VILLAGE OF GREENPORT
COUNTY OF SUFFOLK STATE OF NEW YORK

PLANNING BOARD
REGULAR SESSION

May 4, 2017
4:00 p.m.

Third Street Firehouse
Greenport, New York

BEFORE:
DEVIN McMAHON - CHAIRMAN
BRADLEY BURNS - MEMBER
JOHN COTUGNO - MEMBER
MARY GIVEN - MEMBER
NOAH THOMAS - MEMBER

ROBERT M. CONNOLLY, ESQ. - PLANNING BOARD ATTORNEY
EILEEN WINGATE - VILLAGE BUILDING INSPECTOR
KRISTINA LINGG - BUILDING CLERK

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*(631) 727-1107*
(The meeting was called to order at 4:39 p.m.)

CHAIRMAN MC MAHON: Okay. We're going to begin the meeting. This is the Village of Greenport Planning Board regular session for May 4th, 2017.

The first item is continuance or continued public hearing regarding the preliminary plat as submitted by the applicant, James Olinkiewicz, for the subdivision of property located at 621 Main Street and 624 First Street - the former Methodist Church. This is Suffolk County Tax Map #1001-2.-6-49.1.

Is there anyone who would like to speak with regards to this application? Okay.

MR. DOWLING: Chris Dowling, 617 First Street.

Just a question. I know there were a lot of people here at the last meeting asking questions about this. And I know a lot of people talked about the possibility of putting a covenant to restrict it to single-family homes on all three lots after dividing. I'd just like to, you know, put that forward again, that, you know, the other residents of the area would appreciate that, hopefully, keep the density down on our
street, including parking, just general usage, especially because the parsonage right now has -- the owner has stated four cars in it, the parking lot every night. Once this is subdivided, that parking lot is a separate piece of property without it, and the parsonage has no driveway parking. Now there's four cars on the street there filling the street.

Also, after this gets subdivided, that lot with the parking lot, will that now be subject to Code 150-16, Paragraph C, where it has to be completely -- it has to be screened in from public view and all the property lines? Because every parking lot within 12 feet of a residential area has to have screening at least three feet tall.

CHAIRMAN MC MAHON: Well, I would say it's probably -- I don't think that there would be an immediate requirement for that, because that's a preexisting nonconformance.

MR. DOWLING: It's not, it's not preexisting.

CHAIRMAN MC MAHON: I know Mr. Corwin made the case last week that dividing the lot, there's some introduction of nonconformance. I have a
different opinion. We've had this conversation in public a few times on several different applications. I have a different interpretation of the code than he does. I don't know if our Attorney has a different opinion on that.

But my understanding of the code is that existing properties, existing improvements on the land qualifies preexisting nonconforming. And if you're doing something else with the property, reasonable measures should be taken to alleviate nonconformance, but it's not a requirement. Same thing as if, you know, a building is -- you know, any of the buildings in the Village, Front or Main Street, that are not in conformance with the setbacks, that would be required on new buildings, or anything else.

I mean, that's -- again, I don't know how the other members of the Board feel, but that's my personal interpretation of the code, is preexisting, non -- same thing with the setbacks on that same property. If it were to be -- you know, there is nonconformance with regards to setbacks in a couple of different areas. My personal opinion is that's preexisting nonconformance. That wouldn't be required to be
amended before a new use could take place, but --

MR. DOWLING: How does everybody else on
the Board feel about that? Everybody's been kind
of silent about everything that's happened in the
past hearing as well. I was just wondering what
everybody else on the Board's opinions are.

MR. COTUGNO: I agree with the Chairperson.

MR. BURNS: I do, too.

MS. WINGATE: If you looked at the site
plan that was submitted, you'll find that the
parsonage has put in adequate parking and
driveway for that house.

MR. DOWLING: Okay.

CHAIRMAN MC MAHON: With regards to the
covenant of one-family homes, I don't think
that's unreasonable. I think the applicant said
he's willing to agree to that as well. I don't
know if he wants to commit to that or not, but --

MR. OLINKIEWICZ: I'm going to get up and
talk in a second.

CHAIRMAN MC MAHON: But I think that's a
reasonable restriction that makes sense with
regards to whatever density in that particular
area and the transferal.

Again, it is also -- I know several people
spoke at the last meeting saying they hoped maybe it would revert back to being a church again at some time. But, you know, in the code it is -- that is actually an exception. It is meant to be used as single-family housing, and that's the intended use. And the use as a church was an exception to that that's allowed in the code. So I think reverting that to single-family use would actually be in adherence with the intent of the zoning code.

MR. DOWLING: And I think -- because I think single-family makes sense, you know, the three homes that's going to be adding to the parking on the street and everywhere else. And by doing single-family is going to, you know, limit the impact on the whole neighborhood, and I think -- you know, I think all the neighbors would be happy with that. So thank you.

CHAIRMAN MC MAHON: Thank you.

MR. OLINKIEWICZ: Hello. James Olinkiewicz, 621 Main Street, 624 First Street, the old Methodist Church, Greenport.

So I can again reiterate the church is going to be a one-family residence, the parsonage is going to be a one-family residence, and it's
my intention to build a one-family residence on
the blank lot.

I am not -- I don't know the law on --
every lot is going to be above 7500 square feet,
so there's no variances allowed. So I'm being
requested, or I have said that I would put a
covenant on my deeds that would -- that I would
never make them two families.

So my only question is, is that do I have
the -- does the Board have the legal right to ask
me to do that if I'm in compliance on lot size
and everything else in the neighborhood, or is
that then considered spot zoning? I'm just -- I
mean, I have no problem making them one family, I
just want to know the legal aspects of that for
this meeting.

MR. CONNOLLY: It wouldn't be spot zoning.

MR. OLINKIEWICZ: Right.

MR. CONNOLLY: But I don't think that the
Board -- because it's a permitted use in that
district and you have the required lot size for
two-family houses, the Board I don't think can
make it a condition of approval that you covenant
that they be limited to single-family dwellings,
because there has to be a logical nexus between
the condition and the -- between the condition
and the approval.

MR. OLINKIEWICZ: Right. Because I
understand that the neighbors are concerned about
that, but I'm on the -- I'm looking at the
devil's advocate side, on the other side. If I
eventually sell these, will the person that buys
them from me, when I decide to sell the
single-family residences down the line, will they
then -- if it's covenanted, they won't have the
same right as Mr. Dowling or anybody else on the
street that has a preexisting house, because then
anybody else there could make their existing home
a two-family house --

CHAIRMAN MC MAHON: Sure.

MR. OLINKIEWICZ: -- at any time, so -- and
I understand that when we've gone and applied for
other subdivisions, when the lot size was
smaller, there was a restriction put in on the
Village Code that said that anything under the
7500 square feet had to only have a one-family
home on it. So --

CHAIRMAN MC MAHON: For me, the logical
nexus between the two would be the existing
nonconformance of the lots, particularly with at
least three -- at least two of the three lots, would be that they have preexisting nonconformance to the code, and expansion of the, then, third lot would create an overburdened area, because it is -- you know, the creation of the new lot is dependent on the creation of the other two lots as well where you're introducing -- well, you're not introducing nonconformance, but there is existing nonconformance with regards to lot coverage and setbacks for two of the three properties.

So I think the reason -- you know, again, I don't know if the Attorney, or another attorney, or your attorney, or anyone else would agree with that as being enough of a reason to impose that covenant on the third lot, but that's my personal, just as the best --

MR. OLINKIEWICZ: I just didn't know if the Planning Board had that power, is pretty much what I'm asking, on the subdivision, because all of the lot sizes are correct, and everything else.

I have no problem putting the covenants on them, but my only worry is down the line when I sell. What happens if somebody that buy wants
convert it to a two-family, can they then come back to the Board and request that for a variance, or what would happen? I'm just -- I'm looking down, 20 years down the line.

MR. CONNOLLY: It depends on what the language of the covenant and restriction says. Generally speaking, to alter a covenant and restriction, you need a majority plus one vote of the Planning Board to amend the covenant and restriction. So there is a process for amending covenants and restrictions and it depends on the language of the actual covenant.

MR. OLINKIEWICZ: So could the language be written that while I own the property, or any of my entities own the property, it's restricted to one family, and then if I decide to sell it to a private party, they have the right to do that? I'm just trying to -- I'm just trying to figure out what that covenant does for my restrictions for the --

MR. CONNOLLY: I mean, I think that would be -- create a real ambiguity with what the approval was. You know, it seem like the Board wants to approve it with the covenant, that --

MR. OLINKIEWICZ: Right, right. And like I
said, I have to problems with the covenants. So the covenants are somebody who buys from me could come back and request to make it a two-family would have to go back in front of the Planning Board and then would have to go back in front of the Zoning Board as well?

MR. CONNOLLY: No, it would come to the -- to the Planning Board.

MR. OLINKIEWICZ: It would just be in front of the Planning Board. Okay. I have no problem putting the covenants on the three houses.

And just so everybody understands, when that subdivision is completed, or if we get that far, the parking lot that is there will be used kind of as a staging ground for the demolition of the back of the church. As the trucks are working their way out of the back, we plan on pulling that whole parking lot up as we go, because we don't need it there. We're going to leave a single driveway along the edge of the property line that's blacktop for the future driveway for the new house, but we're going to take the rest of the parking lot out as we go. So there will not be this huge parking area that people in the neighborhood have to worry about,
and we have to screen it, or anything else like
that. That is going at the same time of
demolition. Okay? Appreciate it. Thank you.

CHAIRMAN MC MAHON: Thank you. Would
anyone else like to speak?

(No Response)

MS. WINGATE: I would also like -- the curb
cut for the vacant lot and the parking lot is
larger than average. I would like to see the
curb cut reduced to typical residential scale.

CHAIRMAN MC MAHON: Okay.

MR. OLINKIEWICZ: For me, just to talk one
more time, can I answer from here?

CHAIRMAN MC MAHON: I'd prefer -- it's just
for the -- please, if you don't mind.

MR. OLINKIEWICZ: So my only question with
that, and I have no problem getting reduced to
the size of -- the curb cut for the size of the
existing driveway. But when sidewalks are put in
on lots, or the sidewalks were put in lots in the
Village, was that done by the Village, or was
that done by the individual homeowners?

CHAIRMAN MC MAHON: I don't know that.

MR. OLINKIEWICZ: So, I mean, I have no
problem pulling up the blacktop, but is it my
responsibility to rebuild the Village sidewalks
for them, or would that be the Village rebuilding
the curbs and the sidewalks? Just a question.

CHAIRMAN MC MAHON: I don't know that.

MR. OLINKIEWICZ: Do you know that answer?

MS. WINGATE: Well, we do it both ways.

But in the case of such a large construction, we
always hold the property owner and contractor
responsible for repairing our sidewalks upon
completion of their construction.

MR. OLINKIEWICZ: Okay, good. Thank you.

CHAIRMAN MC MAHON: Would anyone like to
speak during the public hearing for this
application?

(No Response)

CHAIRMAN MC MAHON: Okay. We do have a
letter from Mr. Corwin. I don't read out
letters. Do you want to read it in, or you just
want it part of the record?

(No Response)

CHAIRMAN MC MAHON: Okay. If no one else
has anything they would like to add, I think it
would be appropriate to end the public hearing
portion of this application. Does anyone else
have any --
MR. COTUGNO: Second.

CHAIRMAN MC MAHON: Okay. So I will so motion. Do I have a second?

MR. COTUGNO: Second.

CHAIRMAN MC MAHON: All in favor?

MR. BURNS: Aye.

MR. COTUGNO: Aye.

MS. GIVEN: Aye.

MR. THOMAS: Aye.

CHAIRMAN MC MAHON: Aye. Motion carries.

Going to the rest of agenda, applications:

Item #1 - 429 Sixth Street. A motion to Accept the application of Michael A. Kimack, agent for 6th Street LLC. The application is for a subdivision of the property located at 429 Sixth Street into two non-conforming lots. The proposed uses are residential dwellings. This property is located in the R-2 (Residential) District. This property is not located in the Historic District. This is Suffolk County Tax Map #1001-6.-3-5.

Is there a representative of the applicant here this evening?

MR. KIMACK: Yes. Michael Kimack, for the applicant. Are there any questions of me?
CHAIRMAN MC MAHON: No. My understanding here is that because the proposed subdivision would introduce nonconformance, that we would have to -- if we accepted the application, then deny it, and refer it to the ZBA, we're --

MR. KIMACK: That is my understanding, because this has been a circuitous route. We were -- I think it originally went to the Planning Board, and a misunderstanding, it went without proper formal --

CHAIRMAN MC MAHON: Denial.

MR. KIMACK: -- denial and then -- to them.

CHAIRMAN MC MAHON: Okay.

MR. KIMACK: They had nothing to work with it. It came back to you, so it --

CHAIRMAN MC MAHON: So my understanding is that --

MR. KIMACK: -- it swam the channel twice (laughter).

CHAIRMAN MC MAHON: -- in order for you to move forward would be for us to accept the application, vote to deny it, with a referral to the --

MR. KIMACK: And deny it and send it over to the Zoning --
CHAIRMAN MC MAHON: Well, to give you the opportunity to appeal to the Zoning Board, anyway.

MR. KIMACK: Well, that application had been submitted to the Zoning Board.

CHAIRMAN MC MAHON: Okay.

MR. KIMACK: So it would just had be reintroduced.

MS. WINGATE: It's changed.

MR. KIMACK: Pardon?

MS. WINGATE: Well, it's changed.

MR. KIMACK: So I've got to renew the application?

MS. WINGATE: You might want to take a look at it.

MR. KIMACK: Brand new application?

MS. WINGATE: I just am suggesting you might want to take a look at it.

MR. KIMACK: Okay. I'll take a look at it.

CHAIRMAN MC MAHON: Okay. But what I think will allow you to bring this before the Zoning Board in the proper procedure would be for us to accept the application and then deny it.

MR. KIMACK: Yes, that's what my understanding was at this point.
CHAIRMAN MC MAHON: Okay. So I don't think there's really any sense in getting too much into the details of this, other than to --

MR. KIMACK: Apparently not.

CHAIRMAN MC MAHON: -- accept the application. I will -- I'm going to make a motion that we accept the application. Do I have a second for that?

MS. GIVEN: Second.

CHAIRMAN MC MAHON: All in favor?

MR. BURNS: Aye.

MR. COTUGNO: Aye.

MS. GIVEN: Aye.

MR. THOMAS: Aye.

CHAIRMAN MC MAHON: Aye. Motion carries. I will then make a motion to deny the application, as it would introduce nonconformance where there was none. Do I have a second for that?

MS. GIVEN: Second.

CHAIRMAN MC MAHON: All in favor?

MR. BURNS: Aye.

MR. COTUGNO: Aye.

MS. GIVEN: Aye.

MR. THOMAS: Aye.
CHAIRMAN MC MAHON: Aye. Motion carries.

You are now free to go to the ZBA and appeal your case.

MR. KIMACK: And I'll make sure I have the right application. Thank you very much.

CHAIRMAN MC MAHON: Thank you very much.

MR. KIMACK: Have a good night.

MS. GIVEN: Yes, Eileen.

MS. WINGATE: As far as you're supposed to notify the Zoning Board with any issues that you would like them to look at, you might just -- you might just want to forward Glynis' notes to them, but you need --

CHAIRMAN MC MAHON: That's -- I -- having reviewed her notes, I think those are the issues that we would want addressed. So I would like to then make a motion that we formally provide the Zoning Board with the notes that were provided to us by our Planning Consultant, with the understanding that those would be the issues we are most concerned with. That's the nonconformance that caused us to deny the application tonight. Do I have a second for that?

MS. GIVEN: Second.
CHAIRMAN MC MAHON: All in favor?

MR. BURNS: Aye.

MR. COTUGNO: Aye.

MS. GIVEN: Aye.

MR. THOMAS: Aye.

CHAIRMAN MC MAHON: Aye. Motion carries.

Thank you.

MR. KIMACK: Have a good night.

CHAIRMAN MC MAHON: Have a good night.

Item #2 - 127 Adams Street. Motion to accept the use evaluation application submitted by Aldo's Coffee Company, LLC, represented by Managing Partner, James D. Radosevic. The applicant is proposing to open a Retail Sales Store. The property is located in the Commercial Retail District, and is a permitted use. This property is not located in the Historic District. Suffolk County Tax Map #1001-4.-9-28.2.

Okay. I was not here at the last meeting when this was discussed. Is there anyone here from the applicant? Anyone here representing the applicant? No?

(No Response)

CHAIRMAN MC MAHON: Okay. My understanding was that if the applicant makes the proposed
changes, the introduction of sinks, plumbing changes, etcetera, etcetera, and they limit the total occupancy, as I believe they had intended to do, then it would be a fairly straightforward application. Is that correct? Are there any issues that were raised last meeting that --

MR. COTUGNO: Right.

CHAIRMAN MC MAHON: No?

MR. COTUGNO: The only issues are Building Department issues, not us.

CHAIRMAN MC MAHON: Building Department issues, not use issues. Okay. So this would be -- is this an unlisted? Would this be an unlisted action or a -- Robert, do you know?

MR. CONNOLLY: Well, it's a use evaluation.

It's not a --

CHAIRMAN MC MAHON: So we don't really need to do a SEQRA determination?

MR. CONNOLLY: No, no SEQRA.

CHAIRMAN MC MAHON: Okay.

MR. CONNOLLY: It's a use evaluation.

CHAIRMAN MC MAHON: Does anyone have any issues with the proposed use?

(No Response)

CHAIRMAN MC MAHON: No? I do not
Invalently. So my recommendation is that we --
did we accept this application at the last
meeting?

MR. COTUGNO: I thought we did.

MS. LINGG: No.

CHAIRMAN MC MAHON: We had an acceptance?

MS. LINGG: No.

CHAIRMAN MC MAHON: There was no acceptance
of the application? Okay.

So, first, I would like to make a motion
that we accept the application as submitted. Do
I have a second for that?

MR. THOMAS: Second.

MS. GIVEN: Second.

CHAIRMAN MC MAHON: All in favor?

MR. BURNS: Aye.

MR. COTUGNO: Aye.

MS. GIVEN: Aye.

MR. THOMAS: Aye.

CHAIRMAN MC MAHON: Aye. Motion carries.

If there are no other issues, simply use
evaluation application, not a full site plan
application, no need for a SEQRA determination, I
don't have any issue with the proposed use. It
doesn't seem as if anyone else does. So I will
make a motion that we accept the application as
submitted. Of course they will need to adhere to
all the Building Department guidelines and other
issues.

There -- so there were -- in Glynis' notes,
she had mentioned a couple of issues that we do
regularly ask of applicants. Again, how will
garbage be handled, what are the hours of
operation, the plans need to show the grease
trap, and the layout of the kitchen scale. I
think at least Items #3 and 4 largely fall into
Department of Health and Building Department
purview, and aren't things that we should really
be getting into.

I think hours of operation and how garbage
would be handled, they will need to address that.
There isn't anyone here from the applicant, is
there?

(No Response)

CHAIRMAN MC MAHON: I don't know how the
other members of the Board feel. I think I can't
actually see either of those being deal-breakers.
You know, they're required to handle garbage on
the site or find --

MR. COTUGNO: Yeah. I would approve it
subject to the Building Department approval of those.

CHAIRMAN MC MAHON: Of those items, of Items #3 and 4 there?

MR. COTUGNO: Yeah, yeah.

CHAIRMAN MC MAHON: Does anyone else have any thoughts? I don't see this being an issue. It's not, you know -- you know, it's not a bar going until four in the morning, so I don't know that we really need to hold it up on those grounds.

MR. THOMAS: No.

CHAIRMAN MC MAHON: Okay. My feeling still is that we should -- I'm going to make a motion that we approve the application as submitted, so long as the applicant adheres to the Building Department guidelines and Department of Health guidelines, as any other applicant would be required to do. Do I have a second for that?

MR. THOMAS: Second.

CHAIRMAN MC MAHON: All in favor?

MR. BURNS: Aye.

MR. COTUGNO: Aye.

MS. GIVEN: Aye.

MR. THOMAS: Aye.
CHAIRMAN MC MAHON: Aye. Motion carries. Okay. Item #3 - 37 Front Street.
Continued discussion and possible motion on the use evaluation for Sprout Natural Parenting Inc., represented by property owner Laura Tancredi. The applicant is proposing to open a natural parenting retail store at 37 Front Street. The property is located in the Waterfront Commercial District and a public hearing is required. This property is not located in the Historic District. This is Suffolk County Tax Map #1001-5.-4-23.1.
Again, I was not here. I was here for the public hearing, which we closed out. I was not here for the continued discussion of the application from there on out. I believe it was -- we may have voted to approve, but it was not actually --
MR. COTUGNO: Right.
CHAIRMAN MC MAHON: -- formally accepted first, so we need to do that again. So I am going to make a motion that we accept the application as submitted. Do I have a second for that?
MR. COTUGNO: Second.
CHAIRMAN MC MAHON: All in favor?
MR. BURNS: Aye.

MR. COTUGNO: Aye.

MS. GIVEN: Aye.

MR. THOMAS: Aye.

CHAIRMAN MC MAHON: Aye. Motion carries.

And then I will then make a motion that we approve the application as submitted. Do I have a second for that?

MR. COTUGNO: Second.

MR. BURNS: Second.

CHAIRMAN MC MAHON: All in favor?

MR. BURNS: Aye.

MR. COTUGNO: Aye.

MS. GIVEN: Aye.

MR. THOMAS: Aye.

CHAIRMAN MC MAHON: Aye. Motion carries.

Item #4 - 621 Main Street and 624 First Street. Continued discussion and possible motion on the preliminary plat submitted by the applicant for the subdivision of property located at 621 Main Street and 624 First Street (the former Methodist Church). Suffolk County Tax Map #1001-2.-6-49.1.

Is there anyone who would like to speak?

(No Response)
CHAIRMAN MC MAHON: Okay. Again, as we had discussed -- I wasn't here for the continued discussion on this, but I was here for the public hearing portion. My feeling is that the subdivision, particularly with the covenant restricting it to one-family homes for the properties, with the understanding that the reason for the covenants, that there is existing nonconformance with the code. And if we're going to with -- particularly with respect to the lot lines and the coverage, it would be in the best interest of the neighborhood as a whole to restrict those properties to single-family homes with the covenant.

Other than that, I think that the subdivision is the highest and best use for the property, and I think it's in the best interest of the Village to allow it to go forward.

Does anyone else have any thoughts or concerns?

(No Response)

CHAIRMAN MC MAHON: This is -- if we vote on this tonight, it would be on the preliminary plat. The final plat, which still need to come back before us and be voted on. Would the
covenants need to be part of the approval this evening, or part of the vote this evening?

    MR. CONNOLLY: You should make that part of the vote this evening, and then they'll get filed at the end of the process with the final plat.

    CHAIRMAN MC MAHON: Okay. Do we -- how specific do we need to be on the wording this evening, because we don't have --

    MR. CONNOLLY: Just say the applicant is to prepare a declaration of covenants and restrictions limiting --

    CHAIRMAN MC MAHON: Okay.

    MR. CONNOLLY: -- the residences to single-family residences, to be filed with the Suffolk County Clerk's Office.

    CHAIRMAN MC MAHON: Okay.

    MR. CONNOLLY: And we'll review it before it gets recorded.

    CHAIRMAN MC MAHON: Okay. So my -- I don't know what the other members of the Board, your feelings are. My feeling is that it should move forward as is.

    MR. COTUGNO: Yes.

    MR. BURNS: Yes.

    CHAIRMAN MC MAHON: Okay. So then I'm
going to make a motion that we approve the preliminary plat with the understanding that the applicant will be required to prepare Declarations of Covenants and Restrictions and file it with the Suffolk County Planning Commission.

MR. CONNOLLY: Clerk's Office.

CHAIRMAN MC MAHON: The?

MR. CONNOLLY: Clerk's Office.

CHAIRMAN MC MAHON: Suffolk County Clerk's Office, restricting the -- each of the new lots to single family homes.

MR. OLINKIEWICZ: I just -- one other question. So when the preliminary plat is approved, right, before I bring the final plat in, I have to take down the back of the church and I have to move the garage, right, and have that all set and then surveyed out and done; is that correct? Because I can't finish the final plat with still having the back of the church building there, because it has too much lot coverage. So I have to remove the back of the church, I have to do the demolition, I have to move the garage to bring everything in conformance with what the plan we applied for
before I make the final plat; is that correct?

   MR. CONNOLLY: I don't think you have to
   remove prior to having the final plat.

   MR. OLINKIEWICZ: Once it's recorded in
   Suffolk County? I'm just -- I'm unsure, so I
   just -- I wanted everybody to be on the same
   page.

   MR. CONNOLLY: I'm not positive about that.

   MS. WINGATE: I think --

   CHAIRMAN MC MAHON: Yeah. I'm not familiar
   with how it would be recorded in Suffolk County.
   I don't know at what stage it would need -- I
don't know at what stage that would need to be
recorded and finalized with them.

   MR. OLINKIEWICZ: So would one of the
   conditions, then, of the subdivision being
   approved would be the removal of the back of
   the church and moving of the garage, this
   subdivision being completed?

   MR. CONNOLLY: No. The subdivision is
   just the --

   MS. WINGATE: The lots.

   MR. CONNOLLY: Yeah, it's just that the
   lots that are being created. It doesn't --

   MR. OLINKIEWICZ: The only reason why I
CHAIRMAN MC MAHON: If you could come up here, just because she has to be able to see your lips to be able to --

MR. OLINKIEWICZ: Yeah. I didn't need to make it a bigger issue, I was just -- right. The creation of the three lots is just the land. But what happens is, is that if the back of the church is not demolished before we finish the subdivision, now that lot has too much lot coverage, which then could -- does that -- that doesn't affect me to have to go to Zoning or anything else like that? I just want to make sure, because I don't want to have a curve ball thrown in months from now.

MR. CONNOLLY: No. Actually, where there's locations on the maps that says, you know, structure to be removed --

MR. OLINKIEWICZ: Right.

MR. CONNOLLY: -- or portions of structure to be removed.

MR. COTUGNO: It says that already, doesn't it.

MS. GIVEN: Yeah.

MR. OLINKIEWICZ: Right, it says that already, yes. Okay. Thank you. I just wanted
CHAIRMAN MC MAHON: Notice the Suffolk County Department of -- the Clerk's, Suffolk County Clerk's Office.

MR. CONNOLLY: Yes.

CHAIRMAN MC MAHON: Okay. So I will make a motion that we approve the preliminary plat submitted by the applicant for the subdivision of property located at 621 Main Street and 624 First Street, with an understanding that before the application can be -- before the final plat could be considered and approved, Declarations of Covenants and Restrictions need to be filed with the Suffolk County Clerk's Office, and that would -- in that declaration, there would be a covenant in place that each of the lots would then need to be required to be a single-family home, justification for that being the existing nonconformance with the properties and the -- if those properties were then to be used as two-family homes, would create an overdevelopment of the area. Do I have a second for that motion?

MR. COTUGNO: Second.

CHAIRMAN MC MAHON: All in favor?

MR. BURNS: Aye.
MR. COTUGNO: Aye.
MS. GIVEN: Aye.
MR. THOMAS: Aye.
CHAIRMAN MC MAHON: Aye. Motion carries.

Item #5 - Front and Third Streets.

Continued discussion and possible motion on the application of Dan Pennessi, President of SAKD, LLC. Dan Pennessi is before the Board to discuss proposed uses and development of the site located at the corner of Front and Third Streets. The Zoning Board of Appeals has granted the six variances requested to develop the proposed site. The property is located in the Waterfront Commercial District, and the proposed uses for the site are conditional uses. Suffolk County Tax Map #1001-5.-4-5.

We have discussed this application at length a number of times. We have -- what's been prepared is a Findings and Determinations that outline the proposed use for the property, the variances held therein, and the -- any restrictions that have been placed on the property, I believe.

And also states that Zoning Board of Appeals determined this was an Unlisted Action,
and completed the SEQRA portion of the application, and it was referred to the Suffolk County Planning Commission as well.

Coordinated review was conducted and circulated between the various Boards and each of the parties.

And it has a number of conditions relating to hours of deliveries, use of the roof, condition that it is actually required of -- already required of all businesses for no outside music or voice amplification. That it will adhere to the Village of Greenport Zoning Code Section 150-11(D), and Subsection E.

And before issuance of a building permit, the applicant shall apply for and obtain all necessary approvals from the Suffolk County Department of Health Services.

All this is detailed in the Findings and Determinations, dated May 4th, 2017. That will be introduced into the public record as part of the application.

Is there any discussion on this application?

(No Response)

CHAIRMAN MC MAHON: Okay. I will -- so I
am going to make a motion that we approve the
application as detailed in the Findings and
Determinations, dated May 4th, 2017. Do I have a
second for that?

MR. BURNS: Second.
MR. THOMAS: Second.
CHAIRMAN MC MAHON: All in favor?
MR. BURNS: Aye.
MR. THOMAS: Aye.
CHAIRMAN MC MAHON: Aye. Motion carries.

Item #6 - Motion to accept the minutes of
April 6th, 2017 Planning Board meeting. Do I
have a second for that?

MR. BURNS: Second.
CHAIRMAN MC MAHON: All in favor?
MR. BURNS: Aye.
MR. COTUGNO: Aye.
MS. GIVEN: Aye.
MR. THOMAS: Aye.
CHAIRMAN MC MAHON: Aye. Motion carries.

Item #7 - Motion to approve the minutes of
the March 30th, 2017 Planning Board meeting. Do
I have a second for that?

MR. THOMAS: Second.
CHAIRMAN MC MAHON: All in favor?
MR. BURNS: Aye.
MR. COTUGNO: Aye.
MS. GIVEN: Aye.
MR. THOMAS: Aye.

Item Number #8 - Motion to schedule the Planning Board Work Session for May 25th, 2017. Do we want to keep the meeting at 4 p.m., or do we want to move it to 5? Does anyone have thoughts on this?

MR. COTUGNO: I'm okay with 4.
MS. GIVEN: Four.
CHAIRMAN MC MAHON: Four? Okay. So we will schedule our next Planning Board Work Session for May 25th, 2017 at 4 p.m. at the firehouse. Do I have a second for that?

MR. BURNS: Second.
CHAIRMAN MC MAHON: All in favor?
MR. BURNS: Aye.
MR. COTUGNO: Aye.
MS. GIVEN: Aye.
MR. THOMAS: Aye.
CHAIRMAN MC MAHON: Aye. Motion carries.

Item #9 - Motion to schedule the Planning Board Regular Session 5/4/17
Board Regular Session for June 1st, 2017 at
4 p.m. Do I have a second for that?

MS. GIVEN: Second.
CHAIRMAN MC MAHON: All in favor?
MR. BURNS: Aye.
MR. COTUGNO: Aye.
MS. GIVEN: Aye.
MR. THOMAS: Aye.
CHAIRMAN MC MAHON: Aye. Motion carries.

Item #10 - Motion to adjourn. Do I have a second for that?

MS. GIVEN: Second.
CHAIRMAN MC MAHON: All in favor?
MR. BURNS: Aye.
MR. COTUGNO: Aye.
MS. GIVEN: Aye.
MR. THOMAS: Aye.
CHAIRMAN MC MAHON: Aye. Motion carries.

Thank you very much.
(The meeting was adjourned at 5:14 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 May 4, 2017.

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 13th day of May, 2017.

______________
Lucia Braaten

Lucia Braaten

Flynn Stenography & Transcription Service
(631) 727-1107
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### Session 727

**Agenda Items:**

- Action Items
- Consent Agenda
- New Business
- Old Business
- Other Business
- Adjournment

**Action Items:**

- Approve the minutes of the previous meeting.
- Amend the agenda as necessary.
- Discuss and vote on the proposed bylaws changes.

**Consent Agenda:**

- Review and approve the following reports:
  - Financial Report
  - Planning Report
  - Zoning Report

**New Business:**

- Discussion on the impact of recent weather conditions on the community.
- Update on the construction progress of the new community center.

**Old Business:**

- Review of the committee's recommendations for the upcoming fiscal year.
- Discussion on the proposed changes to the community's zoning regulations.

**Other Business:**

- Discussion on the potential impact of a new businesses on the local economy.
- Review of the community's environmental impact assessment.

**Adjournment:**

- Adjournment of the meeting at the convenience of the Board.

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**Planning Board Regular Session 5/4/17**

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