VILLAGE OF GREENPORT
COUNTY OF SUFFOLK : STATE OF NEW YORK

PLANNING BOARD
WORK SESSION

Via Video Conferencing
June 4, 2020
4:00 p.m.

BEFORE:
WALTER FOOTE - CHAIRMAN (Absent)
PATRICIA HAMMES - ACTING CHAIR
JOHN COTUGNO - MEMBER
LILY DOUGHERTY-JOHNSON - MEMBER
REED KYRK - MEMBER

JOSEPH PROKOP - VILLAGE ATTORNEY
ROBERT CONNOLLY - PLANNING BOARD ATTORNEY
PAUL PALLAS - VILLAGE ADMINISTRATOR
(The meeting was called to order at 4:16 p.m.)

ACTING CHAIR HAMMES: All right. Walter's not going to be here today. He's asked me to act as Acting Chair in his -- in his absence. And so I think we have everybody we need to get started, unless Paul tells me otherwise.

So good afternoon. It's 4 p.m. on June 4th, 2020. This is the Village of Greenport Planning Board and Work Session. As mentioned, Walter Foote, Chairman of the Board, is unable to attend this meeting, and, therefore, has asked that I ask -- act in his stead as Chair. Today's meeting is being held via GoToMeeting.

Paul, Rob, anything else I need to start us up?

MR. CONNOLLY: No, you've got it.

ACTING CHAIR HAMMES: Okay. We're going to hold over Item No. 1 on the agenda, which is the acceptance and approval of the May 20th Planning Board meeting minutes, since we haven't received them yet.

So I have Item No. 2 on the agenda is a motion to schedule our -- the Planning Board's next regular meeting for 4 p.m. on June 25th, 2020. Do I have a second?
MEMBER COTUGNO: Second.

ACTING CHAIR HAMMES: All those in favor? Aye.

MEMBER COTUGNO: Aye.
MEMBER DOUGHERTY-JOHNSON: Aye.
MEMBER KYRK: Aye.

ACTING CHAIR HAMMES: Okay. We will schedule that meeting for June 25th.

The next item on the agenda is Item No. 3, regarding 110 South Street. This is a Public Hearing regarding a site plan approval for the application of 110 South Street Greenport Inc., represented by James -- I know I'm going to butcher your last name. Olin --

MR. OLINKIEWICZ: Olinkiewicz.

ACTING CHAIR HAMMES: Olinkiewicz.

The applicant proposes to convert the existing basement to office/storage space for the building owner, without any retail or public access. This property is located in the C-R (Retail Commercial) District and is not located in the District -- in the Historic District. It is Suffolk County Tax Map #1001-4.-6-34.6.

So I know that the -- I wasn't at the pre-submission hearing on this, but I did go
through the meeting, the -- I guess the -- I read
the minutes from that meeting, and it sounded
like there were a couple of concerns that had
been raised. One, Lily, you had brought up
parking, and, John, I know you were concerned
about kind of once it was an office, always it
would be an office.

MEMBER COTUGNO: Correct.

ACTING CHAIR HAMMES: And there was
discussion about putting some limitations around
any approval on that. But I guess before we get
into all of that, we should see if there's
anybody on from the public that has any questions
or concerns. Okay.

ADMINISTRATOR PALLAS: Madam Chair, if
I may.

ACTING CHAIR HAMMES: Yeah.

ADMINISTRATOR PALLAS: Madam Chair, if I
may, I just want to point as well that there were
no comments received by email in advance of this
meeting.

ACTING CHAIR HAMMES: Okay. All right. I
don't know, John or Lily, if you had anymore --
given anymore thought to your comments from the
last meeting or --
MR. OLINKIEWICZ: Would you like me --
would you like me to speak on the issue first?

ACTING CHAIR HAMMES: Sure, go ahead, Jim.

MR. OLINKIEWICZ: Okay. So hi, everybody.

Glad to see everybody's healthy, nice to see everybody. Kind of a weird way to be doing things, but, you know, life goes on and we keep going.

So what happened is, is that I was building 110-112 South Street, which was approved by the Planning Board, Zoning Board.

MS. BRAATEN: I'm sorry, could you hold on one second.

MR. OLINKIEWICZ: Yeah.

MS. BRAATEN: There's somebody on that has a lot of background noise and I can't hear very well. I think it's Rob.

MR. CONNOLLY: I'm in a locked room.

MR. BROWN: Is that better?

MS. BRAATEN: A little better, thanks.

MR. OLINKIEWICZ: Is that any better?

MS. BRAATEN: Yes, thanks.

MR. OLINKIEWICZ: So I had gotten Planning and Zoning Board for 110-112 South Street. So the original plans it called for that out of the
basement areas that were in the building for storage.

The North Fork Housing Alliance that had been there, who had rented from the Village, and then the rehab center that had rented from the Village, the basement area had been finished. It had been sheetrocked, it had electrical in it, they had a refrigerator down there, they had washer, dryer. They had had a flood, so they cut the sheetrock up four feet along the bottom area to take care of that. There's a -- there were a couple sewer ejector pumps down there for pumping water out. So when I built the building, I thought it would be a great place just to have storage.

So, in the meantime, I sold my house on Shelter Island, I moved into the church over here in Greenport. Liz, who was managing and having her management work space for my rental properties was in my house on Shelter Island, which was an approved use. When I came over to the church, in the zoning you're allowed to have a home office with somebody working there in your house as well. So we had -- it was her manager's work space was here.
In the process, as everybody knows, CAST has come to you guys and the Zoning Board to purchase the church from me. They had come to me a while back, we had this whole conversation, we worked out a deal, because this building was here to service --

(Background Audio)

MR. OLINKIEWICZ: This building was here to serve the community for 120 years. I thought that it would be a good fit to go back to serve the community.

So Liz and I, when we were here for the -- for the number of months, realized how much having a spot for a manager's work space in Greenport was like ahhh, right? It just -- it made everything so much easier. So whenever there was a Village issue, we were notified, someone could be there immediately, a tenant's issue, somebody could be there immediately. We could take care of any problems that we had. And because I have a number of rentals in the Village, it seemed like we should facilitate that.

I was -- so I thought about, okay, I got the storage space downstairs, I'm allowed to use
it. Can I -- I'm just going to finish it up and
use it as my, manager's work spaces, solely for
myself and Liz, right, just because we need -- we
need to manage that and manage all the rentals
and be there.

Now Liz is in five days a week, sometimes
six, from 7 in the morning until 2, 2:30 in the
afternoon. Most of the time she parks -- I can't
say most of the time. Half of the time she parks
in Shelter Island and walks across, because all
the properties are in close proximity around
here. If she has to go out and walk and see a
tenant, she has to report in for whoever needs
inspections, whether Greg's doing rental property
inspections, or whatever happens with the
Village, it just makes everything so much
simpler, and gives us a much better product, and
gives us a much better sense of what's going on
in the Village, and to keep our properties
managed well, right?

There's not -- there's not a single other
rental group here that has a manage -- manages
their space in the Village. So we like to be
onsite. So it seemed like a -- the perfect fit,
right, to put it -- to put it there, because it's
only us.

It didn't need ADA standards, because we sent you the letter from our -- from the Engineer stating why that it didn't need ADA standards, because it was just a personal work space for us, used. It also houses some of my antiques from my antique company. It houses my extra lights, and toilets, and everything that we need for the rentals if there's an emergency, because in the past, I was using a barn on one of my properties, and a couple of neighbors had complained about that, that I was using it for a business, it wasn't business-owned. So we thought that this was the perfect fit.

So I didn't even think that there was going to be any issue about it. If I had, I would have just gone to Greg and said, "Hey, I'm going to make this an office work space." But it was already for storage, and I'm the owner and the owner was going to use it, so I didn't think that there was any real issue with that. So I'm finding that there seems to be an issue. So we're here in front of the Board so we can -- we can close it, hopefully, settle it out.

Anything else? So it is not for public
access. We do not have tenants all come down there. We don't have plumbers, electricians everybody come in. We go out of the office, so it's -- I mean, okay. My son, who lives on the second floor of that building, does come downstairs and visit me when I'm there, okay, because he lives in one of the apartments up on 110 South Street, so there is -- he comes downstairs at times. But the majority of it is just Liz and I the whole time, and Liz does that, she takes care of all the books, all the banking, all the -- goes out and collects the rents, meets -- and does all the meetings, so it just facilitates everything so much better.

We have -- I have no problem putting restrictions on it that it can only be our work space for managing the rental company, all right? I have no problems with that. It just makes it -- makes us be able to provide a better situation for the Village.

And that's it. Does anybody have any questions?

ACTING CHAIR HAMMES: I don't. I don't know. Lily or John, are we --

MEMBER COTUGNO: Yeah. When I saw that
letter from the Engineer from Florida, my
suggestion was to get the opinion of the State --
the New York State Building Codes Division.

MR. OLINKIEWICZ: Well, if you look at the
Engineer's letter, the letter of the Engineer is
State of New York Certified Professional
Engineer. He's a licensed Engineer in the State
of New York. So he --

MEMBER COTUGNO: I know, that's his
opinion. I think we should get the opinion of
the State of New York.

MR. OLINKIEWICZ: Whether -- whether my
office worker needs to have -- have ADAA? If
you're going to make me ADAA, if that's the case,
then I'm going to file to make it a full-time
office, then, because there's no reason not to,
right? If I -- to ADAA it, you know, it's myself
and my Office Manager. It clearly states, and he
gave you the area in the 2010 ADA Code you guys
can read and stuff like that. So -- and if it's
going to be for personal use of the property
owner, it will not to be open to the public, it's
not subject at all to ADA rules.

MR. CONNOLLY: Paul, that's something that
the Building Department would review, correct?
ADMINISTRATOR PALLAS: Yes, we -- and we did review it, and we -- you know, based on our review, and Title, I believe it's Title 3 of the -- of the ADA laws, that if it's -- if it's not for -- if it's not for public use, then it's not required. That's -- it's relatively clear to us that that's the case. I would, however, if is -- put a -- recommend or suggest a caveat or a condition on the approval that if it's converted to any public space, that it come in full compliance with ADA. Just so that it's clear, if any conversion or any other work is done there, that the file is complete, that it would require that at that time.

MR. OLINKIEWICZ: I agree a thousand percent.

ACTING CHAIR HAMMES: Paul, wouldn't they have to come back to us at this time if we limit it to not being open to the public? You know, it just seems kind of strange if they have to come back to us anyway.

ADMINISTRATOR PALLAS: Well, if you're -- I'm sorry, Madam Chair, are you asking me?

ACTING CHAIR HAMMES: Yeah.

ADMINISTRATOR PALLAS: Yeah.
ACTING CHAIR HAMMES: Sorry.

ADMINISTRATOR PALLAS: So yes, I mean, it would come back, because the concept would be if it's being used then for public access, it's likely a change of use, which then would require ADA compliance, which would trigger a building permit, which triggers Planning Board review. So a few steps to get there, but, yes, ultimately, that would likely require it to come back to you.

MR. OLINKIEWICZ: Can I just ask a quick question just for my knowledge? I'm just wondering how Brix and Rye did not have ADA access to the bar down in the basement, and that has all public access, and that has 50, 100 people going in there daily when it was open. So I'm just wondering how come there was never ADA put in that?

ACTING CHAIR HAMMES: I can't answer that, that was before my time. But I guess, for what it's worth, I mean, I would be supportive of the request, subject to it being clear that it's for kind of an owner-occupied management office that is not open to the general public.

MR. OLINKIEWICZ: And I have no problem with signing that and agreeing to that at all.
ACTING CHAIR HAMMES: Does anybody else from the Board have a view?

MEMBER COTUGNO: I don't see what the big deal is if they call the man from the State and at least get a verbal over the phone. If you got -- Paul, you know the guy's name in Suffolk, I forgot his name. Rick Smith? I forget his name.

ADMINISTRATOR PALLAS: Yeah, Richard Smith, yes, I do know him.

MEMBER COTUGNO: Great. I would feel more comfortable.

ACTING CHAIR HAMMES: If you're concerned, can't we just also obviously include that it has to be compliant with any -- the use has to be compliant, the physical space has to be compliant with any relevant State requirements regarding the ADA? And then Paul can make that call if he feels it's necessary? Or you want to hold this over until you hear from Paul that he's spoken to somebody at the State?

MEMBER COTUGNO: I wouldn't hold it over, I would just make it subject to him calling the -- Rick from the State. I wouldn't hold it over. There's no reason to hold it over.
ADMINISTRATOR PALLAS: We can -- if it's the Board's request to do that as a condition of this application, we can certainly make that call. Just to be aware, that something like that might be -- normally, they would say that's up to local jurisdiction, but I'm more than happy to at least make the phone call, and either answer, either they agree with us, or they say it's local jurisdiction, ends up in the same place. And if for whatever reason they disagree with us, we will advise the Board immediately.

MEMBER COTUGNO: Sounds good to me.

ACTING CHAIR HAMMES: Reed and Lily, are you okay with proceeding on that basis? Reed, you're on mute. It's on mute.

MEMBER KYRK: Sorry about that. The only niggling doubt I have is right now it's, you know, him and an employee who happens to be this person. In the future, it could be an employee who couldn't be disabled, you know? That's the only -- and this is not that I have a problem with what he's saying, it's I'm wondering what the legal aspects of that would be, you know.

MR. OLINKIEWICZ: It's my understanding that because it's my -- it would be my personal
work space and that person works for me, it
doesn't have to be ADA compliant, because it's
not open to the public.

MEMBER KYRK: Right.

MR. OLINKIEWICZ: Right? So, I mean, we
could speculate that if somebody breaks legs, or
I need to hire somebody that has a disability
later on, and what will happen with that scenario
or not. But even if I do hire somebody that has
a disability, I'm not required to put it in by
State Law. So it's just that, you know, I would
do that as a humanitarian for them, but, you
know, I mean, not -- it's not a -- anything
that's regulated in the law anyway.

MEMBER KYRK: Yeah. The question came out
of my ignorance of the law, not any -- not that I
think it's reasonable, you know. So, as far as
I'm concerned, if we want to just limit it to
personal use, we want to check with Rick, that
everything sounds fine. It sounds like a
perfectly reasonable thing to me. And if it does
improve the service to your clients in Greenport,
it sounds -- it sounds good.

ACTING CHAIR HAMMES: Lily, anything to add?

MEMBER DOUGHERTY-JOHNSON: No, not really.
I mean, I just think parking is always an issue, it's always a question, but it's just always going to be an issue, so I don't think it's a reason to hold it up.

ACTING CHAIR HAMMES: Okay. So I guess, then, do we want to vote to close the public hearing and approve the site plan subject to the -- well, subject to, one, confirmation from the Village Administration that, again, the relevant authorities, maybe confirmed either through them or through their own -- or if they defer to the Village, did their own analysis, so it does not need to comply with the ADA, and then secondly, that it's limited to property management by the property owner and one employee of theirs, with no access to the public?

MEMBER COTUGNO: Yes.

ACTING CHAIR HAMMES: All right. So I guess I -- do I then -- I'll put forth a motion to close the public hearing and to approve it subject to the foregoing. Do I have a second?

MEMBER COTUGNO: Second.

ACTING CHAIR HAMMES: All those in favor? Aye.

MEMBER COTUGNO: Aye.

MEMBER KYRK: Aye.
ACTING CHAIR HAMMES: Lily?
MEMBER DOUGHERTY-JOHNSON: Aye.
ACTING CHAIR HAMMES: I muted you, sorry.
John?
MEMBER COTUGNO: Aye.
ACTING CHAIR HAMMES: Okay. All right.
So moving on on the agenda to Item No. 4, 111 Main Street. This is a continued Public Hearing regarding a site plan approval for the application of PWIB Claudio Real Estate LLC, represented by Architect Robert I. Brown. The applicant proposes interior and exterior renovations for the property located at 111 Main Street. This property is located in the Waterfront Commercial District. This property is also located in the Historic District. It is Suffolk County Tax Map #1001-5.-4-25,38.1,39.
And so I note there was a public hearing, again, at the meeting that I missed I guess back in March, at which time I think there was a lot of discussion on this. I don't know if there's anybody from the public today that wants to comment on this at this point further. It sounded like the comments at the last meeting were all generally favorable.
I know that there was a submission that's dated May 5th. And, Stephen, you're on, right?

MR. LOFFREDO: Yes, I am.

ACTING CHAIR HAMMES: Unfortunately, I wasn't at the last meeting when you presented. Is there something on this May 5th summary that is different from what was discussed at the last meeting?

MR. LOFFREDO: The only changes to the plan outside of technical details, which I'd let Robert reference, was we did have a change to the awning for the veranda, which was resubmitted, and, you know, at the HPC meeting was overwhelmingly approved as a positive change. But outside of that and the additional details that were requested by Mr. Pallas, I don't believe there were any changes. The narration that was done was done as a way to help communicate all the points of the plans to everyone on the Board so that it was clear.

ACTING CHAIR HAMMES: All right. So that was -- that was one of the questions I had. I hadn't had a chance to follow up on this. The Historic Board did approve these plans?

MR. LOFFREDO: Yes, they did last Wednesday.
ACTING CHAIR HAMMES: Okay. And could you maybe give us an update on the status of the discussions on the parking with the high school, and recognizing that we've been in unusual circumstances for the last couple of months?

MR. LOFFREDO: Yeah, that's true. And good afternoon, everyone. Again, it's nice -- it was nice to see everybody last Wednesday that was on that call who's here today, and all of you as well, and everyone's healthy.

My partner, Tora Matsuoka, was working with David Gamberg on a parking arrangement and a beneficial relationship with the high school to help generate revenue for them, as well as allow our employees, which occupy as many as 35 spaces on the property there, and additional parking for some of our fellow restaurateurs, and even the public, if need be.

We actually got to the point where an agreement was drafted by our Attorneys. And I'm not sure whether Tora submitted it to David Gamberg, because that's when all the COVID thing started and the school closed. You know, if need be, we're still anxious, able and willing to
engage in that agreement with the school to provide additional parking as needed to ensure that our guests are comfortable and have access to the property. I know that was an issue.

I know Robert also wants to speak a little bit about the parking. But that was where we had left it, and we're prepared to execute it, if the school can still act, or the Administrator can still act, even though the school is currently closed.

ACTING CHAIR HAMMES: You don't know whether there's been any -- I mean, has anybody tried to reach out to them recently? I mean, I know we now have a new Superintendent as of last week, so.

MR. LOFFREDO: That I was not aware of, and I'm not sure if my partner has reached out. The last conversations he had with David, they were all quite positive. And I think we're waiting for a review of the -- of the contract that we had drafted. And we had gone through discussions with our insurance carriers as well and our Labor Attorneys with regard to employees that may be walking from the parking lot to our property to make sure that they're safe. And, for the most
part, everything that we had researched had come back favorably. So I think it just got wrapped up in COVID, but, again, are anxious and willing to engage the new Administrator to try to get this done.

I'm sure, you know, it would be helpful to the school going forward, especially in light of what's happening with the current tax revenue issues in town and being able to help them out, and, you know, it would just make the property more comfortable for everybody.

ACTING CHAIR HAMMES: So I also know, and, Paul, this is partly going to be a question for you, we got comments, which I think you received, I know probably late in the day today, from KPC, the Planning Consultant to the Board. I don't know if you've had a chance to look at them and have any thoughts on them. I know that you probably didn't get them until late in the day, since we didn't get them until I think this morning.

But the question -- my question for you, really a question for you, Paul, is having read through these, I noted that there's a number of points that the Planner raises about the site
plan missing things, which I would have thought we would have picked up in a prior review. So I just was interested in your view on some of those points, in particular, the points that are highlighted in the description of the code requirements, since I would have thought the Building Department would have already looked at the plans to make sure they were compliant with the requirements.

ADMINISTRATOR PALLAS: Like yourself, I didn't have a lot of time to review them. I'm not sure there were any -- there's not any deep code requirements that I saw, unless I missed something entirely.

ACTING CHAIR HAMMES: Well, if you look at the -- if you look at the KPC writeup, it's in the fourth page in, he basically reprints Section 150-30(D) of the code, and there's certain items that are bolded, which he seems to be implying that the plans are deficient based on those bolded items.

I guess my view off the cuff, not being a technical person -- I'm not an architect, I don't have a background in, you know, building code, and John may have more to say here, since I know
he has more of an expertise in this area. But on
the points that are bbolded, with the exception of
maybe the lighting points, I'm not sure how
important those points are for what the change in
site plan is that we're looking at anyway. But,
obviously, we would want the site plan to be code
compliant and -- but, again, I would have thought
that this would have come up before now if the
Village was concerned that the site plan wasn't
compliant.

MR. BROWN: If I may.

ADMINISTRATOR PALLAS: Sure.

MR. BROWN: This is Rob Brown, and I did
have a chance to briefly review the comments, and
I found most of them to be not really germane to
this project. It was a lot about the grading,
the contours. The property is flat.
The -- we did an informal grade elevation
study way back when -- excuse me -- and found
that the slope -- there was essentially no slope,
that the grade ranged from, you know, about a
foot-and-a-half difference from the highest point
we found to the lowest point we found. Now the
code asked for a 5-foot contour, that's
irrelevant in this case.
The structures, the existing structures are outlined to scale on the plans. I'm just going through the list here.

The metes and bounds are shown, and there was a survey that was submitted to the Village a long time ago.

The sewers, culverts, water lines, electrical lines, all of that is existing, you know, we're not changing any of that, and so we haven't documented any of that.

Existing, other existing development, fences, landscaping, screening, that's all on the site plan. What's there is there. There's not a lot going on in terms of the site. There's no grading going on. Almost all the work is interior to the existing buildings, except for building a couple of decks.

So my personal feeling is that little of this is germane to your deliberations.

ACTING CHAIR HAMMES: And, Rob, I guess that's just from a layperson's point of view what I was saying, although I'm only speaking for myself.

MR. BROWN: That's okay.

ACTING CHAIR HAMMES: But I also wanted --
But I also wanted the Village and the Building Department to weigh in, so that we knew before we went further down this road, whether they thought that there were deficiencies that they would have addressed.

ADMINISTRATOR PALLAS: I will confirm that we did receive a fairly detailed survey. I apologize, it may have been sent out with a prior package to you all. It may have been a while ago, so there maybe one or two members, current members that didn't receive it, and I apologize for that.

I do think a lot of this information, from my memory, I don't have it handy, a lot of this information does exist on that, on that survey.

ACTING CHAIR HAMMES: Well, I guess, Stephen, do you have anything else that you want to say on this at this point? Otherwise, I guess I would open it up to Board discussion.

MR. LOFFREDO: No, not being -- although I do work closely, not only myself, but everyone else on our team do -- does work closely with Rob, be it our New York Architect or the other professionals, our engineers, we always have tried to be as thorough as possible.
And to your point earlier, you know, some of the things that I could understand as I reviewed the report, they seemed to have just sort of come up out now, that we would have hoped would have been presented a little earlier. That said, you know, our goal is always to comply with what the Village requests, and, you know -- you know, I think having had a few other hearings before the Board on this topic already, we certainly have reacted positively in the past whenever anything's been asked of us, and always would continue to do so going forward in the future. I think with everything in front of us now, I think the goal is just to try to continue to drive commerce forward to be positive for the Village, and that's what we hope to do.

ACTING CHAIR HAMMES: Okay. Does anybody on the Board have anything they want to say or questions they want to ask?

MEMBER COTUGNO: I would have Rob Brown respond to the Planner's comments, I guess point by point, and I guess as soon as possible, so then the Planner will get back to us way before the next meeting. Does that make sense?

MR. CONNOLLY: Or would you be -- would the
applicant be able to include that information on
the site plan as a condition?

MR. DESESA: This is Brian DeSesa, Attorney
for the applicant. So I was going to wait and
jump in on that, that if there's anything in that
report, that which we got late, such as a -- you
know, a lighting detail or otherwise, you know, I
would ask that this Board, you know, move forward
with a conditional approval conditioned on that
memo and any other additional information that
would be code compliant or otherwise as to -- in
an effort to try to move this forward, not skirt
any issues.

ACTING CHAIR HAMMES: Thoughts on that,
John, or Reed, or Lily?

MEMBER COTUGNO: Well, this is still going
to go on next month, right?

ACTING CHAIR HAMMES: Well, I mean,
according to the meeting minutes that I wasn't
at, the plan was to vote on this at the next
meeting, which would be this meeting.

MEMBER COTUGNO: That's right.

ACTING CHAIR HAMMES: So I think the
question that I'm hearing from Brian, and,
obviously, Paul, you should weigh, and, Joe, you
should weigh in here to the Village's perspective, is that we would go ahead and approve this if were going to -- or we would have the vote. I don't know how it's going to go, I don't know how the four people on this Board are going to vote. But assuming we approved it, we would approve it conditionally based on, you know, either the comments and this being adequately addressed to the satisfaction probably of the Village, as well as ourselves, prior to the next meeting, I don't know, with, you know, comments on this, on this memo.

ADMINISTRATOR PALLAS: I can -- I will, similar to the prior application, I -- if the Board -- if the Board's pleasure is to move forward with this, I would have no problem, you know, holding back any permits, of course, until whatever conditions the Board set on them were -- you know, were delivered to the Village. I would -- I think that's pretty much always the case.

You know, clearly, in this one, there may be some additional complications, you know, and we certainly would work with the applicant, if it -- if the Board decides to move in that
MR. CONNOLLY: I believe we received their noise mitigation plan, too, from SoundSense.

MR. LOFFREDO: Yeah, I can address that, if you'd like.

MR. DESESA: That's correct, you did.

MR. LOFFREDO: Yeah. We've -- we've already actually executed two of the three points on the property. And there was a letter that we actually just got from our new audio service company on the property. We've already rotated the speakers based on the request of the -- of SoundSense. So we did a simple repositioning of our speakers.

We found out that the limiters that are outlined in the plan actually existed on our new equipment that we installed last year, but we just didn't know it. So they're going to be coming in and setting the limits on the sound based on SoundSense's reports, and we'll comply with that.

Thirdly, we have ordered all the acoustic materials. The factory was shut down for a while, we couldn't do it earlier. We understand that we can't play live music until those panels...
are installed and -- but they're now -- they've
now been ordered, they're en route, and will
be -- the installation is quite easy. So we'll
be complying with all the points in that acoustic
report that was issued and previously distributed
to the Board.

MR. CONNOLLY: You know what, would you be
able to update your sound mitigation, you know,
as your buffering plan, and submit that to the
Village just as a condition?

MR. DESESA: That has been. Oh, go ahead,
Stephen, sorry.

MR. LOFFREDO: No, go ahead. Yeah, we --
actually there was the -- the plan that was
presented to the Board was the preliminary plan
at our last hearing, and I just can't remember if
it was the end of February. I know that our --
or it was the early March hearing, but we did
submit it. And then the final plan was issued,
and I forwarded that to Rob, and he's -- if he
hasn't already distributed it to the Village, he
certainly will right now. It was just a more
detailed version of what was previously
submitted.

What needs to be done are the same points,
it just had more technical details with regard to 
reverberations and sound transfer and materials 
on the property. But we're -- it definitely 
could be a condition. I believe it is a 
condition. It's already been stated that it 
would have to be a condition of our permits being 
issued.

MR. DESESA: That's correct.

ADMINISTRATOR PALLAS: If I may,

Madam Chair. I -- again, I will confirm that we 
did receive a significant amount of material 
today from the architects. It's a significant 
amount of material to review. It gets very deep 
in the weeds on the sound mitigation, and I -- 
again, I just scratched the surface of it. But, 
once again, I can certainly make that -- if you 
make that review and subsequent approval by the 
Village a condition, I'm more than happy to do 
that. We may require some expert assistance on 
it, but, again, I've barely looked it, as it just 
came in. I just wanted to note that for you.

MS. DOUGHERTY-JOHNSON: I mean, I guess my 
first question --

ACTING CHAIR HAMMES: Lily, go ahead.

ATTORNEY PROKOP: So I had a couple of
comments, if I could, please. Can I address the Board now?

    ACTING CHAIR HAMMES: Go ahead, Joe.

    MR. PROKOP: Okay, thank you. So the applicant agreed with the Village a few months ago that in a stipulation that the Planning Board -- that there would be buffering provided that would be approved by -- subject to the approval of the Planning Board, and Mr. DeSesa and I entered that stipulation together on behalf of our clients.

    The buffering -- there was a sound plan that was provided a few months ago to the Village. The guts of the buffering plan was provided to the Village today. It's important that the Planning Board review that buffering, and, you know, there's a lot at stake for the Village and for the applicant with that buffering.

    And I encourage the Board, if there's going to be any approval today, that the approval be conditioned on no permits being issued, or whatever, whatever conditions the Building Department wants to include, until that buffering design and location is approved by the Planning
Board.

And then with respect to the comments that were received by the Planner, you know, there's two types of comments. One is in a letter that he issued on February 26th that was updated today, actually, and the other is footnotes that are on the site plan.

And I would -- you know, subject to Mr. Connolly's advice to the Board, I would just encourage you that if you are looking ahead, that the approval be subject to the applicant addressing each of those comments.

MR. DESESA: If I may -- oh, I'm sorry, Joe, that's Brian, I apologize.

MR. PROKOP: Go ahead.

MR. DESESA: No. I was going to say I had an opportunity to see Mr. Collins' notes on that site plan. And we would agree, if the Board were to move forward, as a condition, to address -- you know, provide clarity, I should -- as to what he requested in that. We do have that information. It's a very detailed report, some of it gets lost. So we would ask, if the Board were to move forward, it conditions on those notes on the site plan by Mr. Collins' Office.
And as Mr. Prokop said, we did agree to that sound mitigation in a settlement and agreement, and would have no issue with that being a condition of this Board to move forward, subject to the satisfaction of the Village and before any permits would issue.

MR. PROKOP: There was also mention, it might have been Mr. Loffredo, respectfully, sir, I think he -- I think you might have mentioned that you agreed, that the -- there would be no live music until the buffering was approved and installed, and I just hope that you meant music. I don't know the difference between live music and music. I just -- I thought the buffering -- the buffering was -- the buffering agreement was not specific to live music, it was just supposed to happen. And, you know, everything -- obviously, everything got waylaid by the crisis that we're in, but we'll work with you on dealing with it as best as possible, please.

MR. LOFFREDO: Yeah, I can certainly address that. And to your point about the material that you received today, other than the more detailed report, which just got into more technical details, the plan for what needed to
get done and the actual points that we need to execute were identical. I think one of the things that we added was just the shop drawings from the company that was creating the buffer. Other than that, it was pretty much exactly what we presented to you in the prior meeting.

I don't have the signed agreement, the court agreement in front of me, I think Brian could speak to that. I'm not sure whether it defined -- I thought it said DJ's or live -- DJ's and live music, as opposed to like just background music that comes out of the speakers when people are eating. I don't know if that was specific or not. Brian, maybe you have that document in front of you.

MR. DESESA: I don't have it front of me. I'm at home and out of my office. I don't know if Mr. Prokop does. But we know what -- the spirit of the intent is to, you know, keep the sound down, mitigate it, and we're happy to condition, you know, an approval upon that, as agreed in writing with the Village previously.

MR. LOFFREDO: Right. And our intention always was that we would have all of that installed before, before, you know --
MR. DESESA: Correct.

MR. LOFFREDO: -- it even got started until this occurred.

MEMBER DOUGHERTY-JOHNSON: Can I ask about the shuttle and parking, or the parking at the school was not going to involve a shuttle, correct?

MR. LOFFREDO: It does not involve a shuttle, no.

MEMBER DOUGHERTY-JOHNSON: And walking?

MR. LOFFREDO: Yes.

MR. DESESA: I'm sorry, it sounds like someone's cutting in the background, I can't hear you.

MR. LOFFREDO: Right. Someone's getting a haircut.

MR. DESESA: Yeah.

(Laughter)

MEMBER DOUGHERTY-JOHNSON: I guess I thought the Planner's comments like as regarded parking, and lighting, and the landscaping, especially like in terms of rainwater and storm runoff, like are valid points to be addressed, and we can make those conditional in some way. I mean, and I guess I just wouldn't want to see the
Board like approve, and then there's all this more seating, but there's still noise, and we still have -- you know, like, I mean, you know, I understand you guys want to have more seats, but that does mean more people, more cars, and if -- if all the other issues aren't dealt with. But, I mean, you know, if we can make it in a good faith, like we are going to deal with these issues, I don't -- I don't see a problem going forward, but I would want to make sure all those things are addressed in some kind of way.

MR. LOFFREDO: Understood.

MR. DESESA: And if I could just speak to that. Stephen, I'm sorry to jump in on you. Those were noted in Mr. Collins' -- I'm going to call it his site plan overview, where he put notes on it. There's about nine notes, maybe eight notes with arrows. And we would -- we would be okay with conditioning any approval, if the Board were so inclined, on -- of those items being addressed that he has on that memo, and it could be attached as the same, which would address everything that you just asked about.

ACTING CHAIR HAMMES: Right. So just to paraphrase, because we're talking about a lot of
things, like the -- and, Brian, you can correct me if I'm not right. But it sounds like the ask is for a conditional approval, subject to the points on the diagram attached to the KPC report being adequately addressed to the Board's approval, as well as the sound and buffering plan; is that correct?

MR. DESESA: That's correct, yes, subject to either the approval of Mr. Pallas or an expert, if you had to bring somebody in, if there was a technical issue there, as he had said before, correct.

ACTING CHAIR HAMMES: I guess the point that you were raising is you're view that we need something firmer on parking as well in this, because I wasn't in that last meeting, again, I wasn't at that meeting, but it sounded like (background audio noise) best light on that. So it's just unclear to me where -- assuming that they're going to continue acting in good faith on this or you're looking for something else.

ADMINISTRATOR PALLAS: I'm sorry. Before you -- before you continue, if anyone that -- there's a lot of background noise. The Transcriptionist is certainly going to be having
difficulty with this. So if you're not speaking, I would just ask that you mute your microphone, please. Thank you.

MS. BRAATEN: Thank you, Paul.

MEMBER DOUGHERTY-JOHNSON: Sorry, Tricia. I didn't hear all of that. Was it addressed to me partly?

ACTING CHAIR HAMMES: Yeah. Well, I was just trying to follow up on your comment and whether you were looking for something in addition to the conditions that we just discussed more specific on parking --

MEMBER DOUGHERTY-JOHNSON: No. I just want --

ACTING CHAIR HAMMES: -- because I wasn't at the March meeting.

MEMBER DOUGHERTY-JOHNSON: I just think that we left it at the March meeting -- it sounds a little similar to where we are now, like we haven't quite figured out if the school's okay with this parking plan.

And then I just wanted to make sure that I do think that the parking issues that the Planner brought up are another issue that I do think needs to be addressed in some way, and maybe it
is that the school plan would actually work. But I guess I'm just saying that I think those three points are still -- well, four points with the -- with the noise.

MR. DESESA: What we could do is what we've done in --

ACTING CHAIR HAMMES: I think the comment by the Planner is no more that what we've already been discussing for I don't how many months this has been before us, which is there's a parking issue. And so either you get -- we, you know, kind of decide that it's grandfathered and we're living with it, and we're assuming that they're going to continue to act as the good neighbors that they seem to be doing and pursue other options, or we say no.

MR. DESESA: I'm sorry, could you --

ACTING CHAIR HAMMES: And even if they have an agreement in place with the school today, it doesn't mean the agreement is in place with the school next year, right?

MR. DESESA: That's correct.

ACTING CHAIR HAMMES: So --

MR. LOFFREDO: Well, if I could just --

ACTING CHAIR HAMMES: I mean, you know, I'm
just saying, I think that parking has always been the fundamental issue with this proposal because of the increase in seats, and so the Planning Board Members need to weigh in on where they are on that point.

MR. LOFFREDO: If I could just add a comment as the operator. Understanding your position and the fact that, you know, we have a change in the School Administrator, we came so close to passing a contract to them, and they seemed very positive about doing this, it was beneficial to everyone. Now knowing that there's a new Administrator and having not spoken to him yet, we don't know how he is going to react or she's going to react.

But it's in our best interest, just from a business standpoint, to make sure that there's adequate parking. The last thing we'd want to do is add seats and have to turn people away because they can't park on or near the property.

So I understand some of the Board's perhaps concern or trepidation with a conditional approval, but it's in our best interest to allow people to get here, so that they can not only come to Claudio's, but, you know, visit other
stores and other restaurants in the area, and as
people do. People do park here and go out in the
Village and enjoy Greenport, and we'd want to see
that continue. So, again, in our -- it's in our
best interest to continue to pursue alternatives
to find solutions for parking, and we have every
intention of doing so.

ACTING CHAIR HAMMES: So I am just saying,
you know, I am one of the people that, you know,
on and off of these discussions has been focused
on parking. I would know -- I find it
interesting how many resident public comments
were made at the last meeting. And as far as I
know, those were the only public comments made on
this proposal, that nobody from the public raised
parking, notwithstanding the hullabaloo that we
all hear on social meeting about parking from
time to time. So I think that's an interesting
point, personally.

MR. LOFFREDO: Yes.

MEMBER KYRK: Can I ask a question about
the parking with the school? I haven't seen
anything in print about that. I mean --

MR. LOFFREDO: You mean the media, or --

MEMBER KYRK: No, no. Media, submitted to
the Board. Now it's possible I missed something. We've been herky-jerky here for a while. But, I mean, we've got another 227 seats and we don't know what we're going to do with the increase? Notwithstanding being grandfathered in, I mean, you know, at what point does grandfathering stop? You know, you put a stadium there, you're still grandfathered in? I mean, I'm sorry if I'm a little short with this, but there's all of this discussion about something that I had no idea, so I'm very uncomfortable. Shame on me if I missed it, but I haven't seen it.

MEMBER COTUGNO: I just about agree with that. I love Claudio's, I would probably be there right now if they were open, but I think adding all those seats is a little too much intensive use for that space, given the parking situation. And you can't just keep grandfathering, grandfathering, grandfathering. You could be a great-great-grandfather and it just -- it's too much people on that site, number one, and not enough parking.

MEMBER KYRK: And you don't want to -- you don't want to turn them away, but I don't want them driving to Claudio's, getting turned away,
and then doing a U-turn or a three-point-turn on that street and leaving.

You know, so, I mean, our interests are aligned, but I need to know what we're -- what we're talking about.

MR. DESESA: And so I think -- and, Stephen, just on a point to make -- this is Brian DeSesa. On the point of grandfathering, until, you know, there's a change in the code, there is not a limit on that grandfathering. So that's -- you know, the Village Code as it stands, your use is grandfathered, not subject to increased parking calculations. So, you know, at some point that might change and that might answer the Board's questions, but, at this point, you know, we're compliant with what's stated in the Village Code.

And I know we're trying to find practical solutions, you know, that benefit everybody. So, you know, we are -- we're working, you know, both of those angles at the same time, but there is not a limit on the parking in the code currently with respect to grandfathering.

MEMBER KYRK: I understand that, but I'd still like to see this, this agreement that's
been discussed.

MR. LOFFREDO: Yeah. I could either screen-share it with you now, or forward it to you in email form, the -- we had the agreement. And I understand from Tora that, you know, the Board had agreed, and they were just discussing details and coming to a financial arrangement, you know, before this happened, and we had every intention of entering into that agreement with the school, and, as I said, would still do it. I mean, we've always --

MEMBER KYRK: And I'm sorry for that, but, you know, still.

MR. LOFFREDO: I understand your point of view completely, and just trying to find a midpoint. Obviously, this requires a little bit of good faith on both sides, it's always been our (inaudible) to do that.

MR. CONNOLLY: I mean, what we've done in the past with some site plan applications, is we've required the applicants to come back in months, you know, after, to have the site plan reviewed again by the Planning Board to see how it panned out.

ACTING CHAIR HAMMES: I mean, that might
work for the additional seats out on the wharf.
I'm not sure that Claudio's would want to go and
spend the money to build out their veranda.

MR. CONNOLLY: Right, exactly.

ACTING CHAIR HAMMES: Thinking that that
might get subsequently taken away from them. I
mean, yes, it's a Board -- it's a question by the
Board. Is this something we want to vote on
today, or are there specific action items that
you want to give Claudio's to do before we vote?
And if we do vote, is it enough to condition
this, in addition to the conditions that have
already been discussed, on them continuing to act
in good faith to pursue options for off-site
parking with the school? Because I don't think
that that is going to be in place in the next
month or two, personally, you know, speaking to
the Administration in the COVID crisis.

MEMBER KYRK: We tried, we tried to do that
with the bank, and we tried to say that, as
always, after the physician's office was closed,
that the bank would allow parking in the evening,
and we were quickly shut down, I think, by -- for
legal concerns. I --

ACTING CHAIR HAMMES: But I think that's a
little -- that's a little different reason not to even continue to pursue options with regards to the school.

MEMBER KYRK: To the future of the Village. You know, it's different from a legal aspect, but pushing on parking is the same. If you want to continue, you know, consider the future of downtown Greenport, you know, the -- I get it, you know, but I don't -- I don't get the legal aspects, but I get that the concerns are the same. And, you know, we're going to end up -- I'm sorry. I just want to see the agreement that everybody thinks is so great, and I'm -- you know, I'm -- you know, you can bring it to a vote right now if you want to.

ACTING CHAIR HAMMES: I'm not -- I'm not going to make this decision on my own, I'm asking the Board. We can clearly condition it on seating, but, again, are we going to condition it on it being in place? And then what does that mean? Because I don't know where they are on it, it may be months, and I don't know if that's acceptable to Claudio's either, but I guess maybe it's better than where they are right now.

MEMBER COTUGNO: So you wouldn't get my
vote tonight, and it sounds like you wouldn't get
Reed's vote tonight, so, probably, it may not pay
to vote.

    ACTING CHAIR HAMMES: Okay. So what do you
guys want to hold over for voting? Lily?

    MEMBER DOUGHERTY-JOHNSON: I would
approve -- I would vote yes to like a conditional
vote of making sure we address the parking to
some degree, and that -- maybe that means seeing
something from the school saying we're working on
this.

    And, you know, I mean, I think the noise
thing seems to be -- to have been addressed, it's
just we haven't seen it in the season yet, like
actually hearing it or not hearing it.

    So I think something where we do a
conditional approval and then come pack to
some -- to some sort of looking like did this
work?

    And I understand that they aren't going to
want to like build and spend lots of money on
something that could get completely taken away,
but I think something that's a little bit like in
the middle there where, obviously, we're not
going to completely take it all away, but we want
to keep sort of an eye on things and see how they
go. I don't know. That's my two cents. Maybe
that's not super legal.

ADMINISTRATOR PALLAS: Madam Chair. Madam
Chair, if I may.

ACTING CHAIR HAMMES: But since Reed and
John have already indicated that they would vote
no to your point, I mean, it's up to you guys,
Claudio's, whether you want us to put this to a
vote right now or hold it over.

MR. LOFFREDO: I defer to -- I defer to our
Attorney, Brian.

MR. DESESA: Yeah. I mean, if it's -- if
that's where we're at at this point, we're going
to have -- we have no choice at this point but to
delay.

ACTING CHAIR HAMMES: So, John and Reed,
what would you want to see in terms of next
steps?

MEMBER KYRK: I'm comfortable with the
agreement on the nine points on the plan to
address that. That's documented, I can look
at it.

I'm comfortable that the sound mitigation
is and our -- and the science. So if these are
things the experts recommend, I believe in good faith that that's what's going to mitigate the sound, and if doesn't, we'll talk again, right? So I guess I would like that subject to review some reasonable time after we -- after we make the modifications and see what to do.

But, I mean, for me, like to feel comfortable about that, you know, I got to tell my neighbors that we approved 200-some seats. What do we do about parking? I don't know. Right now, the answer is I don't know. Until I know, I'm not inclined to move forward.

So the other things I think were fine, you know. They're documented, I can see what we intend to do. The parking, I have no idea at this point.

ADMINISTRATOR PALLAS: Madam Chair, if I may.

ACTING CHAIR HAMMES: Yeah, Paul.

ADMINISTRATOR PALLAS: I just want to point out, we did receive two chat messages. I didn't know if you wanted to have me read them now or not.

ACTING CHAIR HAMMES: Sure, go -- sure, go ahead.
ADMINISTRATOR PALLAS: First, they are both from the same individual, Marcia Kebbon. I apologize if I mispronounced the name. The first comment says, "What about putting parameters in place that outline what the Village PB would like it see, so that there is a formal guideline in place to reference, should there ever be an issue?" The following -- follow-on comment from that was, "Especially with the 57 lost parking spaces with new Front and Main Street parking closures."

ACTING CHAIR HAMMES: Okay. Well, I mean, I think that, obviously, to the Claudio's team, thank you for being on this call, but it sounds like we're going to have to hold this over. For what it's worth, I mean, my views on this are that we're not going to have a resolution on this parking any time soon, and --

MR. LOFFREDO: One of -- the other point I wanted to make --

ACTING CHAIR HAMMES: If what we're looking for is actual guaranteed additional parking, I think that's going to be a hard delivery requirement in the current environment with COVID and the change in the school administration. So,
effectively, just to be clear, I mean, we're going to be telling Claudio's we're going to be putting this off for some time.

MR. LOFFREDO: I just -- one of the points I want to make, and I think, Robert, you need to back me up on this, I think the seat count we're talking about is not correct. We keep hearing 238. I know we have 108 on the veranda, we're asking for 50 more on the waterfront. I think that's been documented, and I don't -- I don't believe it was more than another 25 for bench seating out on the back of Crabby Jerry's. Robert?

MR. BROWN: I'm just double-checking that right now.

MR. LOFFREDO: That might be --


ACTING CHAIR HAMMES: The KPC has 108 additional outdoor seats, 32 for Claudio's, 52 for the waterfront, and 35 for the pizza, which he's -- I didn't do the math, but according to him adds up to 227, which is probably about right, right?

MR. BROWN: I believe that's -- I believe
that's correct.

MR. LOFFREDO: Fifty-two outdoor seats at the waterfront, 32 additional seats at Crabby Jerry's. I guess, if you count picnic -- public seating for picnic tables, yeah, I guess you could put that in the count, but that was not -- okay.

MEMBER KYRK: Just what's the number, you know?

ACTING CHAIR HAMMES: I mean, I guess, at this point, I would propose -- Claudio's, I mean, do you guys want to think about this and come back with your proposal as to how to address parking in order to move this proposal along at the next meeting?

MR. LOFFREDO: It sounds like we have to.

MR. DESESA: We have to, yeah. It would have to be next meeting.

MR. LOFFREDO: I don't think we're going to get a positive, positive vote today even with some contingencies involved. You know, we'll --

ACTING CHAIR HAMMES: Okay.

MR. LOFFREDO: What we can do is pursue, pursue this agreement with the new School Administrator and hope that will cause (audio
malfunction).

ACTING CHAIR HAMMES: Okay. That -- just so that -- just so that the Board has an understanding on this, because I looked at the minutes earlier to refresh people's memory, that was for about 30 some-odd parking spots, you said, correct?

MR. LOFFREDO: Well, typically, on any given day, we have somewhere around 30 employees that take up parking spaces on the property. But we also allow some parking for our neighbors, you know, the restaurants that surround our property, and we try to be good neighborhoods to them as well. So we'd offer them to park on the school grounds, as well as -- as well as our own staff, and potentially other people who visit Greenport. Our agreement called for 100 additional spaces from the school parking lot.

MEMBER KYRK: The number I've heard for the staff was 50 before, not 30.

ACTING CHAIR HAMMES: My understanding --

MR. LOFFREDO: Might have been including -- including -- yeah, if you add security on weekends, yeah, we do have about 12 security on any given day.
MEMBER KYRK: Okay.

ACTING CHAIR HAMMES: Reed, I was really asking, I was trying to understand how many spaces they thought they would get out of the agreement with the school if they got it in place.

MEMBER KYRK: I see.

ACTING CHAIR HAMMES: Because it's not going to be 25, so just so everybody's clear on that.

MR. DESESA: Correct.

ACTING CHAIR HAMMES: Okay. Well, thank you all for participating and for all the hard work you've been doing. It is greatly appreciated, and we appreciate everything you do for the community. And I guess we'll speak. We'll table this until June, actually the 25th meeting at this point, unless anybody has anything else to add.

MEMBER COTUGNO: No.

MR. LOFFREDO: No.

ACTING CHAIR HAMMES: All right. Thank you. All right. So now we are on Item No. 5, 123 Sterling Avenue. This is a Pre-Submission Conference regarding the application submitted by
Paul Pawlowski on behalf of 123 Sterling Ave Corp. The application is for possible amendments to a stipulation agreement dated March 12th, 2007 for the property located at 123 Sterling Avenue. This Property is located in the W-C (Waterfront Commercial) District. This property is not located in the Historic District. It is Suffolk County Tax Map # 1001-3.-5-16.4,16.5

Paul, I think you're on. Would you mind walking us through your proposal briefly? Paul?

MR. PAWLOWSKI: Can you hear me properly?

ACTING CHAIR HAMMES: You're very soft. Can you get a little closer to the mic?

MR. PAWLOWSKI: I'm going to change my microphone to a better one, okay?

ACTING CHAIR HAMMES: Okay.

MR. PAWLOWSKI: How about now? How about now?

ACTING CHAIR HAMMES: That's a little better. That's a little better.

MR. PAWLOWSKI: Okay. Thanks for your time tonight. I'm going to get rid of this screen. Okay. I'm on one computer now. Thanks for your time tonight. I appreciate this extra effort with these meetings online, so I appreciate that
effort greatly.

So to bring you through my recent proposal for the Board, this proposal is based on, you know, basically the last 12 months of listening and learning and trying to come up with a plan that doesn't have a lot of strings attached, and, hopefully, is looked at as an improvement to what's already permitted.

To talk about the site plan modifications themselves, we're proposing to remove the parking along Sterling Avenue, Landbank those parking spots, and put in sidewalks and landscaping along there. This way people have the opportunity in the neighborhood to walk down to the waterfront without having to walk by, you know, 21 parking spots or cars.

We propose doing a green landscape buffer. I did see some of the comments from the Planner. We have no opposition if we want to do, you know, maple trees, or whatever the Planning Board sees fit, what type of landscaping.

But the main reason for that parking to be removed is I think we do believe, and I do believe some of the -- most of the neighbors agree that they would prefer the sidewalks over
the parking spots, because it would just look like a line of, you know, 21 cars.

We're still proposing to offer up and donate some waterfront space to add to the already public space in that area. So that's -- those are like the two major site plan, you know, modifications to the actual physical site itself.

Now, as far as the proposal goes with the merits of this application, the biggest thing that we're proposing is to improve on the affordable housing requirement and stipulation. Currently, we're required to do five units, sell those units, and there's really no long term in perpetuity to those units.

I know in the past some of the Planning Board members expressed rentals versus for sale. We are -- we are keen on either rentals or for sale. The reason why I say rentals or for sale is based on what we could get approved with the Attorney General and a condo offering plan. However, the proposal to -- would be to make them -- regardless of rentals or for sale, affordable in perpetuity, match the HUD guidelines, work with the Village on those guidelines so there's more restrictions to it.
Obviously, it would, you know, still go to a Village employee, a resident that has proved to be in the Village or the school district for two-plus years. But the big ingredient is to keep them affordable in perpetuity.

The main reason that we propose doing them in their own structure is it gives us the opportunity to then assess the CAM charges so that they are affordable, that they're not mixed in with the market rate units where the CAM charges might not seem affordable and go against the intent of the housing requirement. It's basically then they would be subject to keeping that structure nice and not have to chip in towards the -- you know, the bigger building. That's one main reason that we proposed doing it in their own structure.

Another reason is it will eliminate some -- you know, that parking area off Ludlam is large, so this would help break -- you know, it would improve the flow of the overall site plan with the entrance off Ludlam through Sterling. And we propose doing a similar architecture, you know, just a newer version of the style homes that are on Ludlam. And that's another -- you know, what
we see as an improvement based on the site plan itself and the flow of the site plan. But it's really imperative that this affords us the ability -- while it's going to cost us more to do it, it affords us the ability to make them affordable and assess those units in an affordable way long term when it comes to maintenance and things of that nature.

So that is the -- those are really what we've proposed. It's minor site plan improvements, and the one merit trying to improve and offer the affordable housing requirements. And that's our goal, and to keep it much more simple, not deviate much from the approved stipulation, and see if we could work together to make this happen.

ACTING CHAIR HAMMES: Paul, just -- I mean, I know you got the KPC comments, I don't think you got them until today. Did you have any other responses to any of the -- I think he pointed out some inconsistencies on the parking.

MR. PAWLOWSKI: If you don't mind if I go through it. So the -- basically, if -- the biggest thing is the commercial space, as far as what's already permitted and approved, that's the
parking calculations. But the -- if we -- we would meet the parking requirement based on the new approval by Landbanking the already preexisting approved parking spots on the parking.

The one thing I noticed, the building itself is 14,800 square feet, we'll update the site plan to reflect that. It just always said 15,000. And then the secondary one that's already -- we just have to remove it in the modified plans, because we wouldn't have 16,000, because we would be getting rid of that outbuilding. So we'll clear up that parking calculation on the resubmission. This shouldn't have 16,000, it should only have the first floor of the main building with no secondary outbuilding, and then we would still meet that parking requirement. Yes, parking spaces would be Landbanked, but we feel we have more, more than enough parking for residents, and even if they have guests with -- with what we'd be providing.

To touch base on a few other items in KPC's list of comments, so I just went over the parking. We have to remove the secondary
building, and we'll update the narrative on the parking for the resubmission for you on the built.

The second -- his comment on the landscaping, especially near the proposed outbuilding, to add some island landscaping in the parking lot, that's not -- we agree with that. The approach for the landscaping down Sterling Avenue, we agree with that. If it's maple trees versus a green arborvitae, we're all for that. What else?

The building itself, we'll update the proper square footage to the -- the permits, that is -- the permit is 14,800, we'll update that narrative properly. I believe the site plan showed the open -- the vestibule, so we'll update that so it's accurate.

And we -- you know the biggest thing about this proposed building, the goal tonight is to get a -- answer some questions and, you know, get some feedback, because we will submit a floor plan on those five units. They'd be roughly 600 square foot units, one bedrooms for the affordable housing.

We would, obviously -- we submitted a
general look of the building, and we would then
take it a step further, based on comments, to
submit a floor plan and the other elevations of
that building to show how it would work.

Each unit would have its own entrance to
their space. It's nice, because they would have
the parking spaces on our property, not on the
street, to accommodate them.

Lighting plan you already have, but we will
submit a lighting plan based on this proposed,
proposed site plan. Same with this landscaping
plan, we will submit one based on this, the
comments that were put together.

And I believe I hit on all the components
of the comments from KPC.

MEMBER COTUGNO: So I must say, I'm happy
with what you did, Paul.

MR. PAWLOWSKI: I appreciate it. I also,
to bring back -- I've met with the SBNA several
times over the past year, several times recently.
I'm hearing their comments on improving the look
of the building to a much more traditional look.

Basically, what we did was we took the same exact
building that's approved and we updated all the
trim package to resemble a much more traditional
look that doesn't look so industrial and just a
grey big building. This would be reclaimed
brick, shiplap, and much more traditional touches
to the building, and that's our goal.

One comment that Kyle had on this was where
would be the indoor storage and parking. In the
original proposed building, there's a garage door
on the west side of the building, and there's a
section, roughly 4,000 square foot of that, where
that would still stay the same. So to answer the
question on where that would be, it would be on
the west side where the permitted large garage
doors opening is.

ACTING CHAIR HAMMES: Any other questions
or comments from the Board?

MEMBER DOUGHERTY-JOHNSON: What's the
difference? What's the difference from the
last -- not original stipulation, but just like
last time we saw you, the last proposal -- and I
apologize if it's like in my email or I got it
today, but my -- is the one building has the
market rate apartments or condos.

(Background Audio Noise)

MS. BRAATEN: Paul. I'm sorry, could you
hold on one second?
MEMBER DOUGHERTY-JOHNSON: You're breaking up. I don't think Lucia can get anything.

MS. BRAATEN: I can't hear.

ACTING CHAIR HAMMES: Lucia has to get everything.

MS. BRAATEN: Yeah, I can't hear it.

MEMBER DOUGHERTY-JOHNSON: I just wanted to go through what changed since we last saw Paul and that proposal, because I'm a little confused. And apologize if it's in my email or I got it today, but -- because, from my understanding right now, there's the one building with the market rate that has parking inside, and then I think what we last had heard was there was another building what was going to be partly commercial originally, but then that was going to be the affordable units. But now these are the affordable units and are more -- they're located in a different area?

MR. PAWLOWSKI: So I'll bring you through. So just to touch on what we spoke about last time, originally, I was proposing a total of 25 units on the site, 20 market rates and five affordable rate, and reducing the commercial space on the first floor considerably, and that
also included staying with the marina outbuilding. Now we are proposing 17 market rate in the main building on the second and third floor only, keeping the commercial, waterfront commercial space as is, and removing the marina outbuilding entirely, and putting the five affordable rate units in that one structure off Ludlam to the east side of the building. So that is the biggest -- that's the component, is talking, you know, the five affordable rate units in their own stand-alone building off Ludlam, and not what I proposed last year.

MEMBER DOUGHERTY-JOHNSON: Sorry. So this picture --

MR. PAWLOWSKI: Yep.

MEMBER DOUGHERTY-JOHNSON: -- is one of the affordables?

MR. PAWLOWSKI: That is a --

MEMBER DOUGHERTY-JOHNSON: Right?

MR. PAWLOWSKI: They would all go in one building. That is the structure. It's a 25-by-60 structure, 3,000 square foot. They would all have their individual doors on the east side of that building. So that would -- that's the elevation off Ludlam. That's just a general
look of the building, what you would look at if
you were driving down to the end of Ludlam.

MEMBER DOUGHERTY-JOHNSON: Gotcha, okay.

ACTING CHAIR HAMMES: Rob and Paul, does
this -- Paul Pallas, does this -- because this is
on Ludlam, presumably, it will have to go to HPC,
right? Doesn't this have to go to HPC anyway
because of the settlement agreement?

MR. CONNOLLY: It will have to go to HPC.

ADMINISTRATOR PALLAS: Yeah, it would have
to go to HPC. Yes, correct, it would need to go
to HPC. It would actually -- Rob, correct me if
I'm wrong, but, actually, since we would be
changing the stipulation itself, in addition to a
site plan approval, it would require a separate
approval of the change to the stipulation
agreement, and that would be the same for all the
Boards, I believe.

MR. CONNOLLY: Right.

ACTING CHAIR HAMMES: So just again,
because I know we've had this conversation many
times throughout the process, but since we're
amending the stipulation agreement, this will
have to go to each Board and the Board of
Trustees for approval, correct?
MR. CONNOLLY: It will.

ACTING CHAIR HAMMES: And will each Board have a public hearing on it?

MR. CONNOLLY: Yeah, each Board will have a public hearing on it, yeah, on it, amending the stipulation.

ACTING CHAIR HAMMES: All right. So I guess the next step for us, if nobody has anymore questions or anything, would be what, for Paul Pawlowski to submit the formal site plan, and then for us to have a public meeting?

ADMINISTRATOR PALLAS: I think there are two -- I mean, we could do that. Rob, correct me if I'm wrong, we could do that. There were a number of questions that were raised. If you decide you want to see responses to those questions first, that's one course of action. Again, because it does have to go to other Boards, in particular --

ACTING CHAIR HAMMES: You mean the questions raised in the KPC report, Paul?

ADMINISTRATOR PALLAS: Correct, yes. I'm sorry, yes.

ACTING CHAIR HAMMES: I assume you would address those in connection with the final site
plans that he has to submit.

ADMINISTRATOR PALLAS: Of course. That is an option, of course. Just to note that the new building for the affordable units will likely have zoning variance requirements in addition to the change in stipulation. So you -- then your typical process is to refer it to the Zoning Board at some point, and just so you're aware of that. That's -- and Rob, jump in if I don't --

MR. CONNOLLY: Yes. And, you know, I don't think we should refer it to the Zoning Board yet, because the Zoning Board could -- you know, could grant variances that the Village Trustees may not agree to in amending the stipulation. So we have to, you know, flesh that issue out first. So you might want to have it -- you know, have the Village Trustees comment on it.

ACTING CHAIR HAMMES: Give some direction what our next steps are as the Planning Board. I mean, have we already taken -- do we have Lead Agency status on this already, or is that not relevant because it's a modification?

MR. CONNOLLY: Exactly.

ACTING CHAIR HAMMES: It still seems like there's a chicken and the egg in terms of how we
get the approval process started on all of this, or not approval, as the case may be.

MR. CONNOLLY: I believe it's going to be discussed with the Trustees next, correct, Paul?

ADMINISTRATOR PALLAS: Yeah, that -- I think that would be the logical next step. Again, because the stipulation does require approval of each Board, I think it probably makes a lot of sense for the Village Board to weigh in at this stage before too much more work gets done on the part of either the applicant or the Boards. I think that that would make sense to me. Rob, I'm assuming you agree with that.

MR. CONNOLLY: Yes.

MR. PAWLOWSKI: Yeah, with the -- I think the overall goal on my end is all these comments by KPC are very easy to work with the Planning Board, you know, resubmit work with the Planning Board on these, you know, the landscaping, some of these comments. But our goal as the applicant is, hey, we're proposing this five-unit outbuilding and here's why, and then seeing any comments from the Planning Board, and then, obviously, doing the same with the Trustees, and then, obviously, at the end of the day, coming --
you know, coming back to Planning to make sure it's -- you know, the landscape plan looks right
and things like that.

The big ingredient is we're -- you know, the main ingredient is this five affordable unit structure. As far as the removal of parking along Sterling, all that, I think that's more standard Planning Board Department, you know -- you know, whether they like that or not, or the trees and what have you.

So our goal is to get some sort of direction on the next step, so we can see if the overall scope, the big picture makes sense or not to the Village of Greenport and the Boards.

ACTING CHAIR HAMMES: Yeah. Well, I generally don't have any objections to the affordable housing being in a different building. But it sounds like we need to get -- well, Paul, again, I mean, I guess, Paul Pallas and Rob, I would defer to you in terms of giving Paul Pawlowski some guidance on what he should do next.

ADMINISTRATOR PALLAS: I mean, again, Rob, correct me if I'm wrong, I think a formal request from the applicant to the Village Board of
Trustees with this plan, and the -- basically, the same description of the changes to the stipulation, so that the Board has something to look at that is within their purview, based on the stipulation agreement, makes the most sense.

MR. CONNOLLY: I agree.

MR. PAWLOWSKI: And, Paul, and what I would do, when I make that submission, I will update accordingly based on these comments, so that they're already in whatever the Trustees will see based on KPC comments. I think that would be smart to do.

ADMINISTRATOR PALLAS: Yeah, I think that would make the most sense, yes.

MR. PAWLOWSKI: With the floor plan, the elevations, the narrative, so it's exactly clean before it gets to the Trustees, and then it's also handled.

ADMINISTRATOR PALLAS: Yes.

ACTING CHAIR HAMMES: All right, sounds good. All right. Thank you, Paul, it was helpful.

MR. PAWLOWSKI: Thank you, guys, I appreciate this. This is different for all of us, but it's definitely a work in progress. I
appreciate it.

   ACTING CHAIR HAMMES: Yep, no problem.

   Thank you, Paul.

   All right. So I guess that takes us to
   Item No. 6, which is a motion to adjourn. Do I
   have a second?

   MEMBER COTUGNO: Second.

   ACTING CHAIR HAMMES: All those in favor? Aye.

   MEMBER COTUGNO: Aye.

   MEMBER DOUGHERTY-JOHNSON: Aye.

   MEMBER KYRK: Aye.

   ACTING CHAIR HAMMES: Take care, everybody.

   MEMBER COTUGNO: Bye-bye.

   ACTING CHAIR HAMMES: Thanks, Bye.

   ADMINISTRATOR PALLAS: Take care.

   (The meeting was adjourned at 5:24 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 videoconference proceedings taken on June 4, 2020.

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 18th day of June, 2020.

Lucia Braaten

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