

1 VILLAGE OF GREENPORT
 2 COUNTY OF SUFFOLK STATE OF NEW YORK
 3 -----x
 4 PLANNING BOARD
 5 REGULAR SESSION
 6 -----x

7
 8 May 4, 2017
 9 4:00 p.m.
 10
 11 Third Street Firehouse
 12 Greenport, New York
 13

14
 15 B E F O R E:
 16 DEVIN McMAHON - CHAIRMAN
 17 BRADLEY BURNS - MEMBER
 18 JOHN COTUGNO - MEMBER
 19 MARY GIVEN - MEMBER
 20 NOAH THOMAS - MEMBER
 21
 22 ROBERT M. CONNOLLY, ESQ. - PLANNING BOARD ATTORNEY
 23 EILEEN WINGATE - VILLAGE BUILDING INSPECTOR
 24 KRISTINA LINGG - BUILDING CLERK
 25

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1 (The meeting was called to order at 4:39 p.m.)

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

6 The first item is continuance or continued
7 public hearing regarding the preliminary plat as
8 submitted by the applicant, James Olinkiewicz,
9 for the subdivision of property located at 621
10 Main Street and 624 First Street - the former
11 Methodist Church. This is Suffolk County Tax Map
12 #1001-2.-6-49.1.

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

15 MR. DOWLING: Chris Dowling, 617 First
16 Street.

17 Just a question. I know there were a lot
18 of people here at the last meeting asking
19 questions about this. And I know a lot of people
20 talked about the possibility of putting a
21 covenant to restrict it to single-family homes on
22 all three lots after dividing. I'd just like to,
23 you know, put that forward again, that, you know,
24 the other residents of the area would appreciate
25 that, hopefully, keep the density down on our

1 street, including parking, just general usage,
2 especially because the parsonage right now has --
3 the owner has stated four cars in it, the parking
4 lot every night. Once this is subdivided, that
5 parking lot is a separate piece of property
6 without it, and the parsonage has no driveway
7 parking. Now there's four cars on the street
8 there filling the street.

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

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

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

23 CHAIRMAN MC MAHON: I know Mr. Corwin made
24 the case last week that dividing the lot, there's
25 some introduction of nonconformance. I have a

1 different opinion. We've had this conversation
2 in public a few times on several different
3 applications. I have a different interpretation
4 of the code than he does. I don't know if our
5 Attorney has a different opinion on that.

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

17 I mean, that's -- again, I don't know how
18 the other members of the Board feel, but that's
19 my personal interpretation of the code, is
20 preexisting, non -- same thing with the setbacks
21 on that same property. If it were to be -- you
22 know, there is nonconformance with regards to
23 setbacks in a couple of different areas. My
24 personal opinion is that's preexisting
25 nonconformance. That wouldn't be required to be

1 amended before a new use could take place, but --

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

7 MR. COTUGNO: I agree with the Chairperson.

8 MR. BURNS: I do, too.

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

13 MR. DOWLING: Okay.

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

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

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

25 Again, it is also -- I know several people

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

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

19 CHAIRMAN MC MAHON: Thank you.

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

23 So I can again reiterate the church is
24 going to be a one-family residence, the parsonage
25 is going to be a one-family residence, and it's

1 my intention to build a one-family residence on
2 the blank lot.

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

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

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

18 MR. OLINKIEWICZ: Right.

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

1 the condition and the -- between the condition
2 and the approval.

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

15 CHAIRMAN MC MAHON: Sure.

16 MR. OLINKIEWICZ: -- at any time, so -- and
17 I understand that when we've gone and applied for
18 other subdivisions, when the lot size was
19 smaller, there was a restriction put in on the
20 Village Code that said that anything under the
21 7500 square feet had to only have a one-family
22 home on it. So --

23 CHAIRMAN MC MAHON: For me, the logical
24 nexus between the two would be the existing
25 nonconformance of the lots, particularly with at

1 least three -- at least two of the three lots,
2 would be that they have preexisting
3 nonconformance to the code, and expansion of the,
4 then, third lot would create an overburdened
5 area, because it is -- you know, the creation of
6 the new lot is dependent on the creation of the
7 other two lots as well where you're introducing
8 -- well, you're not introducing nonconformance,
9 but there is existing nonconformance with regards
10 to lot coverage and setbacks for two of the three
11 properties.

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

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

23 I have no problem putting the covenants on
24 them, but my only worry is down the line when I
25 sell. What happens if somebody that buy wants

1 convert it to a two-family, can they then come
2 back to the Board and request that for a
3 variance, or what would happen? I'm just -- I'm
4 looking down, 20 years down the line.

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

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

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

25 MR. OLINKIEWICZ: Right, right. And like I

1 said, I have to problems with the covenants. So
2 the covenants are somebody who buys from me could
3 come back and request to make it a two-family
4 would have to go back in front of the Planning
5 Board and then would have to go back in front of
6 the Zoning Board as well?

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

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

12 And just so everybody understands, when
13 that subdivision is completed, or if we get that
14 far, the parking lot that is there will be used
15 kind of as a staging ground for the demolition of
16 the back of the church. As the trucks are
17 working their way out of the back, we plan on
18 pulling that whole parking lot up as we go,
19 because we don't need it there. We're going to
20 leave a single driveway along the edge of the
21 property line that's blacktop for the future
22 driveway for the new house, but we're going to
23 take the rest of the parking lot out as we go.
24 So there will not be this huge parking area that
25 people in the neighborhood have to worry about,

1 and we have to screen it, or anything else like
2 that. That is going at the same time of
3 demolition. Okay? Appreciate it. Thank you.

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

6 (No Response)

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

11 CHAIRMAN MC MAHON: Okay.

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

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

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

23 CHAIRMAN MC MAHON: I don't know that.

24 MR. OLINKIEWICZ: So, I mean, I have no
25 problem pulling up the blacktop, but is it my

1 responsibility to rebuild the Village sidewalks
2 for them, or would that be the Village rebuilding
3 the curbs and the sidewalks? Just a question.

4 CHAIRMAN MC MAHON: I don't know that.

5 MR. OLINKIEWICZ: Do you know that answer?

6 MS. WINGATE: Well, we do it both ways.
7 But in the case of such a large construction, we
8 always hold the property owner and contractor
9 responsible for repairing our sidewalks upon
10 completion of their construction.

11 MR. OLINKIEWICZ: Okay, good. Thank you.

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

15 (No Response)

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

20 T (No Response)

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

1 MR. COTUGNO: Second.

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

4 MR. COTUGNO: Second.

5 CHAIRMAN MC MAHON: All in favor?

6 MR. BURNS: Aye.

7 MR. COTUGNO: Aye.

8 MS. GIVEN: Aye.

9 MR. THOMAS: Aye.

10 CHAIRMAN MC MAHON: Aye. Motion carries.

11 Going to the rest of agenda, applications:

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

22 Is there a representative of the applicant
23 here this evening?

24 MR. KIMACK: Yes. Michael Kimack, for the
25 applicant. Are there any questions of me?

1 CHAIRMAN MC MAHON: No. My understanding
 2 here is that because the proposed subdivision
 3 would introduce nonconformance, that we would
 4 have to -- if we accepted the application, then
 5 deny it, and refer it to the ZBA, we're --

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

11 CHAIRMAN MC MAHON: Denial.

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

13 CHAIRMAN MC MAHON: Okay.

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

16 CHAIRMAN MC MAHON: So my understanding is
 17 that --

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

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

24 MR. KIMACK: And deny it and send it over
 25 to the Zoning --

1 CHAIRMAN MC MAHON: Well, to give you the
2 opportunity to appeal to the Zoning Board,
3 anyway.

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

6 CHAIRMAN MC MAHON: Okay.

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

9 MS. WINGATE: It's changed.

10 MR. KIMACK: Pardon?

11 MS. WINGATE: Well, it's changed.

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

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

16 MR. KIMACK: Brand new application?

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

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

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

24 MR. KIMACK: Yes, that's what my
25 understanding was at this point.

1 CHAIRMAN MC MAHON: Okay. So I don't think
2 there's really any sense in getting too much into
3 the details of this, other than to --

4 MR. KIMACK: Apparently not.

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

9 MS. GIVEN: Second.

10 CHAIRMAN MC MAHON: All in favor?

11 MR. BURNS: Aye.

12 MR. COTUGNO: Aye.

13 MS. GIVEN: Aye.

14 MR. THOMAS: Aye.

15 CHAIRMAN MC MAHON: Aye. Motion carries.

16 I will then make a motion to deny the
17 application, as it would introduce nonconformance
18 where there was none. Do I have a second for
19 that?

20 MS. GIVEN: Second.

21 CHAIRMAN MC MAHON: All in favor?

22 MR. BURNS: Aye.

23 MR. COTUGNO: Aye.

24 MS. GIVEN: Aye.

25 MR. THOMAS: Aye.

1 CHAIRMAN MC MAHON: Aye. Motion carries.
2 You are now free to go to the ZBA and appeal your
3 case.

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

6 CHAIRMAN MC MAHON: Thank you very much.

7 MR. KIMACK: Have a good night.

8 MS. GIVEN: Yes, Eileen.

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

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

25 MS. GIVEN: Second.

1 CHAIRMAN MC MAHON: All in favor?

2 MR. BURNS: Aye.

3 MR. COTUGNO: Aye.

4 MS. GIVEN: Aye.

5 MR. THOMAS: Aye.

6 CHAIRMAN MC MAHON: Aye. Motion carries.

7 Thank you.

8 MR. KIMACK: Have a good night.

9 CHAIRMAN MC MAHON: Have a good night.

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

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

23 (No Response)

24 CHAIRMAN MC MAHON: Okay. My understanding
25 was that if the applicant makes the proposed

1 changes, the introduction of sinks, plumbing
2 changes, etcetera, etcetera, and they limit the
3 total occupancy, as I believe they had intended
4 to do, then it would be a fairly straightforward
5 application. Is that correct? Are there any
6 issues that were raised last meeting that --

7 MR. COTUGNO: Right.

8 CHAIRMAN MC MAHON: No?

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

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

15 MR. CONNOLLY: Well, it's a use evaluation.
16 It's not a --

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

19 MR. CONNOLLY: No, no SEQRA.

20 CHAIRMAN MC MAHON: Okay.

21 MR. CONNOLLY: It's a use evaluation.

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

24 (No Response)

25 CHAIRMAN MC MAHON: No? I do not

1 personally. So my recommendation is that we --
2 did we accept this application at the last
3 meeting?

4 MR. COTUGNO: I thought we did.

5 MS. LINGG: No.

6 CHAIRMAN MC MAHON: We had an acceptance?

7 MS. LINGG: No.

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

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

13 MR. THOMAS: Second.

14 MS. GIVEN: Second.

15 CHAIRMAN MC MAHON: All in favor?

16 MR. BURNS: Aye.

17 MR. COTUGNO: Aye.

18 MS. GIVEN: Aye.

19 MR. THOMAS: Aye.

20 CHAIRMAN MC MAHON: Aye. Motion carries.

21 If there are no other issues, simply use
22 evaluation application, not a full site plan
23 application, no need for a SEQRA determination, I
24 don't have any issue with the proposed use. It
25 doesn't seem as if anyone else does. So I will

1 make a motion that we accept the application as
2 submitted. Of course they will need to adhere to
3 all the Building Department guidelines and other
4 issues.

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

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

19 (No Response)

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

25 MR. COTUGNO: Yeah. I would approve it

1 subject to the Building Department approval of
2 those.

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

5 MR. COTUGNO: Yeah, yeah.

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

12 MR. THOMAS: No.

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

20 MR. THOMAS: Second.

21 CHAIRMAN MC MAHON: All in favor?

22 MR. BURNS: Aye.

23 MR. COTUGNO: Aye.

24 MS. GIVEN: Aye.

25 MR. THOMAS: Aye.

1 CHAIRMAN MC MAHON: Aye. Motion carries.

2 Okay. Item #3 - 37 Front Street.

3 Continued discussion and possible motion on the
4 use evaluation for Sprout Natural Parenting Inc.,
5 represented by property owner Laura Tancredi.
6 The applicant is proposing to open a natural
7 parenting retail store at 37 Front Street. The
8 property is located in the Waterfront Commercial
9 District and a public hearing is required. This
10 property is not located in the Historic District.
11 This is Suffolk County Tax Map #1001-5.-4-23.1.

12 Again, I was not here. I was here for the
13 public hearing, which we closed out. I was not
14 here for the continued discussion of the
15 application from there on out. I believe it was
16 -- we may have voted to approve, but it was not
17 actually --

18 MR. COTUGNO: Right.

19 CHAIRMAN MC MAHON: -- formally accepted
20 first, so we need to do that again. So I am
21 going to make a motion that we accept the
22 application as submitted. Do I have a second for
23 that?

24 MR. COTUGNO: Second.

25 CHAIRMAN MC MAHON: All in favor?

1 MR. BURNS: Aye.

2 MR. COTUGNO: Aye.

3 MS. GIVEN: Aye.

4 MR. THOMAS: Aye.

5 CHAIRMAN MC MAHON: Aye. Motion carries.

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

9 MR. COTUGNO: Second.

10 MR. BURNS: Second.

11 CHAIRMAN MC MAHON: All in favor?

12 MR. BURNS: Aye.

13 MR. COTUGNO: Aye.

14 MS. GIVEN: Aye.

15 MR. THOMAS: Aye.

16 CHAIRMAN MC MAHON: Aye. Motion carries.

17 Item #4 - 621 Main Street and 624 First
18 Street. Continued discussion and possible motion
19 on the preliminary plat submitted by the
20 applicant for the subdivision of property located
21 at 621 Main Street and 624 First Street (the
22 former Methodist Church). Suffolk County Tax Map
23 #1001-2.-6-49.1.

24 Is there anyone who would like to speak?

25 (No Response)

1 covenants need to be part of the approval this
2 evening, or part of the vote this evening?

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

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

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

12 CHAIRMAN MC MAHON: Okay.

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

16 CHAIRMAN MC MAHON: Okay.

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

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

23 MR. COTUGNO: Yes.

24 MR. BURNS: Yes.

25 CHAIRMAN MC MAHON: Okay. So then I'm

1 going to make a motion that we approve the
2 preliminary plat with the understanding that the
3 applicant will be required to prepare
4 Declarations of Covenants and Restrictions and
5 file it with the Suffolk County Planning
6 Commission.

7 MR. CONNOLLY: Clerk's Office.

8 CHAIRMAN MC MAHON: The?

9 MR. CONNOLLY: Clerk's Office.

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

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

1 before I make the final plat; is that correct?

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

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

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

9 MS. WINGATE: I think --

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

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

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

22 MS. WINGATE: The lots.

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

25 MR. OLINKIEWICZ: The only reason why I

1 ask is because --

2 CHAIRMAN MC MAHON: If you could come up
3 here, just because she has to be able to see your
4 lips to be able to --

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

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

19 MR. OLINKIEWICZ: Right.

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

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

23 MS. GIVEN: Yeah.

24 MR. OLINKIEWICZ: Right, it says that
25 already, yes. Okay. Thank you. I just wanted

1 to make sure. Thank you.

2 CHAIRMAN MC MAHON: Notice the Suffolk
3 County Department of -- the Clerk's, Suffolk
4 County Clerk's Office.

5 MR. CONNOLLY: Yes.

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

23 MR. COTUGNO: Second.

24 CHAIRMAN MC MAHON: All in favor?

25 MR. BURNS: Aye.

1 MR. COTUGNO: Aye.

2 MS. GIVEN: Aye.

3 MR. THOMAS: Aye.

4 CHAIRMAN MC MAHON: Aye. Motion carries.

5 Item #5 - Front and Third Streets.

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

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

24 And also states that Zoning Board of
25 Appeals determined this was an Unlisted Action,

1 and completed the SEQRA portion of the
2 application, and it was referred to the Suffolk
3 County Planning Commission as well.

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

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

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

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

22 Is there any discussion on this
23 application?

24 (No Response)

25 CHAIRMAN MC MAHON: Okay. I will -- so I

1 am going to make a motion that we approve the
2 application as detailed in the Findings and
3 Determinations, dated May 4th, 2017. Do I have a
4 second for that?

5 MR. BURNS: Second.

6 MR. THOMAS: Second.

7 CHAIRMAN MC MAHON: All in favor?

8 MR. BURNS: Aye.

9 MR. THOMAS: Aye.

10 CHAIRMAN MC MAHON: Aye. Motion carries.

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

14 MR. BURNS: Second.

15 CHAIRMAN MC MAHON: All in favor?

16 MR. BURNS: Aye.

17 MR. COTUGNO: Aye.

18 MS. GIVEN: Aye.

19 MR. THOMAS: Aye.

20 CHAIRMAN MC MAHON: Aye. Motion carries.

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

24 MR. THOMAS: Second.

25 CHAIRMAN MC MAHON: All in favor?

1 MR. BURNS: Aye.

2 MR. COTUGNO: Aye.

3 MS. GIVEN: Aye.

4 MR. THOMAS: Aye.

5 CHAIRMAN MC MAHON: Aye. That motion
6 carries.

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

12 MR. COTUGNO: I'm okay with 4.

13 MS. GIVEN: Four.

14 CHAIRMAN MC MAHON: Four? Okay. So we
15 will schedule our next Planning Board Work
16 Session for May 25th, 2017 at 4 p.m. at the
17 firehouse. Do I have a second for that?

18 MR. BURNS: Second.

19 CHAIRMAN MC MAHON: All in favor?

20 MR. BURNS: Aye.

21 MR. COTUGNO: Aye.

22 MS. GIVEN: Aye.

23 MR. THOMAS: Aye.

24 CHAIRMAN MC MAHON: Aye. Motion carries.

25 Item #9 - Motion to schedule the Planning

1 Board Regular Session for June 1st, 2017 at
2 4 p.m. Do I have a second for that?

3 MS. GIVEN: Second.

4 CHAIRMAN MC MAHON: All in favor?

5 MR. BURNS: Aye.

6 MR. COTUGNO: Aye.

7 MS. GIVEN: Aye.

8 MR. THOMAS: Aye.

9 CHAIRMAN MC MAHON: Aye. Motion carries.

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

12 MS. GIVEN: Second.

13 CHAIRMAN MC MAHON: All in favor?

14 MR. BURNS: Aye.

15 MR. COTUGNO: Aye.

16 MS. GIVEN: Aye.

17 MR. THOMAS: Aye.

18 CHAIRMAN MC MAHON: Aye. Motion carries.

19 Thank you very much.

20 (The meeting was adjourned at 5:14 p.m.)
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