplete plan based on a Consultant that was just hired.
MR. MC MAHON: And the Village Code

MR. SPURGE: No, not the Village Code, your commentary. Fine, I'll extend it to the 62 days, and I will get you the plan for the -- I'll get you the revised plan for the 26th meeting. But what you're telling me is conditionally approving it based on me making the changes to the plan, nothing else?

MS. WARD: I don't want it conditionally approved tonight until other people are heard.

CHAIRMAN JAUQUET: No, we're not going to -- we're not going to conditionally approve it tonight, but we are --

MR. WARD: That seems to be what Mr. Spurge is saying.

MR. SPURGE: Well, that's what he proposed, so.

CHAIRMAN JAUQUET: Well, we have it -- we have -- the 26th is the deadline day, and if those things are on the plan, when we see them, we can approve them.

MR. SPURGE: Okay. So --

CHAIRMAN JAUQUET: Now, the next thing I want -- I think there's other people in the room that want to speak about this.

MR. SPURGE: That's fine.

CHAIRMAN JAUQUET: And then --
MR. SPURGE: Do you have anymore questions for me?

CHAIRMAN JAUQUET: No.

MR. DOWLING: Not at the moment.

MR. MC MAHON: Not at the moment. We'll get the --

MS. WINGATE: Can I just read the list one more time?

MR. DOWLING: Yes.

CHAIRMAN JAUQUET: Wait.

MR. MC MAHON: The list of things that we need addressed?

MS. WINGATE: Yes, just so that we don't miss anything.

CHAIRMAN JAUQUET: Okay.

MS. WINGATE: One laundry, two parking spaces, screen the balcony, single heating system, water and sewage location, site drainage on the revised plan. Did I miss anything?

MR. DOWLING: Curb cut.

MS. WINGATE: The curb cut exists.

MR. DOWLING: Is it on their plan?

MS. WINGATE: No, but it exists in reality.

MR. DOWLING: Okay.

MS. WINGATE: So it's -- yeah.
CHAIRMAN JAQUET: And one of the -- one of the
downstairs bedrooms gets labeled "living room".
MS. WINGATE: Right, got that. Okay.
CHAIRMAN JAQUET: Okay?
MR. SPURGE: Yes. Thank you.
CHAIRMAN JAQUET: Okay, thanks.
MS. ALLEN: I just have a comment about sitting
here listening back and forth, back and forth about
having two heating systems. A lot of families do
have that, single-family homes, especially this time
of year, they're able to turn their top off, okay?
CHAIRMAN JAQUET: What's the top?
MS. ALLEN: The top floor.
CAPTAIN LEHMANN: That's two zones.
MS. ALLEN: Is it two zones?
CAPTAIN LEHMANN: There's two zones. If no
one's living upstairs. Why heat it?
MS. ALLEN: Right.
CAPTAIN LEHMANN: Exactly.
MS. ALLEN: Oh, okay. Because it's like -- it
doesn't make sense, all this, you know, back and
forth about, you know --
CHAIRMAN JAQUET: Well, the reason --
MS. ALLEN: And sometimes -- but it's also the
fact that if it's going to be more efficient for one
home. I mean, I'm living in an apartment complex right now, I have no backyard. I have parking, that's it. You know, I was sick the other day and the children that live in that apartment, they're flying back and forth, banging into my windows, because there's no -- you know, that's the other issue, there's no play area where I am. There are parking spots, and that's it, so.

AUDIENCE MEMBER: And that's what we don't want.

CHAIRMAN JAUQUET: Anybody else?

CAPTAIN LEHMANN: Is anyone -- I mean, any members of the Board --

MS. BRAATEN: I'm sorry. Sir, your name, please.

CAPTAIN LEHMANN: My name would be Captain Robert H. Lehmann, L-E-H-M-A-N-N, 535 Third Street, within running distance of the firehouse; done that many times.

Does anybody know the two gentlemen in back of you, deceased, of course? Not one Board Member knows who those two men are?

CHAIRMAN JAUQUET: Well, which ones are you pointing to?

CAPTAIN LEHMANN: Both of them. They both died
at the same moment. What the hell is going on here?

    I love this Village. I found this village in 1964. My heart is in this Village. My heart is with that pumper right here and all five of them. I do not want to see another two pictures up there. And you're squabbling over a two-family home that's a one-family home? I do not want another two pictures up there, because when I go to a structure, like I did two weeks ago, when we're banged out on a 1335, a working structure fire, and there's two children involved, man, your heart pops out of your body. You put your air pack on, you get your ass in that pumper, you get there, you watch the glow in the sky, and you pray to your God that there's no children in that structure. Then you can finally go, "Oh, thank God." I don't want two more pictures up there.

    I'll show you residents in this Village with 16, 18, and 20 people living in it. How the hell am I going to get in there with an air pack and look for 18 people when I have a problem looking for two?

    Allow two-family housing. Do what you have to let these kids who are trying to live, who are mowing your lawns, okay, who are painting your houses, who are putting on your roofs, who are trimming your trees, trimming your hedges, to make a better life
for themselves, let them have some decent housing. Don't put 18 and 20 in a house, because that's all they can afford. That's affordable housing. That's taking care of the Village of Greenport. That's not East Hampton, it will never be East Hampton, because my hands are black and I work, and I love this Village.

My apologies for the outburst.

(Applause)

CHAIRMAN JAUQUET: Thank you.

MS. WARD: Good evening. My name is Jill Ward. I live at 220 North Street, immediately adjacent to the lot in question.

I had prepared remarks tonight and I am going to run through them, even though you are stipulating, seemingly, some changes to the plans. But I'm going to give you my full-bore remarks anyhow.

Village Code 150-2 defines a one-family dwelling as a detached dwelling building containing one dwelling unit only. It defines a dwelling unit as containing complete housekeeping facilities for only one family. It specifically excludes boarding houses or rooming houses from the definition of dwelling unit, which brings us to this use application tonight.
I contend that if this proposed structure is a one-family dwelling unit, then pigs fly. I believe Mr. Sommer and Mr. Spurge are being devious and blatantly fraudulent regarding their intent behind the application. This is a plan for a multi-family use dwelling, a rooming house, so that the applicants can maximize their income from the property by cramming in as many people as possible at $300 a head, which is the going rate in the other rooming houses in this village.

Let's look at the plans. The two laundry mechanical rooms with the furnaces, the hot water heater, the wash, the dryer, your remedying that, you're limiting that to one. That was the number one tip-off. I do question what type of furnace is going to be there, whether it's electric heat or not, and whether that will affect the power adjustment factor that would increase everyone's utility bill Village-wide. And I wondered how many electric meters would be hanging on the side of the wall on the outside. None of this is in the plans.

And then there's a the minuscule kitchen, with virtually no counter space, save for the 30-inch piece over the dishwasher. The kitchen is so small that you cannot enter it when the refrigerator door
is open. I would hate to cook a meal or try to cook
a meal for this family, a family large enough to
require five bedrooms, maybe now reduced to four
bedrooms, and four bathrooms, as specified in the
plan. Yet, as a rooming house, it works fine. They
can do meals done as takeout.

Like the kitchen, the other bedrooms are also
cramped and atypical of a traditional one-family
house. In addition, there are other plans -- other
spaces on the plans that use poorly defined terms
that could easily be commandeered into additional
sleeping areas, such as those labeled "open loft
area" or "study area."

The basement, at almost 1200 square feet, is a
wide open space with no mechanicals, no furnace,
nothing. There's also no separate outside entrance
from the basement, like a Bilco. And I find that
really strange, that the only basement entrance is
from the inside of the house on the first floor.
It's definitely not made for easy storage for the
(toys or tools of a family, but it certainly would
work for bedroom usage. And absent the Bilco, it
keeps the quarters downstairs warmer.

And why is there only one entrance on the first
floor just via the front door? There's no side door,
there's no rear door. Does that even meet fire code?

Sorry, I lost my place. What family wouldn't want another door for easy access for kids to the back or side yard, or for convenience? As it now stands, a load of groceries in a car parked in the rear parking lot has to be lugged all the way up to the front porch, up the porch steps, and then into the house to the kitchen. That's insane for a family, but it's fine for a rooming house where little cooking takes place.

As to the second floor balcony projecting off the back of the house, which the Planning Board has now stipulated must be screened at either end, and that balcony measures 24 feet in length across the total back of the house, I was told by Ms. Wingate, our Building Inspector, that they could legally run an accessory staircase up the side of the house to that balcony. On that balcony spec'd out on the plans are two doors, providing two separate entrances into the second floor interior. So, if Ms. Wingate is correct and they run an accessory staircase up, which would be seven feet from the property line and two feet from my house, it would, again, provide easy access to sleeping quarters. And I can imagine multiple roomers running up and down those stairs at
all hours of the night. I feel it's imperative that
the Board stipulate that no accessory staircase can
ever be built for that balcony.

And I don't get the three parking spots either.
I concur, one-and-a-half parking spots is the norm
for a family. I can live with two. It would give
kids in this family a little more grass to play. But
even with those two spots or three, I feel it will be
insufficient, because I fear this will be a rooming
house. And other rooming houses on this very street,
on North Street, as well as elsewhere in the Village,
have five or six or more cars associated with them.

And speaking of children, and this is really
important, and this requires another change on the
plans, I'm very alarmed that the staircase down from
the front porch to the ground level substantially
protrudes into the driveway, creating a danger for
anyone attempting to use those stairs. It would be
possible to -- would be impossible to see a car
coming up the drive from the backyard toward the
street, because the house would block one's view on
that left side. That staircase's orientation must be
changed. A child chasing another child down that
staircase in play into that driveway at the wrong
moment, and you will have a tragedy on your hands.
This dwelling, I feel, is no more a one-family dwelling than a bus is a car. Village Code does not define the term "rooming house". Therefore, New York State Code would then apply, and that says a rooming house or a furnished rooming house is a multiple dwelling, and dwellings designed as private dwellings, but occupied by one or two families with five or more transient borders, roomers or lodgers in one household. That is a multiple dwelling. And that, I say, is the intent behind this application, multiple roomers or lodgers in a multiple dwelling.

I'm experiencing a bit of deja vu tonight. In February of 2014, before the Zoning Board, these same applicants applied for a variance to build the two-family house on the substandard lot, as Mr. Spurge noted earlier. They were turned down, because only one family can -- only a one-family house can be built on an existing small lot, as mandated by Village Code Section 150-13. As well, in 2014, their variance application was deficient regarding setbacks.

So, presently, reusing those same rejected plans from 2014, the applicants have relabeled what was then a second floor kitchen, now calling it a fifth bedroom, and made a few other slight-of-hand
label changes on a two other rooms, as noted before, and voila, the old plans have morphed into a single-family. But the size and layout all have remained the same, and I feel point to applicants' continuing intention from the get-go to run this house as a multi-dwelling rooming house for maximum income.

Mr. Sommer finally admitted, after rigorous questioning by this Board in January, after initially claiming he would be living in it, that this structure would not be owner-occupied, that it would become a rental. What family would want to rent such a strange anti-family dwelling? And I want to emphasize that Village Code and the rental regulations give one definition of a family as no more than five unrelated people. So, if he goes that route, each of the five roomers could have a bedroom, but they couldn't have a spouse or partner living with them, because then they would be over the head count of five unrelated people. And if this plan is approved as submitted, I can guarantee, neighbors will be watching and counting.

And I don't want this Board to interpret my remarks tonight as a diatribe against renters, undocumented or otherwise. Don't get me wrong. Nor
do I mean to be patronizing here. We have a lovely family renting a single-family house just down the street, a Hispanic family, a husband, wife, two great kids, who care about their neighborhood and are always working hard to keep their property beautiful, full of flowers in season, and sidewalks free of snow in the winter, and they're a real asset to the block. But there are other problems on the street and they are never addressed.

I know the Board has a full agenda tonight, and the 60-day rule is running, so I feel this is our only chance to be heard. And this issue affects the whole Village, which has become overrun with illegal substandard, dangerous, overcrowded, over-parked, and often noisy rooming houses.

Village Code 150-1 mandates, in the interest of the protection and promotion of the public health, safety and welfare, the facilitation of efficient and adequate provision of public facilities and services, yet the central sewage pumping station on the southwest corner of North and Third is old and outdated, often emitting a malodorous stench. How will an untold number of people in this proposed dwelling, using four bathrooms and two laundry rooms, affect that situation? The Village tries now to mask
the odor by covering it up with some chemical that smells like cherry cough syrup, a stench that's as bad as the original methane smell.

The code also mandates the provision of privacy for families, yet the proposed balcony off the second floor rear overlooks those three adjacent yards, as Chairman Jauquet pointed out, and would preclude any privacy in those yards. And, if it is true, as Ms. Wingate said, an accessory staircase could be run up nine feet from our house, that will preclude any semblance of peace and quiet at all. And I would really like to have an answer to that. Is it allowed?

MS. WINGATE: If setbacks allow it, it could be allowed.

MS. WARD: Well, there's 10 feet on that side.

MS. WINGATE: There would -- it would not work within ten feet.

MS. WARD: But you told me last week it would be legal.

MS. WINGATE: It could come out the back. I don't offhand know what that rear setback is. If setbacks --

MS. WARD: It's 38.75 feet.

MS. WINGATE: Then he's got eight feet to do
it. If setbacks allow, there could be a stair on the side.

MS. WARD: I would like the Board to stipulate that no accessory staircase be permitted on that balcony at all at any time, because it will only help to turn this into a rooming house.

The code also mandates the prevention and reduction of traffic congestion, so as to promote efficient and safe circulation of vehicles and pedestrians, yet several houses on the street are already rooming houses, with many cars and trucks parking on, clogging, and transiting the street. This problem will only be exacerbated by another rooming house.

And to what Captain Robert Lehmann was speaking to earlier, emergency vehicles and personnel will have difficulty responding to an incident because of the congestion already present, and the congestion that will be exacerbated if a rooming house is allowed to be built on this property.

The code also mandates the maximum protection of residential areas. Well, this certainly calls into question property values, which deteriorate as the block's housing and reputation deteriorate. And what about our right to peaceful enjoyment of our
home without overcrowding or noise?

And the code finally mandates the gradual
elimination of nonconforming uses, yet another
rooming house would only add to the roster of
nonconforming uses extant on the block today, and
further promote the degradation and deterioration of
a street that is already under siege.

Further, as outlined above, I believe this
structure will also violate the Village Rental Law,
as adopted in 2013. And I'm not going to read that
part, because it basically repeats the code
provisions that I just outline. It does speak to
overcrowding, dangerous, which pose hazards to life,
limb and property, and that tend to promote and
encourage deterioration of the housing stock, create
blight, excessive traffic, and parking problems, and
overburden municipal services.

I and other citizens implored Mr. Spurge and
Mr. Sommer last year to build a one-family house, a
true one-family house, not the bastardized fiasco
that he has presented here tonight. We implored him
to build a house in harmony with the neighborhood, a
neighborhood which now consists of houses ranging in
size from 800 square feet on the immediate east to
1500 square feet, with a few 1,000-square-foot houses
thrown in as well. But tonight, the applicants, I feel, show their contempt for all of us, thumbing their nose at the neighborhood, attempting an end run around the Zoning Board, insulting the intelligence of this Planning Board and the Village at large in presenting this devious sham called a single-family dwelling. The Planning Board should not be hoodwinked by their tricks.

This will become another rooming house if you approve this application. And if you do so, with the hope that after a few months, once violations have become evident to all, and you hope to then go back, revisit and demand changes to a more conforming use, I say good luck.

Previous Planning Board Chair Pat Mundus said last October, "We're constantly struggling with the enforcement issue of doing what we all think is going to happen at the Planning Board, and then it gets used in a different way after we grant approval."

There you go. So why attempt to close the barn door after the horse has bolted?

Now, tonight, or next week is the moment to act for the people of Greenport, for the integrity of our Village and its governance. Deny this application as it now stands and let him go back to the drawing
board. I thank you for your time, your attention, and your consideration.

(Applause)

MR. SPURGE: Could I respond to some of that? Is that within my purview? All of this is based on a presumption that it will be a rooming house. I propose that the only condition that the Planning Board put on it is to say that it will not be a rooming house, and then all of this goes away. It would seem to me we're innocent until proven guilty, but I'm being vilified as being some slumlord, some purveyor of, you know, junk where people will live and that's not the case. So I take personal offense to many of her comments. I'll lodge that now. That's not --

MS. WARD: Well, then I have to say --

MR. SPURGE: I'm speaking. Excuse me, I'm speaking.

MS. WARD: You're excused.

MR. SPURGE: I'm speaking. Thank you. Again, all of this is based on presumption of what will be. If there are other boarding houses on the street, I assume that Ms. Ward has made the -- made the inquiries and pressed the fact to be enforced. So, you know, again, presumption of guiltiness is the
basis of this entire thing, and I find that a little 
off-putting.

MS. WARD: Are you done?

MR. SPURGE: No. You, on the one hand, are 
doing the same thing where you're saying, "Well, 
there's too many parking spaces," but then there's 
going to be cars on the street, again, with the 
presumption that it's going to be a boarding house. 
So which of the two do you want? Do you want less 
parking spaces on the house, or more cars on the 
street? It seems to be at odds. There's a conflict 
there. I don't understand what is desired here.

And, again, all of this is presuming that this 
house will be a boarding house, and I can say 
unequivocally will not be a boarding house. And that 
really is the only condition that should be put on 
this property, because it meets the code in every 
other way. I'm happy to sign any document you want 
saying that it will not be a boarding house, and then 
I will not have to be vilified as being a slumlord. 

Thank you.

MS. WARD: I'd like to speak to that. Jill 
Ward again.

Mr. Spurge, the reason that people are 
presuming that this is going to be a rooming house
and you might be a slumlord is because of the plans you filed. It's nothing like a normal single-family house. No one in their right mind would want to live in that house just looking at it.

MR. SPURGE: I beg to differ. I have many families who are looking forward to living in that house.

MS. WARD: Well, I wish you luck in renting to them.

CHAIRMAN JAUQUET: Okay. We're going to move on now.

MR. MC MAHON: I move that we table this discussion. We provide the --

CHAIRMAN JAUQUET: Right. We're going to table this until the 26th.

MR. MC MAHON: We have another --

AUDIENCE MEMBER: But we have another speaker who would like to speak on it.

MR. SPURGE: I'll be leaving.

CHAIRMAN JAUQUET: Okay.

MR. SPURGE: Thank you.

CHAIRMAN JAUQUET: Thank you.

MR. DOWLING: Can we just -- we have a lot of other things on the agenda.

MS. DICKEY: You do, I know.
MR. DOWLING: Thanks.

MS. DICKEY: Well, I have here -- I was going to say a few things, but it just -- my name is Julie Dickey and I live at 220 North Street, same property adjacent to the property being discussed. Anyway, my comments were just going to echo what Jill has said.

MS. WARD: Use the mic, please.

MS. DICKEY: I agree with everything that she said, and I just want to voice my strong objection to this plan as it stands, and all that. But I have three submissions from people who could not be here tonight that asked me to read in their objections, their letters.

CHAIRMAN JAUQUET: Okay.

MS. DICKEY: May I do that?

CHAIRMAN JAUQUET: Sure.

MS. DICKEY: This is from Florence Patsy Roth at 512 Second Street, Greenport. Re: Use Application for Section 2, Block 6, Lot 8 at 216 North Street.

"Planning Board, I reside at 512 Second Street, around the corner from the proposed building at 216 North Street in the Village of Greenport. I am writing to express my objection to the proposed construction at 216 North Street. It is beyond my comprehension that the building, as planned, could be
intended for single-family use. It seems evident from various attributes, furnace systems on both floors, two doors on rear second floor deck, but no door on the first floor rear, backyard reserved for parking, and its inflated size, disproportionate to every single family home and its surroundings, this dwelling is intended for multi-family use.

To submit this application under the guise of a single-family home is disingenuous and extremely worrisome for those of us who will live with the consequences of this construction. We would welcome the construction of a legitimate single-family dwelling, fitting in size to the surrounding homes, but ask that you reject this particular application for an overly large structure conducive to multiple dwellings. Thank you. Florence Patsy Roth."

And then this is from Vicki Semler at 516 Madison Avenue, Greenport. She says, "I would like to voice my concern about the single-family home proposed for 216 North Street. Although labeled a single-family home, the plans suggest that it is in reality an SRO, that is a single-room occupancy rental home. This often results in a backyard full of cars and trucks, overcrowding, excessive noise, and radically altered character to the neighborhood."
We have experienced these very same conditions on our block. Too many times, these non-owner-occupied homes become rooming houses. I fear that will be the case here, with little attention paid to property appearance and maintenance.

I hope the Board rejects this application.

Thank you."

And then the last one is from Ann Heller, who lives at 543 Third Street in Greenport. And she says, "I support the opposition to building a structure as planned on a lot at 216 North Street for the following reasons:

One, this structure would overpower the adjoining properties and would be an eyesore on the block.

Two, as described, the plan of the house appears to be housing boarders and not one or even two families. This area cannot bear a higher population density because of the car parking problem, increased traffic, and draining on services.

Three, having more than five unrelated people is against the Village Code and leads to unsafe blighted conditions.

And number four, we should discourage absentee landlords from purchasing properties to exploit them
for maximum income. Overcrowding leads to
deterioration of the premises. Absentee landlords
notoriously do not maintain the properties and they
become a hazard and blight on the community. I have
seen this in sections of New York City, and the same
will happen here." That's it.

CHAIRMAN JAUQUET: Thank you.

MS. ALLEN: I just have one quick thing to say.

There are a lot of families that live here that have
four children that would love to rent a home like
that.

MS. WARD: You haven't seen the plans.

MS. EDWARDS: My name is Carol Edwards. I live
at 208 North Street, and I'm here just to object to
the deceit of the plan that appears to be a
one-family house. What one family has two washers,
two dryers, two furnaces, two hot water heaters? And
they're not even in the basement. And who has four
bathrooms? Very few houses. So you all have
addressed a lot of our concerns and I do appreciate
it.

CHAIRMAN JAUQUET: Thank you.

MS. DECKER: Lynn Decker, 547 Third Street.

Lynn Decker. I had a bunch of stuff to read, but I'm
not going to because it's already been covered. I
know a lot of this is based on presumption. But if
it looks like a duck, it sounds like a duck, and
walks like a duck, it's usually a duck.

And even if you didn't know it's a
multi-dwelling with many boarders, the idea is it
clearly could be a two-family house. You know,
because he's changed the plans a little bit to say
it's a one-family house, just like that, he'll change
it to a two-family house. And once violations are
made in this Village, with all due respect, they do
not get corrected. The biggest thing that happens is
a developer gets a slap on the wrist and a fine, and
that's built into his cost of business.

So I think you need to really look at the plan
before it gets -- gets done, because it's not going
to get undone. That's it. Thank you.

CHAIRMAN JAUQUET: Thank you.

MS. FATES: I'm Decia Fates, 526 Second Street.

CHAIRMAN JAUQUET: Second or Seventh?

MS. FATES: Second, around the corner from this
application.

It's a shame that Mr. Spurge is not still here,
because he was speaking about what will be. This is
not going to be, you know, it's not what it's going
to be. He can't control that beyond his ownership.
He can't control what the tenants inside the house do.
There have been instances, possibly not in Southold Town, but I, as I work at the newspaper and I read a lot about what goes on in Riverhead, and one of the only differences between the previous application for a two-family and the current application is the removal of a doorway in the foyer on the first floor, which could easily be replaced in less than a day by just about anybody, which would then create the opportunity for that two-family house to exist, or for a boarding house to exist, anything like that. And unless it's inspected on a regular basis, it possibly could never be discovered. And it wouldn't necessarily be on Mr. Spurge's watch or at his doing, but it can happen. And I believe that this is a suspicious application that should be looked at with significant scepticism.

With regard to the balcony, another way to prevent that from becoming, you know, sort of a motel suite access kind of thing is to simply remove the balcony completely. Then you could remove the piers below and you could have even more grassy area for children to play in a legitimate single family.

I also noticed, and I'm not adept at reading architectural plans, but none of the four bathrooms appears to have a wash basin. So I don't know
whether we're supposed to -- you're supposed to wash your hands and brush your teeth in the tub, but there is no sink in any of the plans that I saw.

MR. DOWLING: There's no sink.

MS. FATES: There is no sink in any of the four bathrooms. And the kitchen is woefully small. I have a 10-by-13 kitchen in my house and I can't operate with more than two people in there.

And, finally, given that the Planning Board is charged with evaluating the effect on the neighborhood, I will tell you that I think this thing is going to look like a monolith on the block, which is several bungalow style houses that are quite a lot smaller, even than a regular farmhouse.

And I would also like to speak to the setback issue, which may not be yours, but I can speak to it personally, because I live in a house that's been there for over 100 years that's only 11 feet from the neighbor. I hear every argument, every TV show, every phone call, and every toilet flush. And if I had it to do over again, I wouldn't have bought that house. But I was young, and there it was, and it was -- it was fine when the elderly couple who were living there originally were there, but then they died and it was turned into a two-family rental. And
it's been, you know, inconvenient, but it's where I am, but I went in with my eyes open. These neighbors are having this foisted on themselves.

The wall is monolithic. It's like looking out, you know, at a brick wall in a walkup in Manhattan. And I just think that is -- I don't wish that on the neighbors.

So that is pretty much what I have to say. Thank you.

CHAIRMAN JAUQUET: Thank you.

MS. MATTSON: Hello. My name is John Mattson. I live at 512 Third Street with my wife, Norma. This is directly on the north side of 216 North Street.

We object to the proposed development because it's clearly an attempt to evade zoning rules by building a rooming house disguised as a single-family residence.

I also have a suggestion for Mr. Spurge and Sommer, that they could put up a sizable bond that would guarantee that no more than five people would live in this residence. That's it.

CHAIRMAN JAUQUET: Thank you. Okay. Onward. We're going to make a motion to table this until the next meeting. Do I have a second?

MR. BURNS: Second.
1 CHAIRMAN JAUQUET: All in favor?
2 MR. BURNS: Aye.
3 MR. DOWLING: Aye.
4 MR. MC MAHON: Aye.
5 CHAIRMAN JAUQUET: Aye.
6 Item #2 is a continued discussion and possible
7 motion on an application for site plan approval,
8 pending further discussion and revised plans
9 regarding the construction of a 48-seat restaurant in
10 an existing store space at 120-122 Front Street;
11 Block 4 -- Section 4, Block 9, Lot 28.3.
12 Are you going to say something about that,
13 Dave? I think everything was satisfied on the plans,
14 right?
15 MR. KAPELL: I think we submitted what you
16 asked for at the last meeting
17 CHAIRMAN JAUQUET: Yeah. And I think the last
18 thing was the garbage.
19 MR. KAPELL: David Kapell, for the applicant.
20 Can I answer any questions?
21 CHAIRMAN JAUQUET: I don't think there are any.
22 I think we're concerned about the garbage, and the
23 fact that the two spaces were going to be constructed
24 and run as one operation.
25 MR. KAPELL: Yes, they are.
CHAIRMAN JAUQUET: And I think that's -- that was already satisfied, so --

MR. DOWLING: Eileen, are you satisfied with the application?

MS. WINGATE: Yes.

CHAIRMAN JAUQUET: Okay. So I'm going to make a motion to --

MR. PROKOP: Could I make a suggestion?

MS. WINGATE: Glynis asked --


MS. WINGATE: Do you want to pore through your comments?

MS. BERRY: Basically, my main issue was about garbage. There's no indication how that --

MR. CORWIN: Could you speak up, please?

MS. BERRY: Sorry. Basically, garbage was an issue. There's no indication of how it's being handled, if it's being accommodated in a utility room. The use is intense, so trash could be an issue. And there's no indication of ventilation, and it will have cooking.

And the other thing is the hours of operation are 11 a.m. to 4 a.m., so deliveries could be an issue on Route 25, as the facility only has access to Front Street, and the late hours may create delivery
conflicts. So I think just some sort of an explanation of how those two things are going to be handled.

MR. KAPELL: With respect to the garbage, the one -- you see, there are two areas that show as freezer storage. The intent is to refrigerate the garbage and then remove it once on each day.

MS. BERRY: Where do you put it, though, for pickup?

MR. KAPELL: Directly -- it will be taken off site and disposed of at the landfill, or directly to the carter.

MS. BERRY: So, then --

MR. KAPELL: There'll be no -- there'll be no garbage stored outside the building.

MS. BERRY: Okay.

MR. KAPELL: Okay? We'd be happy to have that as a stipulation of the application.

(Cell Phone Sounded)

MR. KAPELL: Is it a duck?

(Laughter)

MR. DOWLING: Sounds like a duck.

MR. KAPELL: And in terms of delivery, I mean, that's outside our control. You know, we front -- our only frontage is onto Front Street, and I'm sure
that, you know, they will coordinate our deliveries, as other merchants do on the street, to ensure that it works for us, and also works for the public.

CHAIRMAN JAUQUET: Which space in the plan is for the garbage storage?

MR. KAPELL: One of those two spaces.

CHAIRMAN JAUQUET: Where it says "storage work room"?

MR. KAPELL: No, "freezer storage".

CHAIRMAN JAUQUET: "Freezer storage". Okay.

MR. KAPELL: Yeah.

CHAIRMAN JAUQUET: All right. Oh, in the new -- in the bigger space.

MR. KAPELL: In the restaurant, on the restaurant side, that's right.

CHAIRMAN JAUQUET: All right. Just a second. Are we going to do a motion to approve this --

MR. DOWLING: I think we can, right?

CHAIRMAN JAUQUET: -- at this point in the meeting? We don't --

MR. BURNS: Sure.

CHAIRMAN JAUQUET: I have it for later. Let's just do it now, because why have it for later, because the last part of this meeting is supposed to be a work session, because this is a dual session.
Okay. So let's do this as a condition that the garbage storage is in the freezer area.

MR. DOWLING: Yup.

CHAIRMAN JAUQUET: Okay. So I'm going to make a motion.

MR. PROKOP: Excuse me. Can I make a recommendation, please?

CHAIRMAN JAUQUET: Sure.

MR. PROKOP: Could we just do a brief SEQRA resolution? The resolution -- I would recommend that we do a brief SEQRA resolution. The resolution is that the Planning Board adopt Lead Agency status.

CHAIRMAN JAUQUET: Wait. Agency status?

MR. PROKOP: Lead Agency status for purposes of SEQRA. That the Planning Board, as Lead Agency, determines that the approval of the site plan, or the conditional approval of the site -- excuse me, of the use evaluation is an unlisted action for purposes of SEQRA, and that the approval of the use evaluation will not have a significant negative impact on one or more aspects of the environment. That's your SEQRA motion, if you agree with it.

CHAIRMAN JAUQUET: Okay. We'll adopt that, and --

MR. PROKOP: We need -- just we need a motion
and vote.

CHAIRMAN JAUQUET: Well, okay. So I'm going
motion to accept that SEQRA. Do I have a second?

MR. BURNS: Second.

CHAIRMAN JAUQUET: All in favor?

MR. BURNS: Aye.

MR. DOWLING: Aye.

MR. MC MAHON: Aye.

CHAIRMAN JAUQUET: Aye.

And now I'm going to make a motion to approve it.

MR. PROKOP: Yeah.

CHAIRMAN JAUQUET: Okay. So then this is -- I
make a motion to approve the site plan at -- for the
48-seat restaurant at 120-122 Main Street. Do I have
a second?

MR. DOWLING: Front Street.

CHAIRMAN JAUQUET: Front Street. Do I have a
second? Do I have a second?

MR. BURNS: Yes.

CHAIRMAN JAUQUET: All in favor?

MR. BURNS: Aye.

MR. DOWLING: Aye.

MR. MC MAHON: Aye.

CHAIRMAN JAUQUET: Aye.

So approved.
MR. KAPELL: Thank you very much.

CHAIRMAN JAUQUET: Thanks, Dave.

Number 3 is continued discussion and possible motion on a use evaluation for a retail store space at 110 Front Street. The applicant, Rita Winkler, intends to relocate her business, Vines & Branches, to this location. Hi, Rita.

MS. WINKLER: Hi. Good evening. I'm Rita Winkler. Questions?

MR. MC MAHON: I'll just read off the comments from our Consultant.

Garbage handling: Garbage is not addressed in this submission. And is it in that, or there are in there somewhere?

MS. WINKLER: Well, I could tell you that my current landlord, that landlord at 110 Front Street, Gusmar Enterprises, had already had a pre-approved space behind the building on Adams Street.

MR. MC MAHON: Okay.

MS. WINKLER: I am sharing a dumpster with Dominican Sisters next door.

MR. MC MAHON: Okay.

MS. WINKLER: Which is a smaller dumpster, and it's currently in the space that's been approved.

MR. MC MAHON: Okay.
CHAIRMAN JAQUET: Okay.

MR. MC MAHON: We ask that you indicate that somewhere on your application.

MS. WINKLER: Sure. At the time the application went in, that hadn't been done yet, so I wasn't able to.

MR. MC MAHON: Okay.

MS. WINKLER: But I could just --

MR. MC MAHON: Just make sure it's noted somewhere on there so we could have it.

Then signage, permissible area of 12 foot by one-and-a-half feet, 18 square feet.

Nine-square-foot side, a two face sign, proposed bracket sign applies to the property.

MR. DOWLING: Where is your sign supposed to be located you're going to have?

MS. WINKLER: The -- I had submitted a color photo copy of the -- with the sign permit. Basically, it's going to be the awning, which is in front of the building right now, replacing the vinyl lettering on the awning, basically. And in addition to that, because the front doors and windows don't -- are small paned, there's no signage in the windows really at all. Basically, it will just be the perpendicular sign within the conforming two-by-two,
I believe it is.

MR. MC MAHON: Yeah.

MR. DOWLING: Overhanging sign?

MS. WINKLER: Yeah, perpendicular, like what the Dominican Sisters has currently.

MR. DOWLING: Okay.

MR. MC MAHON: And where will that be hanging?

MS. WINKLER: To the left of the doorway.

There's a sconce currently, a light sconce on the outside of the building, and it will be next to that, adhered to the wood frame of the building.

CHAIRMAN JAQUET: So, you've addressed both those issues.

MR. DOWLING: But your application already went to HPC for your signage?

MS. WINGATE: No.

MR. DOWLING: No? Okay. So you have to go to HPC for your signage for that, right? No, not for that location?

MS. WINGATE: Yeah, it's not in the Historic District.

MR. DOWLING: Not historic, okay.

MR. PROKOP: It's a permitted use, it's not a conditional use?

MS. WINGATE: It's a permitted use.
CHAIRMAN JAUQUET: This is a permitted use, everything?

MR. DOWLING: Yeah.

CHAIRMAN JAUQUET: So you're going to do the olive oil operation that was over at --

MS. WINKLER: Same store, correct.

CHAIRMAN JAUQUET: With all the stainless steel containers?

MS. WINKLER: Lots of new things, yeah.

CHAIRMAN JAUQUET: Yeah. Was that cheese and sandwich operation yours, too, in the old -- in the other building?

MS. WINKLER: Yeah, originally, it was.

CHAIRMAN JAUQUET: Is that going to happen there, too?

MS. WINKLER: No.

CHAIRMAN JAUQUET: It's just going to be the --

MS. WINKLER: Just going to be the tasting room and specialty food shop.

CHAIRMAN JAUQUET: All right. So, can we -- Joe, we can do a motion to approve this?

MR. PROKOP: Yes. I just recommend that we do the SEQRA motion again quick, if you don't mind.

CHAIRMAN JAUQUET: Okay. Go ahead.

MR. PROKOP: So the motion is to -- for the
Planning Board to adopt Lead Agency status. The Planning Board will be determining that the approval of the use evaluation will not -- excuse me, will be an unlisted action for purposes of SEQRA, and that the approval of the use evaluation will not have a significant negative impact on one or more aspects of the environment.

MR. MC MAHON: Motion.

CHAIRMAN JAUQUET: I second that. All in favor?

MR. BURNS: Aye.
MR. DOWLING: Aye.
MR. MC MAHON: Aye.
CHAIRMAN JAUQUET: Aye.

Approved. And I'm going to motion that we approve -- approve the site plan for this, for Vines & Branches, located at 110 Front Street, with the appropriate signage that was mentioned, and the noted garbage handling arrangement. Do I have a second?

MR. DOWLING: Second.

CHAIRMAN JAUQUET: All in favor?

MR. BURNS: Aye.
MR. DOWLING: Aye.
MR. MC MAHON: Aye.
CHAIRMAN JAUQUET: Aye.

MS. WINKLER: Thank you.

CHAIRMAN JAUQUET: Thank you. Number 4 is continued discussion and possible motion to approve the site plan for 119 Main Street. The property owner/applicant, Marc LaMaina -- how do you pronounce your last name?

MR. LAMAINA: LaMaina.

CHAIRMAN JAUQUET: LaMaina.

MR. LAMAINA: You're almost there.

CHAIRMAN JAUQUET: This is the third time, so. Proposes to expand Lucharito's, the existing restaurant, into the adjacent store space in the same building, adding 52 seats, among other improvements, at Section 5, Block 4, Lot 34. So --

MR. DOWLING: I don't think we have anything else.

CHAIRMAN JAUQUET: The only thing -- you know, just --

MR. DOWLING: The community doesn't seem to want you here, but, you know.

CHAIRMAN JAUQUET: Yeah, it sounds like you're priced too high.

MR. LAMAINA: I owe a lot of people a free Margarita, I think.
(Laughter)

CHAIRMAN JAUQUET: These -- are these two dumpster drawings, are they still on your plan? Because I'd like it see those removed.

MR. LAMAINA: It's not on my plan.

MR. DOWLING: That's just something you just hang up on the wall?

MR. LAMAINA: Yeah, that's -- that was an older plan. That's just for the actual engineer report inside.

CHAIRMAN JAUQUET: Okay. No. The only thing I'm concerned about is the garbage handling. I don't think, you know, with all of that activity, I don't think it's practical to run across the street to the back of --

MR. LAMAINA: We don't want to.

CHAIRMAN JAUQUET: I didn't think so.

MR. LAMAINA: No.

CHAIRMAN JAUQUET: So we were thinking, make a space within -- near that door to the alley, make a three -- four-by-three, or something, so that you can stack dry stuff in there, like cardboard. And the other idea, in addition to that, was to add a small compactor.

MR. LAMAINA: Yeah. I actually included that
in the resubmission.

CHAIRMAN JAUQUET: Is that in there?

MR. LAMAINA: Yup.

CHAIRMAN JAUQUET: Well, if you do those two things, I don't have a problem.

MR. LAMAINA: Yeah. It's actually on the new drawing.

CHAIRMAN JAUQUET: It is?

MR. DOWLING: Yeah.

CHAIRMAN JAUQUET: Do you have that? You know, I probably have it right here.

MR. LAMAINA: It's in the new corridor.

CHAIRMAN JAUQUET: I have it, I must have it.

MR. LAMAINA: We're actually excited to compact our garbage.

MR. MC MAHON: Yeah, it's on there.

(Laughter)

MR. LAMAINA: No, we are.

CHAIRMAN JAUQUET: That's great.

MR. LAMAINA: Thank you.

MR. DOWLING: It's right there.

CHAIRMAN JAUQUET: Where?

MR. DOWLING: So there it is.

CHAIRMAN JAUQUET: Oh, okay.

MR. DOWLING: By the door.
CHAIRMAN JAQUET: So the storage next to the fridge is where the dry cardboard and --

MR. LAMAINA: It could be.

CHAIRMAN JAQUET: Okay.

MR. DOWLING: He also has his holder in there, too.

CHAIRMAN JAQUET: Okay. All right. Oh, I see that, that's off, yeah.

MR. DOWLING: Yup.

CHAIRMAN JAQUET: All right.

MR. DOWLING: I think everything -- it looks like everything we asked for is --

CHAIRMAN JAQUET: So do you want to do that SEQRA thing still?

MR. PROKOP: Yes, one second. We have the Planner's --

MR. MC MAHON: There were the Planner's notes.

CHAIRMAN JAQUET: Oh, sorry. Yeah, I'm sorry. I'm sorry.

MS. BERRY: Basically, the garbage has been issued relative -- and you did get permission, she was here, verbally.

MR. LAMAINA: Yeah. I'm guessing that I'll get a letter from Claudio's stating when our relationship will cease, probably shortly after this meeting.
CHAIRMAN JAUQUET: Oh, your current garbage will cease?

MR. LAMAINA: Yes.

CHAIRMAN JAUQUET: In favor of the -- yeah.

MR. LAMAINA: In favor of the new location.

MR. MC MAHON: Okay. I would ask that if you -- so we don't have to hold it up tonight, so if you could submit where exactly it's going to be stored on their property, so that we have that as part of the plan.

CHAIRMAN JAUQUET: Well, it's part of a -- that would be an interim plan between now and when the new store is finished. The only thing I don't want is --

MR. MC MAHON: Well, the dumpsters are going to be located across the street, correct?

MR. LAMAINA: If we must, yeah.

CHAIRMAN JAUQUET: It's just that I don't want any of the new plan to be involved with the Claudio's after the new plan is finished being built out. So, if there's an interim --

MR. LAMAINA: Then, yeah, I'll get you those -- I'll get you those --

CHAIRMAN JAUQUET: Do we have to be concerned with your relationship with the current dumpster situation?
MR. LAMAINA: No.

CHAIRMAN JAUQUET: In the interim?

MR. DOWLING: No, because it seems like he's already got a spot to put his dumpster, so.

CHAIRMAN JAUQUET: Okay.

MR. LAMAINA: We could move them tomorrow.

CHAIRMAN JAUQUET: Yeah, okay.

MR. DOWLING: I think he's all good there.

MR. MC MAHON: The garbage is addressed. The building access, new service doors, proposed accessing alley. Following information is needed: Ownership of the alley and right-of-way sign of the building. There is a doorway there now, and it's going right next to that; is that correct?

MR. LAMAINA: Correct.

MR. MC MAHON: If there's already a right-of-way, that would be fine with that.

MS. BERRY: Yeah.

MR. MC MAHON: Lighting, none is proposed at this time. Is there any outdoor lighting, no blinking lights?

MR. LAMAINA: Nothing.

MR. DOWLING: Come on.

CHAIRMAN JAUQUET: But there is lighting.

There is lighting.
MR. LAMAINA: Inside.

CHAIRMAN JAUQUET: You don't have any --

MR. DOWLING: They don't have exterior lighting, no.

CHAIRMAN JAUQUET: You don't have any exterior?

MR. LAMAINA: No additional.

CHAIRMAN JAUQUET: So it's just street lighting?

MR. LAMAINA: (Nodded yes.)

CHAIRMAN JAUQUET: Okay.

MR. MC MAHON: Signage, that is going to be -- HPC has jurisdiction over the signage, so I say we just move past that.

CHAIRMAN JAUQUET: HB?

MR. DOWLING: HPC.

CHAIRMAN JAUQUET: Oh, the --


MR. DOWLING: And he's under the two square foot as well, so.

MR. MC MAHON: Handicapped accessibility due to the historic nature of the building. The Building Department will be determine the compliance required.

MS. BERRY: Yeah, you can skip that.

MS. BRAATEN: I'm sorry. Could you just speak
into the microphone?

MR. MC MAHON: Sure. And deliveries --
deliveries from one vendor will be on weekday
mornings, but accommodation for a food truck has not
been references by the applicant.

CHAIRMAN JAUQUET: Food truck?

MR. DOWLING: What was that?

CHAIRMAN JAUQUET: Is that a delivery truck or
a retail food truck?

MR. MC MAHON: Yeah, it's a --

CHAIRMAN JAUQUET: You don't have a food truck.

MR. LAMAINA: It's kept off site.

CHAIRMAN JAUQUET: Oh.

MS. BERRY: Yeah. I think that was the
question that was mentioned in the letter.

MR. LAMAINA: Yeah, I saw it.

MS. BERRY: And it wasn't clear how -- the
relationship of the kitchen to the food truck.

MR. LAMAINA: It was unclear to me when I saw
that letter as well. The truck's kept off site.

That's all I can say.

CHAIRMAN JAUQUET: Do you cook in the store for
the food truck, or does the food truck cook its own?

MR. LAMAINA: No. We actually work through
Townsend Manor --
CHAIRMAN JAUQUET: I see.

MR. LAMAINA: -- kitchen. We rent out kitchen space there.

CHAIRMAN JAUQUET: Oh. All right. Is that -- is there more?

MR. MC MAHON: Those are all the items.

CHAIRMAN JAUQUET: All right. Joe, do you want to do the SEQRA?

MR. PROKOP: Yes. So, once again, the -- in this case, are we approving a conditional use, is that what we're doing?

MS. WINGATE: Yes.

CHAIRMAN JAUQUET: Yes.

MR. PROKOP: Okay. Because it says approve a site plan, if I'm on the right application.

MS. WINGATE: It's a conditional use.

MR. PROKOP: Okay. So the -- thank you.

So the motion is for the Planning Board to adopt Lead Agency status for purposes of SEQRA. The Planning Board determines that the approval of the site plan for a conditional use at 119 Main Street is an unlisted action for purposes of SEQRA, and that the approval of the site plan for a conditional use at 119 Main Street will not have a significant negative impact on one or more aspects of the
environment.

CHAIRMAN JAUQUET: I second that. All in favor?

MR. MC MAHON: You need to make a motion.

MR. DOWLING: Aye.

MR. MC MAHON: Second that

CHAIRMAN JAUQUET: So approved.

And I'm going to make a motion to approve the site plan for 119 Main Street for the 52-seat restaurant. Do I have a second?

MR. BURNS: Second.

MR. DOWLING: Second.

CHAIRMAN JAUQUET: All in favor?

MR. BURNS: Aye.

MR. DOWLING: Aye.

MR. MC MAHON: Aye.

CHAIRMAN JAUQUET: Aye.

MR. LAMAINA: Thank you. And thank you, everyone, for coming out.

(Applause)

CHAIRMAN JAUQUET: Okay. Number 5 is a continued discussion and possible motion to disapprove the site plan for a new structure to be located at Sterling Street Osprey Zone Marina based on current submissions.
Do we just disapprove it and then they can --

MR. PROKOP: No. We need to have a discussion on that.

CHAIRMAN JAUQUET: Okay.

MR. PROKOP: If you're going to disapprove it, you need to state on the record the reasons why you're going to disapprove it, and there needs to be a discussion.

MR. MC MAHON: And there are more letters, also.

CHAIRMAN JAUQUET: Do you want to do that, Devin?

MR. MC MAHON: What's that?

CHAIRMAN JAUQUET: You want to read those like you did before?

MR. MC MAHON: The items?

CHAIRMAN JAUQUET: Of the items.

MR. MC MAHON: Sure.

CHAIRMAN JAUQUET: Okay. We'll start with our review, okay? And then --

MR. MC MAHON: The items from the Consultant, and then we'll go from there?

CHAIRMAN JAUQUET: From the consultant, yeah.

MR. MC MAHON: Zoning is for Waterfront Commercial.
MS. BRAATEN: Okay. I'm sorry, Devin. I really can't hear.

MR. MC MAHON: It's been off.

CHAIRMAN JAUQUET: Okay. This is a discussion why we're going to disapprove this.

MR. MC MAHON: Well, these are just the items first from the -- from our Consultant regarding --

CHAIRMAN JAUQUET: And -- right, okay.

MR. MC MAHON: -- the plans, and then we'll discuss it from there.

One, Zoning Board -- two, curb cuts the whole length, so it's one large curb cut.

Three, Parking and Pedestrian Circulation:

Three parking spaces are required for buildings.

Six, proposed estimated need, eight spaces minimum.

Section of the Code is 150-16(A).

Seven, Combined spaces. When any lot contains two or more uses having different parking requirements, the parking requirements for each use shall apply to the extent of that use. Seven to 10 boat slips are referenced in the letter. No estimate for parking has been provided for marina use. While Greenport does not list marinas in the parking schedule, it lists categories, golf courses and other
country clubs, which requires one space for two members, and that's Section 150-16(A)(1). Assuming 10 members, one for each boat, an additional five parking spots would be required. Comparison in Southold, one parking space per boat slip is required, and supplies actual need for parking to be higher than provided.

Another question, is the Yacht Club limited to slip owners, or will membership be larger? Would the use of the roof deck be limited to those renting the slips? If not, the intensity of the use may be greater.

Item C, no space is designated as handicapped accessible.

D, Section 150-16(A) Item 5, Drainage and Surfacing. All open parking areas shall be properly drained and all such areas shall be provided with a dustless surface, except for parking spaces accessory to a one-family or two-family residence.

The plan calls for a stone parking area, which does not comply with a dustless surface. Adjacency to a surface water body could mean dust that -- could mean that dust may drift to sensitive water bodies. No drainage plan is shown on the drawings.

Item E, Section 150-30(A)(2), Circulation and
parking. That adequate off-street parking and loading spaces are provided to prevent parking in public streets of vehicles of any persons connected with or visiting the use, and that the interior circulation system is adequate to provide safe accessibility to all required off-street parking lots. Circulation extends to public right-of-way. The potential exists for the intensity of use, causing the parking need to extend to the public street.

Item F, Section 150-30. Landscaping and screening is not provided on the plans. Parking and service. No screening may block views of the harbor. G, there's no indication of pedestrian access. The amount of parking needed, the configuration and safety for public in the street right-of-way, historic use, public access views, treatment of nearby site to similar uses. Restrictions need to be balanced and consistent in the manner of which Greenport -- in which the Village -- consistent in the manner in which the Village supports waterfront uses. We have to address those items.

CHAIRMAN JAUQUET: I'll read some of these too. I'll read this.

There's a comment here from the Consultant on
garbage, from Section 112-16(A), Receptacles for Commercial premises. Any garbage, refuse or rubbish placed outside commercial premises, visible to the public, shall be contained in a covered container sufficiently secure so as to prevent animals from gaining access to the contents, and shall be screened from public view with a solid enclosure on at least three sides to a height of the container or containers. Waste fluids must be properly contained, and treated, regularly picked up as to not cause a health hazard or odor problem.

And the comment is there's no evidence of the provision of waste containment on the plan. Uses listed include boat sales, rental, service, repair and storage, but there's no space specified for such storage supplies.

There's a -- #5 is on lighting. One exterior light is proposed, but mounted on a Village utility pole. This presents an encroachment into the Village right-of-way. And B, no exterior lighting on the site is shown on the plans yet. Exterior stairways are incorporated in the design.

Signage, 24 square feet max.

Handicapped accessibility. A route and main entry needed to be handicapped accessible.
1 Handicapped bathroom is not accessible.
2
3 The plans do not include a drainage plan, demonstrating containment of surface water on site and protection of surface water bodies.
4
5 It's in a FEMA Zone with BFEs at six feet, and I guess it complies.
6
7 Occupancy. The Consultant indicates the uses are allowed, as per zoning, but the intensity of the use may be an issue. If deck access is provided -- if used for events, there may be impact on parking and intensity of use, particularly as the lot size is small.
8
9 Other, is the building to be air conditioned? Any need for exterior fuel storage or HVAC unit?
10
11 And then there's an impact assessment, and the comment is, "Conflict with adopted land use plan or zoning regulation." And there's a comment here, "While the updates to the LWRP have not been finalized, there is a recommendation to introduce a Waterfront Commercial District that is not as intense." I don't think -- and B, will the proposed action impair the character or quality of the existing community? This stretch of coast is one of the few locations that provide views of Stirling Harbor from the Village. This stretch is walkable
from the Village.

So we had a consultant look at the property. I thought we were going to -- I thought that one of the main things for the -- I want to get back to the disapproval, and the reason for that was the handicapped access ramp, and the interpretation of the law that governs that.

MR. BROWN: Okay.

CHAIRMAN JAUQUET: Anyway, why don't you go ahead.

MR. BROWN: Robert Brown, Architect. I have to admit to feeling a little blind-sided by an eleventh hour Consultant's report, not having had an opportunity to review it, let alone respond to it before you disapprove.

I did submit several days ago a revised plan which does address some of the issues that were brought up.

MR. PROKOP: Well, we have -- I mean, isn't that -- aren't we in the same situation? When did you submit your plan? I haven't seen it.

MR. BROWN: It was earlier this week.

MR. DOWLING: Updated March 10th, is what the plan says.

CHAIRMAN JAUQUET: So what's changed? Tell me
what's changed on here.

MR. BROWN: Well, there's a fenced-in area
containing garbage and --

CHAIRMAN JAUQUET: Okay. All right.

MR. BROWN: And there is -- addressing the
lighting, the exterior lighting --

CHAIRMAN JAUQUET: Okay.

MR. BROWN: -- on the plans.

CHAIRMAN JAUQUET: Okay, right. So you show
where there's an exterior compressor for the AC?

MR. BROWN: Uh-huh.

CHAIRMAN JAUQUET: Okay. So your lighting
isn't using the Village pole or anything like that?

MR. BROWN: No.

CHAIRMAN JAUQUET: Okay.

MR. BROWN: We're intending to have that taken
down.

CHAIRMAN JAUQUET: Right, right. And the ice
machine, the compressor for the AC, electric. What's
this?

MR. DOWLING: RPZ valve.

CHAIRMAN JAUQUET: Oh, that's right, yeah,
yeah. Okay.

What happened with bringing it down and getting
rid of the parking underneath?
MR. BROWN: Well, I can only do what Mr. Henry --

CHAIRMAN JAUQUET: Right. What did he say about that?

MR. BROWN: -- suggests I do. He pointed out to me that he has in his possession a photo taken by Mr. Moore from Hurricane Sandy, which shows the water above the level that Mr. Moore proposes we build the building to.

CHAIRMAN JAUQUET: That's what I thought.

Otherwise, three --

MR. BROWN: And that's really all he had to say about it.

MR. DOWLING: Okay.

MR. PROKOP: Isn't that established by FEMA and a flood zone? You're talking about the change in the flood zone due to the 100-year flood, now it's a 20-year flood.

CHAIRMAN JAUQUET: Yeah

MR. BROWN: Mr. Moore was suggesting that we lower the building to a strict compliance with FEMA minimums. However, there's photographic evidence that Sandy flooded to a much higher level than FEMA standards require.

CHAIRMAN JAUQUET: What was it?
MR. BROWN: He told me it was roughly three feet above.

CHAIRMAN JAUQUET: Above the bulkhead? Above the bulkhead?

MR. BROWN: I believe so.

MR. PROKOP: I'm sorry. But, you know, respectfully, isn't that between you and FEMA? Is that -- we don't regulate.

MR. BROWN: No. FEMA only sets the minimums.

MR. PROKOP: Okay.

CHAIRMAN JAUQUET: And what's the issue with the handicap access?

MR. BROWN: I have a very different interpretation of the code because of the size of the structure.

CHAIRMAN JAUQUET: And it was indicated to us that it's in violation of the code. And, you know, I need -- you know, I'm not an expert in this stuff, and that's why we put in here to disapprove it to get that put in.

MR. BROWN: It requires one of two things. One is an elevator.

CHAIRMAN JAUQUET: Right.

MR. BROWN: Which is a financial hardship.

CHAIRMAN JAUQUET: Right.
MR. BROWN: And the other is a handicapped accessible ramp --

CHAIRMAN JAUQUET: Right.

MR. BROWN: It needs to be a foot long for every inch in height.

CHAIRMAN JAUQUET: Right.

MR. BROWN: So, for a seven-foot height, you're talking about an 84-foot long ramp.

CHAIRMAN JAUQUET: Right, or one that snakes.

MR. BROWN: There's no building left by the time you do the ramp.

CHAIRMAN JAUQUET: I know.

MR. DOWLING: So, if the building was lowered, that would probably be feasible, then.

CHAIRMAN JAUQUET: That was the idea, but --

MR. BROWN: It would be feasible, but it would flood.

CHAIRMAN JAUQUET: It would flood. So, did you --

MR. BROWN: I mean, even if it was four feet, that's a 48-foot -- 48-foot ramp.

CHAIRMAN JAUQUET: What's the rise?

MR. BROWN: An inch per foot, an inch height per foot of length.

MR. DOWLING: Sounds like not a good place to a
put a building (laughter).

MR. BROWN: It's my understanding that Mr. Henry can build a building there as of right.

CHAIRMAN JAUQUET: So, you're at -- three feet's no good. Four feet is cutting it close. Five feet is probably still cutting it close.

MR. BROWN: You'd have a 60-foot ramp.

CHAIRMAN JAUQUET: No, no, I'm not talking about the ramp anymore. I'm just talking about lowering the building, forget the ramp.

MR. BROWN: Well, you know, on the one hand, you're suggesting that there aren't enough parking spaces. On the other hand, you're eliminating three.

CHAIRMAN JAUQUET: Yeah. I'm for -- I think the view, the view of the building --

MR. BROWN: I would suggest that the two foot difference is not significant.

CHAIRMAN JAUQUET: Where is the two foot difference?

MR. BROWN: Between five and seven.

CHAIRMAN JAUQUET: Yeah. That's what I was going to get to.

MR. BURNS: I think there could be significance. Two feet is two feet.

CHAIRMAN JAUQUET: Well, two feet is two feet
MR. DOWLING: I mean, if you're sitting at your bedroom window, two feet takes out Shelter Island, you know. I mean, I drove down the street the other day. I drive there every couple of days, because, A, it's nice to look at, and I go look to see if there's salt water anymore, which we have again, thankfully. And you look down the street, you know, that building, if you look at their property, and when that building's there, Shelter Island goes away. So, you know, two feet, if you live up the street, is quite significant.

CHAIRMAN JAUQUET: And the other thing that accrues to a lower building is then you can landscape it so you look at less structure. So there's -- you know, those are the two --

MR. BROWN: No. I understand what you're saying.

CHAIRMAN JAUQUET: Yeah, I know. I'm just -- I'm just verbalizing.

MR. BROWN: No. You make a good point. However, as I said, you know, you're eliminating three parking spaces.

CHAIRMAN JAUQUET: Yeah. I'm not that concerned about that.
MR. BROWN: And, by the way, I just point out --

CHAIRMAN JAUQUET: Yeah, I know.

MR. BROWN: -- that, you know, access to the roof deck is only through the office.

CHAIRMAN JAUQUET: Yeah.

MR. BROWN: It's not intended as a public accessible.

CHAIRMAN JAUQUET: Yeah, I know, I know.

MR. BROWN: It's private, private space.

CHAIRMAN JAUQUET: I know, I know.

MR. DOWLING: So, I guess, something that has to be -- come up is a good way to handle the accessible access. And if a ramp's not going to work, then something's not going to work with the building.

CHAIRMAN JAUQUET: What is the law, Eileen?

MS. BERRY: We were just talking and you can build a waterproof, like we did for the toilets on the park here.

CHAIRMAN JAUQUET: Waterproof what?

MS. WINGATE: It's actually a flood compliant construction, where instead of resisting the flood, you allow it to move.

CHAIRMAN JAUQUET: Oh, with the windows --
MR. DOWLING: Right. You build it with proper materials so it can be.

MR. BROWN: That's the idea behind the pilings.

MS. BERRY: Yeah.

CHAIRMAN JAUQUET: But you know about that.

MS. BERRY: And they have special doors you put in if you know something's coming.

MS. WINGATE: Just like BBQ Bill's has all that flood compliance --

MR. BROWN: I've done foundations like that. I'm not sure I understand the point between the pilings or a concrete foundation.

MS. BERRY: No. The elevation, they were asking if there were other options --

MR. DOWLING: So you can build -- bring the building at grade.

MS. BERRY: -- so that you can make it handicapped accessible.

CHAIRMAN JAUQUET: What is the handicapped accessible law that applies to this property; do you know that specifically?

MS. WINGATE: Yes.

CHAIRMAN JAUQUET: Because I don't.

MS. WINGATE: I spoke with Richard Smith of the Department of State. He said all new construction
needs to be handicapped accessible. The section of
the code that Rob maintains is his interpretation has
to do with vertical -- vertical circulation between
floors. So between floors of a building that's under
3,000 square feet, you don't need to have ramps and
elevators, but you need to have accessibility to the
main floor of new construction.

CHAIRMAN JAUQUET: And there's no size limit?
MR. DOWLING: So we need a plan that has that.
MS. WINGATE: We don't have a plan that has
that.

MR. DOWLING: Right.

CHAIRMAN JAUQUET: Right. And there isn't a
minimum size that is excluded?

MS. WINGATE: That's correct, all new
commercial construction..

MR. DOWLING: So handicapped people are allowed
in small buildings, too.

CHAIRMAN JAUQUET: Right.

MR. DOWLING: So I guess -- I guess you have to
go back to Mr. Henry and figure out what he wants to
do to make this compliant.

MR. BROWN: We could provide a wheelchair lift,
I suppose.

MS. WINGATE: A wheelchair lift is acceptable.
MR. BROWN: Though it strikes me as odd that somebody arriving on a boat would need a wheelchair lift to get to the --

MR. DOWLING: I know of at least six people that are wheelchair accessible only, and they have ways to get on and off their boat from their wheelchair. I know one guy who actually -- Bunky Hearst, publisher, who has -- his boat is completely wheelchair accessible.

MR. BROWN: I take that back.

CHAIRMAN JAUQUET: But it's really the -- it's a private building.

MR. BROWN: Yes.

CHAIRMAN JAUQUET: But it still comes under the public access.

MR. DOWLING: Well, it's a business.


CHAIRMAN JAUQUET: Still public access.

MR. DOWLING: So I think you have to go back to Mr. Henry and say --

CHAIRMAN JAUQUET: Because somebody's got to be able to --

MR. DOWLING: "How do you want to address this? These are our options."
CHAIRMAN JAUQUET: The wheelchair person has to be able to go there and knock on the door and ask to become a member, even though, you know, they're not -- you know, whatever.

So what are we supposed to do with this? We have to -- because of that -- Eileen. Oh, I'm sorry. Go ahead.

MR. PROKOP: No. I was getting ready to think about the SEQRA resolution. But are you going to -- excuse me, I'm sorry. I didn't mean to interrupt you, I apologize.

CHAIRMAN JAUQUET: I was just trying to figure what to do next. You know, we have this on here to disapprove it, and it was because of this handicapped accessibility thing that we wanted -- that we're disapproving it, so they can come back with the new plan. Is that the order of conduct here?

MR. PROKOP: Well, I think what I would recommend is that you leave that up to the applicant, if the applicant would like a decision tonight, or the applicant would like to adjourn --

CHAIRMAN JAUQUET: Oh.

MR. PROKOP: -- to submit a new plan.

MS. WINGATE: Well, we're running out of time.

MR. DOWLING: We're at -- yeah.
MR. BROWN: We're at 60 days.

MS. WINGATE: We're at the 60.

MR. BROWN: Which is why I was, you know, a little concerned about getting a report tonight.

CHAIRMAN JAUQUET: Yeah, I know, I know. Well, it just came up. It came up.

MS. WINGATE: Rob, we spoke about this right after the last meeting.

MR. BROWN: We had a discussion about whether or not there needs to be accessibility.

MS. WINGATE: And after I spoke with Richard Smith, we talked about it.

MR. BROWN: Yeah, but there's a whole report, with all due respect, that I only heard about now, raising apparently other objections, so.

CHAIRMAN JAUQUET: Well, I mean, the other -- the other objections, you know -- well, they're not objections, it's really -- it's a consultation, and it's for us to be able -- these things that we --

MR. BROWN: No. I understand, but you're taking those things into consideration.

CHAIRMAN JAUQUET: Well, you have most of them on there already, except for this handicapped access thing. And we're not making bones about any of the other things. You know, the handicapped is one
issue. I still have an issue with the elevation.

And if -- you know, as long as -- you know, if we
disapprove it, this gives you a chance to put the
handicapped thing in, and also to look at the flood
-- the articulating foundation for flooding with the
idea of lowering the height of the building so that
the view amenity is --

MR. BROWN: Yeah. Again, those are things I
can't address tonight.

CHAIRMAN JAUQUET: I know. I know you can't.

MR. BROWN: Can I ask you a procedural
question? Assuming that you deny it tonight, do we
have to go back for a pre-submission meeting?

MR. PROKOP: Yes, that means you have to start
with a new application. That's why --

CHAIRMAN JAUQUET: Well, then, yeah. Well,
then the other -- what's the other alternative?

MR. PROKOP: The other alternative is that --

CHAIRMAN JAUQUET: The mutual letter of --

MR. PROKOP: You asked us to -- you asked for
an adjournment for additional time to address the
questions, and the consent to the extension of the
60-day period.

MS. WINGATE: Sixty days?

CHAIRMAN JAUQUET: That should be enough.
MR. BROWN: Do I have the authority to do that?

MR. MC MAHON: That was my question.

CHAIRMAN JAUQUET: Well, you're representing the --

MS. WINGATE: Aren't you the applicant, right?

CHAIRMAN JAUQUET: You're on the --

MR. BROWN: I just want to clarify that, because I'm not sure what the procedure is on it.

CHAIRMAN JAUQUET: Wait. Where is the -- I don't know -- I don't have the original application.

MS. WINGATE: Paul Henry has authorized you to --

MR. BROWN: Act as his agent?

CHAIRMAN JAUQUET: Yeah.

MS. WINGATE: Act as his agent.

MR. BROWN: Then --

MR. DOWLING: You are the applicant, Robert I. Brown --

CHAIRMAN JAUQUET: Yeah, it says that.


MR. BROWN: Yeah. I wasn't sure if myself or somebody else in my office who signed as agent.

CHAIRMAN JAUQUET: Yeah.

MR. DOWLING: You're the applicant.
MR. BROWN: Oh, boy.

(Laughter)

CHAIRMAN JAUQUET: So let's do --

MR. BROWN: Okay. So if I request a 30-day extension to respond, is that appropriate?

MR. PROKOP: Yes. And our next --

CHAIRMAN JAUQUET: Yeah.

MR. PROKOP: So we have a work session and a meeting in the meantime, so a 30-day extension is fine.

MS. WINGATE: Oh, today is the -- well, you need more than that, because --

CHAIRMAN JAUQUET: I think you -- I'd ask for more.

MR. DOWLING: Because even after 30 days, you don't want to get sent back to a pre-submission conference.

MR. BROWN: Yeah, but I don't want to leave this open indefinitely.

MR. DOWLING: Right.

CHAIRMAN JAUQUET: It would be better to have more time.

MS. WINGATE: Because the next regular session is not until April 2nd, so that's 30 --

CHAIRMAN JAUQUET: I mean, my attitude is to
get this resolved.

MR. BROWN: I'm damned if I do and damned if I don't.

MR. DOWLING: Yeah.

CHAIRMAN JAQUET: But, if there is a chance --

MR. MC MAHON: Thirty days will give us another
work session and another regular meeting. If we can't resolve it by that time, we can address it then. I agree if you want to address this as soon as possible.

MR. BROWN: Yes.

MR. MC MAHON: There is a lot of public input that still needs to be heard on this.

MR. BROWN: I thought we had done all --

MR. MC MAHON: I wish we were, but --

MR. BROWN: If you were prepared to adopt a resolution denying it, then how could there be additional room for --

MR. PROKOP: Because we're required to deny it because it doesn't comply with the law.

CHAIRMAN JAQUET: So how does this work? He requests an adjournment and we approve it with a motion? How does it work, Joe?

MR. PROKOP: Yeah, he would request an adjournment and --
CHAIRMAN JAUQUET: For a specific number of days?

MR. PROKOP: For 30 days.

MR. BROWN: I would request a 30-day adjournment.

CHAIRMAN JAUQUET: Okay.

MR. BROWN: By that time, Mr. Paul, I will be able to be in touch with him.

CHAIRMAN JAUQUET: Right.

MR. BROWN: And his lawyer will be back in town.

CHAIRMAN JAUQUET: Okay.

MR. BROWN: You know, these are issues above my pay rate here.

CHAIRMAN JAUQUET: Sure, okay, I understand.

MR. PROKOP: And the request for an adjournment includes a consent to a 30-day extension of the 60-day requirement.

CHAIRMAN JAUQUET: Okay. So --

MR. BROWN: What he said.

MR. PROKOP: Thank you.

CHAIRMAN JAUQUET: I'm going to -- can I put a motion to accept -- a motion to accept that adjourn -- that 30-day adjournment?

MR. PROKOP: Yes.
MR. DOWLING: The request, yes.

CHAIRMAN JAQUET: So this is a motion to accept your request for a 30-day adjournment. Do I have a second?

MR. BURNS: Second.

CHAIRMAN JAQUET: All in favor?

MR. BURNS: Aye.

MR. DOWLING: Aye.

MR. MC MAHON: Aye.

CHAIRMAN JAQUET: Aye.

MS. WINGATE: Who seconded it?

MR. BROWN: (Raised hand.)

MR. MC MAHON: Ben.

MS. WINGATE: Thank you, Ben.

CHAIRMAN JAQUET: All right. Number 6 is a motion to accept --

MR. BROWN: Thank you.

CHAIRMAN JAQUET: Oh, sorry. Sorry, Rob.

Thank you.

Number 6 is a motion to accept an application for a use evaluation at 477 Main Street. The applicant is Richard Israel, who proposes a sushi restaurant in a vacant store space in this location, at Section 4, Block 7, Lot 21. Hi.

MR. ISRAEL: Hi. I'm Isaac Israel.
CHAIRMAN JAUQUET: Hi. How are you? Nice to meet you. I'm Peter.

MR. ISRAEL: Hi, Peter. I'm here on behalf of the applicant, and can answer any questions that you guys have.

CHAIRMAN JAUQUET: Let's see. I guess, you know, it's just a comment. The space was built for a restaurant, and it has all of the restaurant equipment in the ceiling and the walls and for all of the things necessary, I was told.

MR. ISRAEL: That's correct. When we were under construction, we installed a grease trap, that's already connected to the sewer. We oversized the propane. We made a hood -- a chase for a hood to go up through the roof of the second floor; had provisions for -- on site for garbage, and parking and receiving.

CHAIRMAN JAUQUET: So, I guess, you know, you've got that deck out there. I imagine that's going to have tables and chairs outside.

MR. ISRAEL: Our plan does not show that.

CHAIRMAN JAUQUET: Does not have that. I was just wondering if that was something you had in mind at all in the future, and if you did, you should have it on your plan. It's just a recommendation to have
stuff like that on your plan now, even if you don't do it.

MR. ISRAEL: Okay.

CHAIRMAN JAUQUET: And then does your -- did your plan have a visual of the sign treatment?

MR. ISRAEL: Our signage, we have a free-standing pylon sign on the corner. I don't believe we've proposed a sign yet, but it would be within that -- you know, it's like a bracket within --

CHAIRMAN JAUQUET: Right. There's a specific rule about that, I believe, isn't it? Maybe not for that.

MS. WINGATE: Well, first of all --

MR. ISRAEL: It's almost like a directory sign.

CHAIRMAN JAUQUET: Yeah, right.

MS. WINGATE: They're within the Historic District, so they would end up at -- the signage would end up at HPC.

MR. DOWLING: Okay.

MS. WINGATE: And the signage, as it stands, was part of the site plan, so -- the original site plan, so it --

CHAIRMAN JAUQUET: Oh.

MS. WINGATE: It falls within --
MR. DOWLING: The guidelines.

MS. WINGATE: The guidelines.

CHAIRMAN JAUQUET: So that even falls within the guidelines.

MR. DOWLING: Okay.

CHAIRMAN JAUQUET: It's already there.

MS. WINGATE: It's already there.

CHAIRMAN JAUQUET: Okay.

MS. WINGATE: And it's already approved.

CHAIRMAN JAUQUET: Okay, right.

MS. WINGATE: And HPC will look at the logo, and the colors, and the fonts, and make sure it all jives.

CHAIRMAN JAUQUET: So --

MR. DOWLING: So I think for us, I think we need to see, if you do plan on putting tables in, just because what happens, if you don't put in for it now, and you decide you want to put tables and chairs out front, some umbrellas, plants, potted, you've got to come back in front of us again. So, to make it as easy as possible for you, is if you could just revise it with whatever tables and chairs you want, any kind of, you know, decorative, you know, plantings, if you do any additional planting. I know you already have a nice garden in front there.
MR. ISRAEL: Yeah. I don't think we're planning any additional planting.

MR. DOWLING: Okay. But if you do have tables, and chairs, and umbrellas, just make sure it's on the site plan. That way you don't have to come back to us, you know, you're done.

MR. ISRAEL: Okay.

CHAIRMAN JAQUET: So what do we do with this?

MR. DOWLING: Then you're not changing anything else to the building at all, correct?

MR. ISRAEL: No. No, not at all, just interior renovation on it.

MR. PROKOP: How old is this building?

MR. ISRAEL: 2006.

CHAIRMAN JAQUET: You have a tenant, then?

You have a tenant?

MR. ISRAEL: Yes.

CHAIRMAN JAQUET: When do they want to open up, for the season?

MR. ISRAEL: For the season. For the season.

CHAIRMAN JAQUET: So what are we going to do, approve this?

MR. DOWLING: I think we just have to --

CHAIRMAN JAQUET: With the condition?

MR. DOWLING: Condition of the addition on the
site plan of the exterior furniture.

CHAIRMAN JAUQUET: Okay. Can we --

MR. DOWLING: Is there anything that you see?

CHAIRMAN JAUQUET: Yeah.

MR. PROKOP: Pardon me?

MR. DOWLING: Is there anything that you see that stands out on this that we should ask about.

MR. PROKOP: Just that I'm not sure if the -- I'm not sure if there's a -- there may be a problem with the building because it has second floor residential; is that correct? Is second floor residential allowed?

MR. ISRAEL: There's artist lofts. We have a CO for artists lofts above. The building is sprinklered, has a Central Station fire alarm system.

MS. BERRY: And you have the fire separation, right?

MR. ISRAEL: Absolutely. Yeah, there's double sheetrock on the ceiling as well.

MS. WINGATE: He went through fairly extensive Planning Board and Zoning.

MR. PROKOP: I don't remember.

CHAIRMAN JAUQUET: When it was first built.

MR. ISRAEL: You know, since it was in 2005 -- we submitted in 2005. I mean, everything is modern
and up to all the codes, that I'm aware of. You know, the bathrooms are already handicapped compliant, as well as all the doors.

MR. PROKOP: That's my only comment, that the second floor residential use has to be reviewed. I'm not sure.

CHAIRMAN JAUQUET: Reviewed? What do you mean?

MR. PROKOP: Well, I think that there's -- you're being asked to do a use evaluation at the building, and I think that --

CHAIRMAN JAUQUET: I think it's just that space, isn't it? Aren't we just confining our approval to this? I think that --

MS. WINGATE: I don't know.

CHAIRMAN JAUQUET: I think it's just that space.

MS. WINGATE: The whole building is CO'd for --

CHAIRMAN JAUQUET: It's got a CO.

MR. ISRAEL: Yeah. Our CO is for -- you know, right now, I guess it's for first-floor retail, and then it's for second floor artist lofts.

MR. PROKOP: But the way the code is now, if you have an artist loft, aren't you required to have an artist studio on the first floor?
MR. ISRAEL: Then I would be pre -- then I would be preexisting.

MR. DOWLING: I believe it's part of the artist apartment, because that's -- we had that came up with the space over on First Street. It had to be -- the artist studio had to be part of the living space, I believe.

MS. WINGATE: This all predates me.

MR. PROKOP: Well, the building is here now and you're here, so we need the answer.

MS. WINGATE: I could go back to the file and read it. I was here while they built the building.

MR. PROKOP: I mean that respectfully. I'm sorry. I didn't mean it disrespectfully. I meant it respectively.

MS. WINGATE: That's okay.

MR. PROKOP: Excuse me.

MS. WINGATE: I came on just as that building was being framed. I did all the inspections of the building, and they built what the building permit allowed them to build. So, whether -- if there's a question, I have to go back and read the history. It wasn't as if -- it wasn't as if they rehabbed an attic or added a second floor. They built the building to be what it is.
CHAIRMAN JAUQUET: And it's only six years old -- five.

MS. WINGATE: It's got two retail spaces and two apartments.

CHAIRMAN JAUQUET: Otherwise, it's brand new modern construction.

I want to approve this with the condition that a drawing be put into the plans with -- if you want to do the seating. Do you want to do the seating? Do you want to do that drawing or not?

MR. ISRAEL: I would just have to confirm it with the tenant, but I don't believe --

CHAIRMAN JAUQUET: In this drawing?

MR. ISRAEL: -- at this point that --

CHAIRMAN JAUQUET: Okay.

MR. ISRAEL: Rick, do you have any comment on that?

MR. TAKEMOTO: Yeah. I represent the person that --

CHAIRMAN JAUQUET: You need to come up.

MR. ISRAEL: Sorry. I didn't know the answer to that.

MR. TAKEMOTO: That's all right. Hi. My name is Rick Takemoto. I live on 326 Sixth Street. I'm representing the person who is from Japan that's
opening the restaurant. I do believe he was talking about having some seating.

CHAIRMAN JAUQUET: Outside?

MR. TAKEMOTO: Outside.

MR. MC MAHON: Okay. If -- right now, the plan doesn't include any. So, if there is seating outside, it would be in violation of the plans. So, if you want to have seating outside, either we can approve it with a conditional -- you know, a condition that you amend the plans to include the seating for the outdoor area, or, if you want to go forward with it as it is now, you'd need to come back to us before you put any seating outside.

MR. TAKEMOTO: All right. I'll let him know and we'll do the drawing.

MR. ISRAEL: And we'll do the -- we'll do your first choice.

MR. DOWLING: Yeah.

CHAIRMAN JAUQUET: I think -- you know what I think, I think you should -- we should approve this at the next meeting with your seating plan drawn there, so that we know what the volume of the seating is, because is there a -- is this outdoor seating going to screw up the number of seats allowed total?

MS. WINGATE: The number of seats is based on
occupancy inside, and then there's a separate square
footage for the outside.

CHAIRMAN JAUQUET: You know, how many seats
should they draw in there?

MR. PROKOP: If we have a meeting in two weeks,
my recommendation would be that you put -- that would
be the --

CHAIRMAN JAUQUET: Yeah.

MR. PROKOP: If he's going to do it, we might
as well do it now, so he doesn't have to come back.

MR. DOWLING: Yeah. This is a waste of time to
have to come back for it.

MR. ISRAEL: Okay. So, if we could have an
approval, we'll come back, if we decide to add the
outside seats.

MR. MC MAHON: If you decide to change it.

CHAIRMAN JAUQUET: Okay. We'll disapprove it
without, right?

MR. ISRAEL: Thank you.

CHAIRMAN JAUQUET: Okay. You need to do your
SEQRA, Joe?

MR. PROKOP: Yeah. I just wanted to note on
the record that I still have a question about --

CHAIRMAN JAUQUET: Okay.

MR. PROKOP: -- the second floor.
CHAIRMAN JAQUET: Okay.

MR. PROKOP: Commercial Retail.

The motion would be for the Board to adopt Lead Agency status for purposes of SEQRA, for the Board to determine as Lead Agency that the approval of use evaluation is an unlisted action for purposes of SEQRA, and that the approval of the use evaluation will not have a significant negative impact on one or more aspects of the environment.

CHAIRMAN JAQUET: I second that motion.

MR. MC MAHON: I'll make that motion

MR. PROKOP: Thank you.

CHAIRMAN JAQUET: Okay. All in favor?

MR. MC MAHON: Well, someone has to second.

CHAIRMAN JAQUET: I second it.

MR. DOWLING: I second.

CHAIRMAN JAQUET: All in favor?

MR. BURNS: Aye.

MR. DOWLING: Aye.

MR. MCMAHON: Aye.

CHAIRMAN JAQUET: Aye.

And I'm going to make a motion to approve the -- to approve the use evaluation for 477 Main Street. Do I have a second?

MR. BURNS: I second.
CHAIRMAN JAUQUET: All in favor?

MR. BURNS: Aye.

MR. DOWLING: Aye.

MR. McMahan: Aye.

CHAIRMAN JAUQUET: Aye.

Thank you.

MR. TAKEMOTO: Thank you.

MR. ISRAEL: Thank you very much.

CHAIRMAN JAUQUET: Number 7 is a motion to accept an application for a use evaluation for a new single family house to be located at a vacant lot at 101 Sterling Street. The applicant is John Cronin. So this is just -- we're just going to accept this application, right?

MR. DOWLING: Yeah, accept it.

CHAIRMAN JAUQUET: Hi.

MR. SPURGE: Hi. How are you?

CHAIRMAN JAUQUET: Good.

MR. SICHLING: I'm Mark Sichling from Owens Construction. John Cronin is here as well.

CHAIRMAN JAUQUET: Hi. And -- oh, this is going to be the waterfront house.

MR. SICHLING: Correct.

CHAIRMAN JAUQUET: What's the square footage, about four?
MR. SICHLING: No, no, 3250.

CHAIRMAN JAUQUET: Thirty-two? Yeah. And it's a build-and-sell situation?

MR. SICHLING: We hope.

CHAIRMAN JAUQUET: Yeah, yeah. You know, I haven't looked at it for a couple of weeks, but I recall it being pretty much all buttoned up as far as -- this is to except your application, not to approve it. We're accepting the application.

MR. MC MAHON: Do we have the actual floor plans?

CHAIRMAN JAUQUET: Let's see.

MR. DOWLING: Yes.

CHAIRMAN JAUQUET: Oh, here we go. Did you see the --

MR. MC MAHON: I saw the -- I see pictures of the building. I don't see an actual floor plan, I just see outside.

CHAIRMAN JAUQUET: Oh, here.

MR. DOWLING: Actually, I don't have a floor plan, I just have an elevation.

CHAIRMAN JAUQUET: Oh, they're just elevations, yeah.

MR. DOWLING: Did you submit a floor plan yet?

MR. CRONIN: No. We were told just elevations.
CHAIRMAN JAUQUET: So we are here to accept this application, but not to approve it? What?

MR. DOWLING: No, we're just -- we're just --

CHAIRMAN JAUQUET: We're just accepting, and then we're going to approve it when we see it?

MR. DOWLING: Well, we have to review it, don't we? Do you have the notes from --

MR. BURNS: It appears to be proper.

CHAIRMAN JAUQUET: We would like to see the --

MR. SICHLING: Floor plans?

CHAIRMAN JAUQUET: Floor plans. Just to -- you know, just showing the room right now, not all the --

MR. SICHLING: Just bring them to the Building Department or bring it to the --

CHAIRMAN JAUQUET: Not all the electrical stuff.

MR. MC MAHON: Yeah, bring them to Eileen. We can have them -- we'll be able to take a look at them and review them.

MR. SICHLING: Okay. Full set or reduced copy?

MR. DOWLING: We don't have to have, you know, jumbo size.

CHAIRMAN JAUQUET: You know, we want to see the first and second floor, basement.

MR. SICHLING: There's no basement.
CHAIRMAN JAUQUET: No basement, all right.
And the curb cuts and, you know, the bulkhead, if there is one shown.

MR. SICHLING: No, we're not waterfront, we're waterview.

CHAIRMAN JAUQUET: Oh, that's right, you're waterview.

MR. SICHLING: I wish I was waterfront.

CHAIRMAN JAUQUET: And that's stuff, I think, is on here. That's on the survey here, isn't it?

MR. SICHLING: It should be.

MS. BERRY: Yes. The curb cut, he has two curb cuts. I think that was the issue, because, normally, a residence only has one, so it impacts parking. So that was the only comment that I had.

CHAIRMAN JAUQUET: Okay.

MR. PROKOP: How many curb cuts does it have now?

MS. BERRY: Two.

MR. SICHLING: There's one that was --

MS. WINGATE: It has one, he's requesting the second.

MR. SICHLING: Right.

MR. PROKOP: So he needs -- I'm sorry. We need additional proof.
MR. SICHLING: We only need the one. It's just the one that's there is not in the proper position to line up to get to the, you know, house properly.

MR. PROKOP: Okay. So --

MR. SICHLING: So we can close the one up, and then we can open up the other in one, that would be just a little bit further.

MR. PROKOP: You need to have -- you need to make that part of your application to move the curb cut.

MR. SICHLING: Okay.

MR. PROKOP: You're down here for a use evaluation, I guess, for a single family house. Isn't it on the site plan application?

MS. WINGATE: The site -- well, yeah. It's a use evaluation, because it's a permitted use in a permitted zone. It's a -- well --

MR. PROKOP: Okay. Whatever the approval is that's here, you also need an approval to move the curb cut, because that was approved at one time to be -- the thing, the significant -- a curb cut's fairly significant, because it's access to a public right-of-way.

MR. SICHLING: Okay.

MR. PROKOP: So it just has an additional, you
know, layer of regulation. I'm sorry. So, if you need -- if you want an additional one, if you want an additional curb cut, and I know you don't, or if you wanted to move your curb cut, you just need approval for that specifically.

MR. SICHLING: All right.

MR. PROKOP: So we just need to add that to the approval, that's all.

MR. SICHLING: All right. So we'll revise that. We'll send the plans as well. And then we'll be back on the next meeting, which will be --

CHAIRMAN JAQUET: On the 26th of March.

MR. MC MAHON: We have a work session on the 26th, and then we have a regular meeting.

MR. PROKOP: The following Thursday.

MR. MC MAHON: If we see you have the plans, we can address -- if there's any issues that need to be addressed further, we can talk about them at the work session, and then -- and approve it, and come to some sort of motion one way or the other at the actual regular meeting, which is the first week, and it's April 4th; is that right?

MR. PROKOP: Second.

MR. MC MAHON: April 2nd.

CHAIRMAN JAQUET: Yeah, April 2. Okay. So
then I'm going to make a motion to --

MR. DOWLING: Oh, there's some public comments there.

MR. SICHLING: John Cronin would like to speak also.

CHAIRMAN JAUQUET: Oh, I'm sorry.

MR. CRONIN: John Cronin. What Mark wasn't aware about a conversation with our boss, Mr. Owen, who the proposed curb cut is in front of the driveway and garage, that's the proposed curb cut. Twenty feet over to the left, let's call it, is an existing one, which we really wanted to leave for a boat for the homeowner. And I was told this would be the time to request that, which would mean we wouldn't have to apply for -- because it's proposed on a site plan already.

MR. DOWLING: So, basically, you're looking for a second driveway to park a boat on.

MR. CRONIN: No, no. The curb cut that's there now is not lined up with the driveway.

MR. DOWLING: Okay.

MR. CRONIN: We're suggesting we leave that one and put one in front of the new garage.

MR. DOWLING: Okay. Just as a comment, I would not like that, mainly because I know boats. I know
if they're sitting on land, on just grass, it rains, 
the bottoms are covered in cuprous oxide, it runs 
into the ground and into the groundwater. So I 
think --

MR. CRONIN: I was told to ask.

MR. DOWLING: Yeah.

MR. CRONIN: And not -- we don't have to get 
it, but I went ahead and asked for it.

MR. DOWLING: Yeah.

MR. CRONIN: And I was told this was the time 
to make that request.

MR. MC MAHON: Up front is the best time.

MR. DOWLING: I think if it's stored on just a 
grassy lawn, you know, very close proximity to the 
bay is not a great idea.

MR. CRONIN: Yeah, I understand.

CHAIRMAN JAUQUET: So what are you suggesting, 
that it be -- 

MR. DOWLING: No curb cut there, no boat 
storage on grass.

CHAIRMAN JAUQUET: Okay.

MR. CRONIN: I'm wondering, why do we have to 
-- wouldn't the new curbs around the whole place be 
required anyway? Aren't the existing curbs going to 
be inspected, and anything that's wrong with them
would have to be corrected? Wouldn't that curb cut be one of those items?

MR. PROKOP: We could make that as a condition, yes. Yes.

MR. CRONIN: Would it be a condition without even say anything? Aren't you going to tell us what curbs have to be repaired or fixed besides -- we're actually asking for the new curb cut by our site plan saying proposed. Isn't that enough to say we're asking for a new curb cut in front of the garage?

 Doesn't that take care of the new one?

MR. PROKOP: Yes, if you'd -- if you'd like it, you should let us decide and tell us about it, yes.

MR. CRONIN: Well, I thought I just did that. I'm not asking to take the other curb cut out, you're telling me to take it out.

MR. PROKOP: The Board will look at that. We're going to accept the application.

MR. CRONIN: But I don't think we have to apply anything else, because we're going to take the curb out that you don't want.

MR. PROKOP: Okay.

MR. CRONIN: And we want to put in the one that we're proposing in front of the garage.

CHAIRMAN JAQUET: Yeah.
MR. PROKOP: Well we have a Planner that will tell us about that. How does that sound?

MS. BERRY: I think it sounds fine. One thing I didn't check is --

CHAIRMAN JAUQUET: So, but you were saying that you want to keep the old one?

MR. CRONIN: Now we don't.

CHAIRMAN JAUQUET: Now you don't.

(Laughter)

CHAIRMAN JAUQUET: Because I thought he was going to say -- I thought he was going to say --

MR. CRONIN: I couldn't agree with your spiel about it may be the best.

CHAIRMAN JAUQUET: I thought he was going to see, well, if it's a concrete pad, but he didn't say that.

MR. CRONIN: No, we weren't going to make it concrete, it was just going to be left there with a future boat, and it's not necessary.

MR. DOWLING: And you're going to have -- what are you going to do for drainage off the roof and stuff, you got dry wells?

MR. CRONIN: There's all kinds of drainage on the site.

MR. DOWLING: Is that what those are in there?
MR. CRONIN: Yeah.

MR. DOWLING: Okay.

CHAIRMAN JAUQUET: I guess he'd have to have that for that location.

MR. DOWLING: Yeah, the ground is so wet as it is, yeah.

MR. CRONIN: Sure.

CHAIRMAN JAUQUET: Are there actual curbs on that street now?

MR. CRONIN: All around, complete.

CHAIRMAN JAUQUET: Concrete curbs?

MR. CRONIN: Not in very great shape.

CHAIRMAN JAUQUET: I didn't think they would be.

MR. CRONIN: I wouldn't be surprised if we're told to correct them.

CHAIRMAN JAUQUET: Right, right.

MR. CRONIN: And that we take care of the existing curb cuts.

CHAIRMAN JAUQUET: Yeah. All right. So --

MR. MC MAHON: Okay. I move that we accept the plans.

MR. DOWLING: Accept the application.

MR. MC MAHON: Accept the application.

CHAIRMAN JAUQUET: I'll second it. All in favor?
MR. MC MAHON: Aye.

CHAIRMAN JAUQUET: Aye.

MR. DOWLING: Aye.

CHAIRMAN JAUQUET: Okay. Where did Ben go?

MR. DOWLING: Ben, all in favor?

MR. BURNS: Aye.

(Laughter)

CHAIRMAN JAUQUET: And then the next one is a motion to accept an application for a use evaluation at 120 Main Street. The applicant is Kim Loper, who intends to locate a pet store with dog grooming and short-term kenneling in this vacant store space, which was, I guess, the old --

MR. DOWLING: Hardware.

CHAIRMAN JAUQUET: -- hardware store; at Section 5, Block 3, Lot 14. Hi.

MS. LOPER: Hi. I'm Kim Loper, owner of Harbor Pet.

CHAIRMAN JAUQUET: Say that again.


CHAIRMAN JAUQUET: Okay.

MR. DOWLING: Tell us about your program.

MS. LOPER: I'm looking to move our existing store that has grooming in it to the White's Hardware location, as well as move our small dog bakery into that facility. Also do short-term boarding for
day-trippers that come on their boat or have their in
their car. Instead of leaving them in the car or on
the boat while they have dinner, we're looking to dog
sit.

CHAIRMAN JAUQUET: Short-term transient day.

MS. LOPER: Yes.

MR. PROKOP: What about children?

CHAIRMAN JAUQUET: And children, yeah, by the
hour, yeah.

Dog biscuit, you mean you actually bake
biscuits?

MS. LOPER: Yes, we do.

CHAIRMAN JAUQUET: No dog left overnight or
unattended at any time. So you basically need more
space.

MS. LOPER: Yes, yes.

CHAIRMAN JAUQUET: Oh, here's your -- oh, this
is the layout. Okay. So you use up the whole space
that's there.

MS. LOPER: We're going to use the whole
first --

CHAIRMAN JAUQUET: Oh, right, front to back,
yeah.

MS. LOPER: The first floor, yes.

CHAIRMAN JAUQUET: And that door, do you have
any use of that alley that's there through this door?

Is that a -- that alley is sort of like a right-of-way.

MR. DOWLING: On the other side.

MS. LOPER: The alley is on --

MR. DOWLING: I'm sorry, that is the front door, yeah, down at the end.

MS. LOPER: The alley is shared by us and the neighbor next door.

CHAIRMAN JAUQUET: Yeah. So I guess the idea is just accept the application tonight. Is that what we're doing?

MR. DOWLING: Yeah.

CHAIRMAN JAUQUET: And then approve it at the other, is that --

MR. DOWLING: Yeah, I think they're okay.

CHAIRMAN JAUQUET: Do you guys have any comments?

MS. WINGATE: Could you just clarify, you wouldn't be keeping -- would you be keeping dogs overnight?

MS. LOPER: No.

MS. WINGATE: Thank you.

MR. DOWLING: Good answer.

CHAIRMAN JAUQUET: That could happen, though.
You know, when an owner doesn't come from his boat to
pick it up, you know, you could be stuck with the dog
overnight. What would happen?

MS. LOPER: Well, we're going to have
everybody's ID and where they're located, phone
numbers and contact information.

CHAIRMAN JAUQUET: Yeah.

MS. LOPER: Obviously, we're not going to leave
a dog unattended in our building under our watch --

CHAIRMAN JAUQUET: Right.

MS. LOPER: -- for insurance reasons anyway.

CHAIRMAN JAUQUET: So somebody could have to
stay overnight there with the dog, if somebody didn't
come and claim them.

MS. LOPER: If it honestly comes down to that,
I will either drive the dog to their house, or take
the dog home with me.

CHAIRMAN JAUQUET: Yeah. Do other people do
this kind of thing, a day -- day --

MS. LOPER: Well, there are daycare -- there
are daycare facilities, yeah.

MR. DOWLING: Yeah. There's a place in
Southold there.

MS. LOPER: In Southold.

MR. DOWLING: On the North Road.
CHAIRMAN JAUQUET: But they're not day, they're overnight.

MR. DOWLING: And day.

MS. LOPER: Yeah, they're daycare and overnight.

CHAIRMAN JAUQUET: I'm just saying.

MR. DOWLING: That's just nice, you actually put all the kennels on the side of the building that's not against another business. That's polite.

MS. LOPER: It would be specifically for that.

CHAIRMAN JAUQUET: So you get to -- we'll look at the dog kennels from the street, right?

MR. DOWLING: Through the window?

CHAIRMAN JAUQUET: That's different.

MS. LOPER: Possibly. I will have a curtain, that in case the sun is too intense on the dogs.

CHAIRMAN JAUQUET: Oh, the sun.

MS. LOPER: That they will not be sitting in the sun. It's a five -- five-foot wall for the kennel, so it's not all the way to the ceiling. The kennels are temporary, so they could be moved about or taken out.

CHAIRMAN JAUQUET: Why don't -- it seems odd for the window display not to be like a retail when you look in the window.
MS. LOPER: It is. There's an area for me to do -- there's about a six-foot --

CHAIRMAN JAUQUET: But I was just thinking on both sides, instead of looking at kennels.

MS. LOPER: But you're not going to be looking at kennels.

MR. DOWLING: It says window display on both sides.

CHAIRMAN JAUQUET: Oh, I see. Because that's how it was ever, it was just the window display, you never really saw --

MR. DOWLING: You never saw in the hardware.

CHAIRMAN JAUQUET: You never saw back into the store.

MS. LOPER: Right.

CHAIRMAN JAUQUET: That's all.

MS. LOPER: That's what I mean.

CHAIRMAN JAUQUET: That's all I'm referring to.

MS. LOPER: We're going to have a curtain up that we're going to be able to close. So once our displays are done --

CHAIRMAN JAUQUET: Right, I gotcha.

MS. LOPER: -- the heat of the sun on the dogs --

CHAIRMAN JAUQUET: Right, right, I gotcha.
MS. BERRY: I was just wondering what you're doing with waste. I don't see any utility sink for cleaning.

MS. LOPER: There's two sinks on the plan against the interior wall along the back of the building.

MS. BERRY: Right, but one is for bathing dogs, right?

MS. LOPER: One is for bathing dogs, the other up one is for --

MS. BERRY: Baking.

MS. LOPER: -- baking.

MS. BERRY: So I don't see anything for cleaning. I mean, you're going to be constantly cleaning the floor, and you're going to have --

MS. LOPER: My plan is to use the one that's already existing for the dogs.

MS. BERRY: Which one already existing?

MS. LOPER: Well, the one that I'm going to put in for the dog grooming is going to be used for the dog cleaning, like cleaning --

MS. BERRY: You're going to use the bathtub for utility?

MS. LOPER: It's a large sink. I mean, it's bigger than a utility sink.
MS. BERRY: But you're putting -- well, where are you putting your garbage for this?

MS. LOPER: My garbage I take with me out of the Village.

MS. BERRY: And pet waste?

MS. LOPER: Out with me.

MS. BERRY: Where do you store it until you take it?

MS. LOPER: Where do I store it? In a garbage can, in the -- same way I do now when I'm doing the grooming, if the dog were to mess in the kennels. It goes in the garbage and then leaves with me that night.

MS. BERRY: And where is the garbage can going to be?

MS. LOPER: Back with the grooming.

MS. BERRY: Back with the grooming, okay. And where are the toilets? Is it --

MS. LOPER: There's a bathroom up on the second story. We're just going to keep that bathroom. It's not going to be accessible to our customers, but it is accessible to us. There's an existing bathroom upstairs.

MS. BERRY: I mean, I guess my question was -- just saying you're going to take the garbage home at
night. Is that acceptable?

MR. PROKOP: Well, it has to be stored somewhere.

MS. BERRY: Yeah.

MR. PROKOP: No. It has to be stored. There has to be arrangements made for the storage.

CHAIRMAN JAUQUET: A what?

MR. PROKOP: There needs to be arrangements made for the storage of garbage during the day. I mean, it just can't be laying around and taken home at night. It has to be -- I mean, it's good that it's being taken off the premises, but during the day --

CHAIRMAN JAUQUET: There should be a specified location on the plan for waste, dog waste?

MR. PROKOP: Yes.

CHAIRMAN JAUQUET: Do you separate dog -- you know, when you have your waste now, is dog waste in one container, and other things are in a different container?

MS. LOPER: Yeah.

MR. PROKOP: Just because of the nature of the waste?

MS. LOPER: Yeah, we have -- we have separate garbage cans.
CHAIRMAN JAUQUET: But you put the dog excreta in one, right?

MS. LOPER: Yes.

MR. PROKOP: And then the paper and whatnot in a different one?

MS. LOPER: Uh-huh.

MR. PROKOP: Yeah. Because, you know, maybe that should be --

MR. DOWLING: Do you have a Diaper Genie?

(Laughter)

CHAIRMAN JAUQUET: You know, there -- I guess, what we sort of drive at on some of these plans is for you to designate with -- on one -- in one of these boxes, you know, dog excrement, and then other waste in a different one, just within a box.

MS. LOPER: Okay.

CHAIRMAN JAUQUET: So that we know that it's there.

MS. LOPER: Sure.

CHAIRMAN JAUQUET: So that's a suggestion. I mean, I think we're going to require it, so that we know it's there.

So the baking occurs on the -- the back over here, sort of -- I guess it's the rear right-hand -- left-hand side? There's an oven, and a sink, and a
refrigerator, and shelves, and that's where the baking operation is, I would think, yeah.

MS. LOPER: Uh-huh.

CHAIRMAN JAUQUET: And then all the dog grooming stuff happens in those other -- the washer, dryer, sink.

MR. DOWLING: Separated by two doors.

CHAIRMAN JAUQUET: Yeah. That heater there, that's the existing heater, probably.

MS. LOPER: Yes.

MS. BERRY: Where are you going to store your cleaning supplies? And, you know, one question is checking requirements for utility sinks for the -- it's more building code, so we'll put that off to Eileen. But where are you going to store all your cleaning supplies?

MS. LOPER: I don't -- I mean, I personally don't understand the extent of the cleaning supplies that you think we're going to have more than what we have right now. I mean --

MS. BERRY: Animal care is pretty intensive in terms of cleaning needs.

MS. LOPER: And we have that now where we are with the grooming.

MS. BERRY: Right. But where are you keeping
it? I don't see it.

MS. LOPER: In the grooming -- in the grooming area.

MS. BERRY: I just see cages, washer, dryer, grooming tables, and what I thought was a bathing sink.

MS. LOPER: It is. There's actually is shelves right in -- there's right -- there's a shelf unit right there as well, too, that all the cleaning, towels, shampoos, and everything is kept on.

MS. BERRY: I don't see that.

MR. DOWLING: In the middle there, sort of?

MS. BERRY: I don't see any.

MR. DOWLING: In the middle of that room there, that's where the --

CHAIRMAN JAUQUET: It says shelves.

MR. DOWLING: Directly in the middle, there's shelves.

MS. BERRY: Oh, right in the middle?

CHAIRMAN JAUQUET: In the middle there. I don't know. Maybe there should be a closet or something that --

MS. LOPER: I can --

CHAIRMAN JAUQUET: You know, that has all that stuff in it, you know, cleaning for the building
cleaning and cleaning for the dog. I mean, are you
talking two different kinds of cleaning when you
mention cleaning?

MS. BERRY: You know, I mean --

CHAIRMAN JAUQUET: Yeah, I know, I know.

MS. BERRY: -- any kind of animal care, there's
tons of --

CHAIRMAN JAUQUET: Yeah, I know. I know, yeah.

MS. BERRY: Tons of stuff.

CHAIRMAN JAUQUET: I mean, I don't know if
there's codes that cover all this stuff, but -- or if
it's, you know.

MR. DOWLING: I mean, if you go to her shop
now, I mean, you see right through to the grooming
area. It's all -- it's spotless.

MS. WINGATE: I know. It's a clean shop.

MS. LOPER: And it's all going to be -- there's
windows and doors and everything. Everything's going
to be very transparent, that everybody -- anybody
dropping off their dogs is going to be able to watch
them being groomed. Anybody dropping off their dog
for short-term boarding is going to be able to
visually be in there. There's windows with the
baking, every door has glass. I mean, we're not --
we're not sticking dogs in the corner and just
leaving them there.

CHAIRMAN JAQUET: Yeah, we know. We know.

MS. LOPER: What we do now is --

MS. BERRY: No. I'm just wondering how you're going to handle that operation, because I didn't see it on the plans.

MS. LOPER: And I just assumed, since we just had a shelf with it on it now, that that was going to be good enough, to be honest with you. I didn't think it was above and beyond what we already do with the cages and kennels that we have now.

MR. PROKOP: Who are they adjoining. Who is on the -- and your -- the walls of your -- where you're going to be, who's on the --

MS. LOPER: We have one connecting, which is, I believe, a real estate agent.

CHAIRMAN JAQUET: Right.

MR. DOWLING: The other side's the alley that Mark LaMaina uses to drop his garbage in the back.

MR. PROKOP: Somehow I knew everything was connected to that.

MR. DOWLING: It's a small town.

MS. LOPER: I didn't know about the dumpsters until tonight anyway.

MR. PROKOP: Does the real estate office know
that you're coming in?

CHAIRMAN JAUQUET: Yeah.

MS. LOPER: I would think so, yeah. I think most of the town knows that I want to go there.

CHAIRMAN JAUQUET: So here's another question. Is there a ventilation system above the kennel area?

MS. LOPER: Yes. We're expanding all of the ventilation and the AC.

CHAIRMAN JAUQUET: So is that -- is there -- has a plan been submitted for all that?

MS. WINGATE: No. That's for the Building Department after they get approval here, and then they --

CHAIRMAN JAUQUET: Well, then you're going to do all the -- there's mechanical drawings and all that coming, quite a bit.

MS. LOPER: There's a ton of renovations that we're doing to the building, yes.

CHAIRMAN JAUQUET: Yeah, right. Okay.

MS. BERRY: And, actually, I kind of overstpped planning when I started asking about cleaning, because that really goes into the Building. So you should probably discard that. I apologize for that.

MR. DOWLING: Okay.
MS. BERRY: I started thinking about trash and then thinking of how it all went.

CHAIRMAN JAUQUET: Yeah.

MS. BERRY: So, actually, that's more a Building -- that's an Eileen issue, not mine.

CHAIRMAN JAUQUET: So, yeah, that's what I was wondering, if the adjacent owners, whether they want barking dogs. You know, I don't know, what about the sound?

MR. DOWLING: The nice thing is that they have -- this is an open alleyway.

CHAIRMAN JAUQUET: I know, I know. I'm sure you put it there for that reason.

MS. LOPER: Absolutely. And that's why I'm also not proposing to do boarding overnight either. I don't want to disrupt anybody that way either.

CHAIRMAN JAUQUET: So it's a light operation, and more a store.

MS. LOPER: Yes.

CHAIRMAN JAUQUET: And then you run your dog grooming business, right?

MS. LOPER: Yes.

CHAIRMAN JAUQUET: And that's what -- so the area where you have display tables displayed here on the side with the real estate agent, that's all
merchandise, right?

MS. LOPER: Yes.

CHAIRMAN JAUQUET: But people come in through there with their dogs when they come in. And then this back area where you have the oven and the baking, what happens in there? Is that --

MR. DOWLING: Baking dog cookies.

CHAIRMAN JAUQUET: But there's all these counters. What happens in there?

MS. LOPER: Well, I have specific counters for the mixing, a specific counter for the rolling out, and then for the packaging of it into -- I just separate everything into its own little area --

CHAIRMAN JAUQUET: Oh, I see.

MS. LOPER: So there's no --

CHAIRMAN JAUQUET: So that's really your -- people don't go in there.

MS. LOPER: I'm sorry?

CHAIRMAN JAUQUET: Customers don't go in there.

MS. LOPER: No.

CHAIRMAN JAUQUET: That's your -- a separate --

MS. LOPER: Right, but the --

CHAIRMAN JAUQUET: -- manufacturing operation.

MS. LOPER: The door that's going to be there is glass, and there's going to be two visible windows
that you can look in and see.

CHAIRMAN JAUQUET: Yeah, okay, okay. Do you
distribute this stuff other places? Like do you do
mail order and stuff from the --

MS. LOPER: Very little.

CHAIRMAN JAUQUET: The dog biscuit?

MS. LOPER: Very little.

CHAIRMAN JAUQUET: Most of it's sold on
premises?

MS. LOPER: Yes.

CHAIRMAN JAUQUET: Oh. Any other questions,
you guys? Devin?

MR. MC MAHON: Not at the moment.

CHAIRMAN JAUQUET: All right. So let's --

MR. DOWLING: It looks all good to me, so.

CHAIRMAN JAUQUET: Yeah. We're going to --

this is a motion to accept the application for use
evaluation of 120 Main Street. Do I have a second?

MR. DOWLING: Second.

CHAIRMAN JAUQUET: All in favor?

MR. BURNS: Aye.

MR. DOWLING: Aye.

MR. MC MAHON: Aye.

CHAIRMAN JAUQUET: Aye.

Then we approve it at another meeting. But
this is -- you know, we're accepting the application.

MS. LOPER: Okay.

MR. DOWLING: Since this is a combined work session and regular meeting, can we approve it, too, or do we have to --

CHAIRMAN JAUQUET: Well, I think we -- don't we need to see --

MR. MC MAHON: There was an issue with whether or not boarding -- I don't know whether or not boarding for temporary, for a short period of time is an approved use for the building.

CHAIRMAN JAUQUET: Yeah.

MR. DOWLING: Well, I'm sure it's not in the code, dog boarding, because it was probably never thought of before. For day, I mean, we --

MR. MC MAHON: Well, that's something that we certainly need to figure out before the next meeting and that needs to be addressed. We don't have an answer for that now, and I don't think we can approve --

MR. DOWLING: Okay.

MR. MC MAHON: -- the plan. I think we need an answer on that. You know, we need to confirm that it's an approved use for the space. We should find out whether or not -- where it falls, how that would
be classified. We don't have an answer to that now.

I don't know if anyone can give us --

MR. PROKOP: It's in the State Code. We need to review the State Code. So it would just be two weeks.

MS. LOPER: Two weeks? Okay.

CHAIRMAN JAUQUET: Are we going to get the --

MR. PROKOP: Sorry.

CHAIRMAN JAUQUET: Do we get to see the building plans that -- is there like -- I don't know. Do we get -- are we going to see the mechanical?

MR. DOWLING: No.

CHAIRMAN JAUQUET: We don't need to see anything? Okay, okay.

MR. PROKOP: No. Wait a second.Mechanicals you don't see, but you're entitled to the floor plan.

MR. DOWLING: Which we got.

CHAIRMAN JAUQUET: And which is what we've got, yeah.

MR. PROKOP: Okay.

CHAIRMAN JAUQUET: All right.

MS. BERRY: But I guess his point is good if it has an impact on the exterior of the building, right?

MR. PROKOP: Do you have mechanical plans? Are you changing anything that you got plans for?
MS. LOPER: I mean, on the outside of the building?

MR. PROKOP: No, the inside.

MS. LOPER: I don't understand what you mean.

MR. DOWLING: She's using the same heater, same space. What other --

MS. LOPER: I'm using the same heater, the same AC unit that's there.

MR. PROKOP: Okay.

CHAIRMAN JAUQUET: And you're not putting in any new sink, or you are?

MS. LOPER: The sinks? The sinks are there, yes.

MR. DOWLING: They're in the plan.

CHAIRMAN JAUQUET: The sinks?

MS. LOPER: Yes.

CHAIRMAN JAUQUET: Okay, they're there. I see them there. Okay. All right. Still, we're going to --

MS. WINGATE: The sinks are not existing.

MR. DOWLING: But they're on the site plan.

MS. WINGATE: But they're on the plan.

MS. LOPER: Yes.

MR. DOWLING: Yeah.

MS. WINGATE: Right. So she will be taking out
a building permit to do the renovations on the interior space, which would include plumbing and sinks.

MS. LOPER: Yes.

CHAIRMAN JAUQUET: So I'm going to make a motion to --

MR. DOWLING: Well, we accepted it, so.

CHAIRMAN JAUQUET: We did already.

MR. DOWLING: Yeah.

CHAIRMAN JAUQUET: So it's accepted.

MR. DOWLING: So we just have to make sure the State regulations are okay for --

CHAIRMAN JAUQUET: And then we're going to approve that at the next meeting. There's an acceptance of your plan.

MS. LOPER: Okay.

CHAIRMAN JAUQUET: And then there's an approval of your plan.

MS. LOPER: Okay.

CHAIRMAN JAUQUET: After we answer these questions.

MS. LOPER: Okay.

CHAIRMAN JAUQUET: Okay, thanks.

MS. LOPER: Thank you.

CHAIRMAN JAUQUET: And then the last is --
MR. DOWLING: Still awake?

CHAIRMAN JAUQUET: Motion to accept an application for a use evaluation of 300B Main Street.

MS. BRANCATO: I'm Joann Brancato, the last person standing.

CHAIRMAN JAUQUET: Oh, geez. The owner intends to locate a retail store, selling vintage furniture and jewelry, and offering interior design services. The store is currently vacant.

MR. DOWLING: And this is the old hair saloon that was --

MS. BRANCATO: Correct.

MR. DOWLING: -- on the site there?

MS. BRANCATO: Uh-huh.

MR. PROKOP: Are you related to people in Westchester?

MS. BRANCATO: No.

MR. PROKOP: No? I know people who have the same name.

MS. BRANCATO: Not that I know of.

CHAIRMAN JAUQUET: Okay. So are there any --

MR. DOWLING: Are you doing any -- you're not doing any changes to the space at all, are you?

MS. BRANCATO: Just painting.

MR. DOWLING: Painting.
CHAIRMAN JAUQUET: And does she need a sign? Is it Historic District signage.

MR. DOWLING: I think your --

CHAIRMAN JAUQUET: I think it is.

MR. DOWLING: I think your sign was not on the street, right? It's just outside the door, right?

MS. BRANCATO: The sign, I think there's something in there, it's --

MS. WINGATE: Oh, I forgot to -- oh, that was for HPC.

MR. DOWLING: Yeah.

MS. WINGATE: The signage.

MS. BRANCATO: Well, I have another -- because it's a little bit different.

MS. WINGATE: Sorry.

MS. BRANCATO: That's okay.

MS. WINGATE: The sign is going to HPC.

MS. BRANCATO: I just have one sheet on this. It's just a little bit longer now.

MR. DOWLING: I was pointing out to him where the sign was on her -- where it would be on her plan. So it's all barely visible from the street because of the angle.

CHAIRMAN JAUQUET: Right. But how does your store articulate with Bay Avenue? Do people come in
from Bay?

MR. DOWLING: Your only door is actually through the middle of the square there, correct?

MS. BRANCATO: That door is on the middle of the square, but there is a door on the back end on Bay.

CHAIRMAN JAUQUET: Yeah.

MS. BRANCATO: So that the owner, Brent, said that maybe in the summer we can open that door, so that people -- because there is another door in my store after that door. So he said maybe they would open that door, so I would have another entrance where the guy next door is, because a lot of people come in that street.

CHAIRMAN JAUQUET: Yeah, there's pedestrian traffic on that street.

MS. BRANCATO: Yeah, I know. It would be wonderful if I could do that.

MR. DOWLING: Yeah. That's where that Basso is going to be.

CHAIRMAN JAUQUET: The what?

MR. DOWLING: Remember that place, Basso, that we approved like six years ago?

CHAIRMAN JAUQUET: Yeah, yeah, yeah. What's the square footage of this building? It seems so
small, 26 by --

MS. BRANCATO: It's like 650, I think.

CHAIRMAN JAUQUET: Yeah, yeah.

MS. BRANCATO: Six hundred and fifty square feet.

CHAIRMAN JAUQUET: Yeah. Is that building now used with the two entries and exits for customer traffic? Was it used that way? And that's not a problem, is it?

MS. WINGATE: No, it's not a problem.

MS. BRANCATO: But it wasn't used like that. But it wasn't --

MS. WINGATE: The hair salon did not use it, because there's sort of a porch. You come into an exterior room, and then you go into the space, and they used it for storage and --

CHAIRMAN JAUQUET: And that was right on Bay.

MS. WINGATE: That's right on Bay.

CHAIRMAN JAUQUET: That's how they used Bay.

MS. BRANCATO: That's exactly what they used it for, storage.

MS. WINGATE: Right.

MS. BRANCATO: But I would have stuff there just to -- as retail.

CHAIRMAN JAUQUET: Do you have to do any
demolition in order to make access normal from Bay,
if you were to do that?

MS. BRANCATO: I don't.

CHAIRMAN JAUQUET: Okay.

MS. BRANCATO: I don't.

CHAIRMAN JAUQUET: Yeah. It's just that they
got to go up some steps, right?

MS. BRANCATO: They'd have to go up a couple of
steps. But because the guy next door, because he has
a deck right there, that would just make so much
sense, that people could also come into my store

CHAIRMAN JAUQUET: Right, right, right.

MS. BRANCATO: But I didn't put in to put a
sign on that side, but I would like down the road to
put a sign on that side to use it. So I don't know
if I have to come back again for the back side. But
I would do the same kind of sign, or maybe just a
sign in the window behind.

MR. DOWLING: If it's in the window, you don't
have to see us. If it's exterior, you have to come
back.

MS. BRANCATO: Okay. And if it's just printed
on the window on the inside, that would be fine?
Okay.

MR. DOWLING: On the inside.
MS. WINGATE: It still has to go through Historic. The building is in the Historic District.

MR. DOWLING: Even if it's on the inside of the window?

MR. MC MAHON: The Historic Preservation Commission you're already seeing with regards to the sign.

MS. BRANCATO: Okay.

MR. MC MAHON: If you do change -- if you have a sign painted onto the window, you'd have to consult them again.

MS. BRANCATO: Okay.

MR. MC MAHON: It wouldn't be us.

CHAIRMAN JAUQUET: Yeah, you should do that. Get that now, so you have both signs.

MS. BRANCATO: Oh. So where do I go for that?

MS. WINGATE: You're already there.

(Laughter)

MR. DOWLING: Just you just want to put that on your application for HPC, so that you only -- even if you don't put the sign on for a year, you're approved.

CHAIRMAN JAUQUET: Yeah, you have it.

MR. DOWLING: And to save you time, so you don't have to come back again.
MS. BRANCATO: Okay.

CHAIRMAN JAUQUET: Yeah. So --

MR. DOWLING: Do we accept the application?

CHAIRMAN JAUQUET: Yeah. So this is a motion to accept the application for the use evaluation at 300B Main Street. Do I have a second?

MR. MC MAHON: Second.

CHAIRMAN JAUQUET: All in favor?

MR. BURNS: Aye.

MR. DOWLING: Aye.

MR. MC MAHON: Aye.

CHAIRMAN JAUQUET: Aye.

So passed.

MS. BRANCATO: So does that mean I'm approved? Do I have to come back?

MR. DOWLING: We accepted the application. Do you want to approve it now, too? Do you have any questions? Is there any issues that you foresee at all, the Building Department or Advisor?

CHAIRMAN JAUQUET: Let's -- the only thing --

MR. PROKOP: What is it zoned?

MS. WINGATE: It's zoned CR.

MR. PROKOP: Okay.

CHAIRMAN JAUQUET: So let's -- the only -- the conditional, that you get approvals for signs in the
front, approvals for signs in both entrances, put it that way.

MR. MC MAHON: From the HPC.

CHAIRMAN JAUQUET: From HPC. Okay. So this is a motion to approve the use --

MR. PROKOP: First, there's a motion to SEQRA. Excuse me.

CHAIRMAN JAUQUET: Okay.

MR. PROKOP: I'm sorry, I apologize. Could I do --

CHAIRMAN JAUQUET: Yes, yes.

MR. PROKOP: So the motion is for the Board to adopt Lead Agency status for purposes of SEQRA. The Board will determine that -- is determining that the approval of a use evaluation for 300B Main Street is an unlisted action for purposes of SEQRA, and that the approval of the use evaluation for 300B Main Street will not have a significant negative impact on one or more aspects of the environment.

CHAIRMAN JAUQUET: I second. Go ahead

MR. MC MAHON: I so motion

CHAIRMAN JAUQUET: I second it. All in favor?

MR. BURNS: Aye.

MR. DOWLING: Aye.

MR. MCMAHON: Aye.
CHAIRMAN JAUQUET: Aye.

So accepted. And I motion to approve the use evaluation for 300B Main Street, conditional to approval of a sign at both -- from the Historic District Board at both the -- at both entries to the property. Do I have a second?

MR. BURNS: Second.

CHAIRMAN JAUQUET: All in favor?

MR. BURNS: Aye.

MR. DOWLING: Aye.

MR. MCMAHON: Aye.

CHAIRMAN JAUQUET: Aye. Okay.

MS. BRANCATO: Thank you very much.

CHAIRMAN JAUQUET: Thanks. Good luck.

MS. BRANCATO: Thank you.

CHAIRMAN JAUQUET: And a motion to schedule the next work session for March 26th, 2015, and the next regular session for April 2nd, 2015. Do I have a second?

MR. BURNS: Second.

CHAIRMAN JAUQUET: All in favor?

MR. BURNS: Aye.

MR. DOWLING: Aye.

MR. MC MAHON: Aye.

CHAIRMAN JAUQUET: Aye.
A motion to adjourn. Do I have a second?

MR. DOWLING: Second.

CHAIRMAN JAUQUET: All in favor?

MR. BURNS: Aye.

MR. DOWLING: Aye.

MR. MC MAHON: Aye.

CHAIRMAN JAUQUET: Aye.

(Whereupon, the meeting was adjourned at 7:55 p.m.)
CERTIFICATION

STATE OF NEW YORK )

) SS:

COUNTY OF SUFFOLK )

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

THAT, the above and foregoing contains a true and correct transcription of the proceedings taken on March 12, 2015.

I further certify that I am not related to any of the parties to this action by blood or marriage, and that I am in no way interested in the outcome of this matter.

IN WITNESS WHEREOF, I have hereunto set my hand this 28th day of March, 2015.

Lucia Braaten