VILLAGE OF GREENPORT
COUNTY OF SUFFOLK STATE OF NEW YORK

PLANNING BOARD
REGULAR SESSION

June 7, 2018
4:00 p.m.

Third Street Firehouse
Greenport, New York

BEFORE:
MARY GIVEN - CHAIRWOMAN
BRADLEY BURNS - MEMBER
NOAH THOMAS - MEMBER
WALTER FOOTE - MEMBER
ROBERT CONNOLLY - VILLAGE ATTORNEY
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CHAIRWOMAN GIVEN: We're going to open tonight's Planning Board meeting at 4:12.

Item No. 1 - 411 First Street. Continued public hearing for the site plan review of Kirk Services, LLC., represented by David Murray. The application is for the approval of a conversion from a residential use to a permitted commercial use for the property located at 411 First Street. The property is located in the Commercial Retail District, and is designated as Suffolk County Tax Map #1001-4.-6-35.

MR. MURRAY: Good afternoon, members of the Board. My name is David Murray. I live at 332 Fifth Avenue in Greenport. I'm also the owner of Murray Design and Build, who's representing Kirk, LLC, a/k/a Sparkling Pointe, for the conversion of the property.

Two weeks ago, I submitted the construction set to everyone on the Board, and believe we have answered all the questions that were asked of us, and I'm here to answer any questions you may have. And the public hearing has been open, I think, now for how long, Lucy?

CHAIRWOMAN GIVEN: It was just the first time on tonight.
MR. MURRAY: Just a month? So this is the second time?
CHAIRWOMAN GIVEN: Correct, yes.
MR. MURRAY: So we have the General Manager of Sparkling Pointe here to answer any questions that you still may have. And, also, I think there are some members of the audience that I don't know if they're speaking for or against the project, but I think they're here to speak about it. So are there any questions, or do you want to do that first, or what would you like to do?
CHAIRWOMAN GIVEN: I think John had asked for specific landscaping, what kind of plants you were going to use, right, John did?
MR. MURRAY: Yeah, for the back.
CHAIRWOMAN GIVEN: I'm sorry?
MR. MURRAY: Yeah, for the back that we --
the arborvitaes.
CHAIRWOMAN GIVEN: Uh-huh.
MR. MURRAY: We're not doing a huge landscaping, it's really mainly the back section that we're -- that we're planning on doing. He didn't really specify that he wanted anything.
CHAIRWOMAN GIVEN: No, he did, David, he did. He specified that he wanted specific types
of plants that you were going to put in, he did.

MR. MURRAY: And we're not planting anything. We're doing -- we're doing the patios in the back.

CHAIRWOMAN GIVEN: He asked what type of border, what -- he did ask for specifics, David. I'm just asking.

MR. MURRAY: Lucy, I know, and I'm telling you, I answered prior to that it's arborvitaes in the back. The whole back wall, that's what he wanted to know.

CHAIRWOMAN GIVEN: Okay, David.

MR. MURRAY: I know.

CHAIRWOMAN GIVEN: Anyone else have anything for David?

MR. THOMAS: No.

CHAIRWOMAN GIVEN: You don't have any points you want to make?

MR. THOMAS: No.

MR. FOOTE: No. I made them at the last session, so.

MR. THOMAS: Yeah, we made all of them.

CHAIRWOMAN GIVEN: Right?

MR. FOOTE: Yeah.

CHAIRWOMAN GIVEN: Ben?
MR. BURNS: No.

CHAIRWOMAN GIVEN: Okay. Does anyone in the audience wish to comment on this application?

MS. PHILLIPS: Sure, I will.

CHAIRWOMAN GIVEN: Sure. State your name and address, please, for the record. Thank you.

MS. SARAH PHILLIPS: Hi. I'm Sarah Phillips. I have First and South, on the corners of First and South, and I live at 415 Main Street in Greenport.

I watched the last meeting where there was also an open session about this. The question about the arborvitae was specifically about the feet in between the plantings, I believe is what John was asking for, which would, I guess, be determined by the arborvitaes necessities itself. So I guess we could figure that one out pretty easily whenever you guys want.

I just kind of took notes off of the questions I saw formulated by both the public and the Board, and being that I would be the neighbor of Sparkling Pointe, I thought maybe I could address some of the things I thought were issues. Parking, obviously, is an issue for everyone in Greenport. Nearest and dearest,
have all of the community lots that are located behind Noah's and also attached to the IGA that are separate of the IGA's parking lot, and then we also have the Jitney as an extension. That's a standing issue, not necessarily one business. In addition, we just built out all these other places in Greenport as well, so I can't see it causing that much more traffic, especially if we're talking about a drop-off service and/or people that are mingling, coming in for tastings, they're already within the Village. So finding parking is a challenge for all of us, I don't see it causing more of an issue.

That kind of leads into the limousines and the van drop-off aspect. I thought it was an obvious question, but also an obvious answer, because you can't really police people getting dropped off at a certain area in town and walking down. We do have limos and buses already dropping off large parties of people for various things in town.

I do know that Sparkling Pointe as a winery is one of the hardest and most professional like reservation teams in terms of who they let in and how you manage them. And I've worked with them
since 2011, when I used to be the General Manager at Jedediah Hawkins, and they do a very thorough job with that. So I also don't see that as being a major issue for the neighborhood itself.

The year-round rental that they're planning on putting upstairs, whether they use it for family or for private use, we do need more apartments here. So maybe eventually it would be something that would add to the Village.

Their business will be a seven-day-a-week business, which I remember when North Fork Smoked Fish was up in front of the Planning Board several years ago, it was required that they become a seven-day-a-week business to stay open, which they never have become. So here we have a business saying they will be there seven days a week and they can financially survive that, and they'll keep these regular hours. So that sounds like a plus for me as well, being on the outskirts of Front and Main for the extended Commercial District.

Their delivery trucks were mentioned specifically by one of the guests that usually come to speak at the meetings. The delivery trucks exist everywhere in Greenport for the IGA,
the plumbing store, UPS trucks, hair salons, furniture stores, garden shops. It is an issue if you have a truck that's stopped, but it's usually momentary. And all of us are neighborly, at least the people that live here, where, you know, you stop and pass, there's hazards, but it happens on every single block within this town. Again, I don't see this business driving a huge amount of deliveries, definitely no more than mine does already.

There was mention of similarities for signage with First and South, and then again a guest had mentioned that looking at First and South, there's always something different and changed. None of my signage has been up since Hurricane Sandy, because I removed it for safety purposes on the second story, which I just put back up, so that it would be a visual that people could aid in helping with this project move forward.

I do think that we have a small Commercial District that outsteps just Front and Main, and that I think that support this -- supporting this and help drive traffic into those areas maybe will help with a little bit of congestion within
town itself as well, because I know that's a concern when the sidewalks are overflowed and there's people driving at a faster rate than we'd like.

So this could be really helpful to start driving traffic outside of Front and Main, even as far as Hamps (phonetic). You have several galleries and B&Bs that are all along those streets, so maybe we can help get people walking outside and exploring a little bit more of what the Village has to offer besides just the immediate downtown. That's it.

CHAIRWOMAN GIVEN: Thanks.

MR. THOMAS: Thank you.

MR. ELKIN: Eric Elkin, 912 Main Street.

I'd like to kind of focus on two things, and I'll be brief.

The first is about Sparkling Pointe as a business. Ultimately, it's hard sometimes to pick and choose who we let do business in this Village. But I will say from the outset there's been a real commitment to trying to raise the bar, both in terms of the wine offering and the service and hospitality offerings.

Wine is subjective, like most things in
life, so you don't have to like it. But I can
tell you, I know firsthand that there's a real
emphasis on trying to create a wonderful
experience for guests and create a product that's
a great representation of what this wine region
has to offer.

The second thing I'll say is more big
picture. Greenport, there's understandably a lot
of concern about parking as a seasonal village.
We see a huge influx of people for a set, you
know, period of the year. That kind of high peak
season is extended now into the Fall and Spring.
But as new hotels have come online, the Lin Beach
House, 16 rooms right here on Third and Front,
we're going to see more and more people, and I
think there's an opportunity, as the Commercial
District expands a bit, to create a village where
people don't need the car.

Most guests that come out to the area, I
shouldn't say most, but a huge number of guests
that come out to the area, they want to
experience the wineries, and they feel like they
need a car to do that, or they need to rent some
sort of limousine service. By having something
like Sparkling Pointe right in town, along with
Kontokosta, along with a number of different shops we offer, services we offer right here in Greenport, that's going to give people visiting from the City, or from western Long Island, or New Jersey, or Connecticut, an opportunity to take the train out, take the bus out, and feel like they have enough at their fingertips. They can get that sort of East End experience, as they see it, right here in Greenport without needing to -- without needing to park the car.

So anything we can do to promote a Greenport experience that doesn't involve driving here I think is a big win. And I think the tasting room is actually a logical fit for what Greenport -- Greenport is, what it's been. And we are a wine industry, we are a wine region, and I think this is a responsible way to promote that. Thank you.

MR. FOOTE: Thanks.

MR. THOMAS: Thank you.

CHAIRWOMAN GIVEN: Anyone else?

MR. MURRAY: So what we're -- what we're asking from the Planning Board is to -- is to vote on, you know, to vote on this. And I don't know what the -- what your procedure is on -- at
this point. I think the public hearing has been
open for long enough, and I don't know if the
Village got any letters over the month. I
don't --

CHAIRWOMAN GIVEN: Yup, one.
MR. MURRAY: Did they?
CHAIRWOMAN GIVEN: Uh-huh.
MR. MURRAY: Do we need to read it into the
record?
CHAIRWOMAN GIVEN: No, I actually wasn't.
MR. MURRAY: Oh, okay.
AUDIENCE MEMBER: Why?
CHAIRWOMAN GIVEN: You can get a copy of it
from the Village, I'm sure. I don't -- we don't
normally read them into the minutes, that's an
option.
MR. CONNOLLY: It's up to the Board.
CHAIRWOMAN GIVEN: Right. No.
MR. MURRAY: Okay. Can we -- can we hear
it? Can anybody hear it? No?
CHAIRWOMAN GIVEN: You can get a copy from
the Village.
MR. MURRAY: Okay.
CHAIRWOMAN GIVEN: I'm not going to read it
into the minutes.
MR. MURRAY: Okay. So the occupancy is all listed on the site plan, like that was asked, all the setbacks, all the -- everything that's -- that was required. And don't know what else is required, so we're hoping that we can vote on it.

CHAIRWOMAN GIVEN: We won't be voting on it tonight. I'll be closing the public hearing and we'll discuss it at our work session, correct?

That's how we're --

MR. CONNOLLY: That's the procedure.

That's the --

CHAIRWOMAN GIVEN: That's the procedure.

MR. MURRAY: Okay. Are there any other questions from the Board?

MR. THOMAS: That apartment is going to be not Airbnb.

MR. MURRAY: No.

MR. THOMAS: It's going to be -- it's going to be year-long?

MR. MURRAY: No. It's going to be a year-long, a year, yeah. Well, that's the -- that's the requirement of a commercial building, so.

MR. THOMAS: Cool.

CHAIRWOMAN GIVEN: Okay. Do I have a motion to close the public hearing for this --
MS. ALLEN: Can the public still speak?

CHAIRWOMAN GIVEN: Excuse me? Excuse me?

MR. THOMAS: Can the public still speak?

MR. MURRAY: The public still wants to speak.

CHAIRWOMAN GIVEN: Okay. I asked if there was anyone else before. Didn't see you. Make a motion to --

MS. ALLEN: Chatty Allen, Third Street. No. I have a question for the Board. I've been coming to these meetings for a long time. When people submit something in writing to a Board for a public hearing, maybe the Lawyer could answer this question, shouldn't it be read into the record?

MR. CONNOLLY: Well, it's part of the record.

MS. ALLEN: As part of --

MR. CONNOLLY: As being submitted, but it's up to the Board.

MS. ALLEN: The public doesn't know if this is for, against, if they have a different spin on what's going on. So I'm confused why --

CHAIRWOMAN GIVEN: It's an option.

MS. ALLEN: But you're going to close the
hearing and we won't get to see it --

CHAIRWOMAN GIVEN: No, it will be part

of --

MS. ALLEN: -- or hear it until after.

CHAIRWOMAN GIVEN: It will be part of the
record of the -- it will be in the file. If

you'd like to see it, go to Town Hall -- at the

Village Hall.

MS. ALLEN: What I am saying, Chairperson,
is how can you comment on a letter for a project
if the public does not hear? Any public hearing
I have been at, when people have sent things in
in writing, it is read into the record.

CHAIRWOMAN GIVEN: It's not true.

MR. CONNOLLY: It may be. If you're going
to close the public hearing --

CHAIRWOMAN GIVEN: Uh-huh.

MR. CONNOLLY: -- when did the letter come

in today?

CHAIRWOMAN GIVEN: Actually, I don't -- I
don't know.

MR. CONNOLLY: Because I don't remember
seeing a letter coming in on this --

CHAIRWOMAN GIVEN: Okay.

MR. CONNOLLY: -- application.
MS. ALLEN: I mean, that letter could state something that we have not thought of, so how can we comment?

CHAIRWOMAN GIVEN: No, it doesn't. It just -- it speaks about the idling buses and limousines.

MS. ALLEN: But still, it should be part of the written record.

CHAIRWOMAN GIVEN: Okay.

MS. ALLEN: I'm sorry. Well, I'll take it up with the Village, that's all.

MR. CONNOLLY: It might be better just to read it --

CHAIRWOMAN GIVEN: Excuse me?

MR. CONNOLLY: It might be better just to read it.

CHAIRWOMAN GIVEN: "I am writing regarding the proposed Sparkling Pointe tasting room. My husband and I live at 8 Broad Street. Due to the extra width of"

MR. BURNS: Use the mic.

CHAIRWOMAN GIVEN: "I am writing regarding the proposed Sparkling Pointe tasting room. My husband and I live at 8 Broad Street. Due to the extra width of Broad Street, it is a popular
street for parking buses, limos and trucks. We're already dealing with idling buses that drop off clientele at the Townsend Manor Inn. We are very concerned that a tasting room will just add to the traffic on Broad Street.

It is my understanding that idling a bus is illegal. The noise and fumes are awful and can ruin an otherwise beautiful summer day. During the summer months, we are constantly asking bus drivers to turn off their engines.

I am not against the tasting room, but I hope that the Planning Board is taking the parking situation into account when considering the application for the tasting room. Also, it would be beneficial if there were signs prohibiting idling engines.

Thank you for your consideration. Mary Mulcahy, Howard Jackson, 8 Broad Street.

MR. FALCETTA: Hi. Mike Falcetta. I'm the General Manager for Sparkling Pointe.

If something like that is a concern of the resident, I would like to give the gentleman or give you my card. I'd be happy to put recommendations on my website and other things stating that buses should not be idling, that
it's illegal in the State of New York, and just
to be mindful when operating in the Village. I
think that's something, if that's a solution for
the gentleman, and as somebody that's in the
town, and that's just a simple statement to put
on the website. I mean, I'm amenable to that.

CHAIRWOMAN GIVEN: Thank you.

MR. FALCETTA: I'm sorry. Thank you.

MR. FOOTE: Thank you.

MR. CONNOLLY: And those concerns really
aren't for the Planning Board, anyway, that's
more of a Village Trustee issue.

CHAIRWOMAN GIVEN: Right. Right, agreed,
yes.

Okay. Anyone else wish to speak on behalf
of this application?

(No Response)

CHAIRWOMAN GIVEN: Do I have a motion to
close the public hearing on this application?

MR. BURNS: So moved.

CHAIRWOMAN GIVEN: Second?

MR. THOMAS: Second.

CHAIRWOMAN GIVEN: All those in favor?

MR. BURNS: Aye.

MR. FOOTE: Aye
MR. THOMAS: Aye.
CHAIRPERSON GIVEN: Aye.
Motion carried. Public hearing is closed.
Item No. 2, 449 Main Street. A public hearing for the site plan review of the North Fork Health & Wellness Boutique, represented by Patricia Liantonio. Probably not.
MS. LIANTONIO: You got it.
CHAIRWOMAN GIVEN: The application is for the approval of an additional use of a treatment room to the current retail use, for the property located at 449 Main Street. The property is located in the Commercial Retail District. The property is also located in the Historic District. Designated Suffolk County Tax Map #1001-4.-7-18.
You are here, Patricia, on behalf of this application?
CHAIRWOMAN GIVEN: I just want to make a note that the public hearing wasn't posted in front of your property.
MS. LIANTONIO: In the window.
CHAIRWOMAN GIVEN: In the window.
MS. LIANTONIO: Yeah. I was told the public hearing was -- had to be put within my window inside.

CHAIRWOMAN GIVEN: Okay.

MS. LIANTONIO: It's posted.

CHAIRWOMAN GIVEN: Okay. All right. I did not see that. Thank you. Usually they're outside.

MR. THOMAS: Right here, look.

CHAIRWOMAN GIVEN: Okay. Gentlemen.

MR. THOMAS: I don't have any questions about it.

CHAIRWOMAN GIVEN: Yeah, we were pretty --

MR. THOMAS: It's pretty cool.

CHAIRWOMAN GIVEN: Ben?

MR. BURNS: No.

CHAIRWOMAN GIVEN: Okay. You have no questions for Patricia, for the applicant? No?

MR. BURNS: No.

CHAIRWOMAN GIVEN: Okay. No.

MR. FOOTE: No.

CHAIRWOMAN GIVEN: Okay. Do I have a motion to close the public --

MR. CONNOLLY: You have to ask if the public --
CHAIRWOMAN GIVEN: I'm sorry, I apologize. Does the public -- does the public wish to speak? Anyone in the audience wish to speak on behalf of this application?

(No Response)

CHAIRWOMAN GIVEN: Okay. Do I have a motion to close the public hearing on this application?

MR. THOMAS: Second.

CHAIRWOMAN GIVEN: I need a motion. I'll make the motion.

MR. THOMAS: Motion, motion.

CHAIRWOMAN GIVEN: A motion to close the public hearing on this application. Do I have a second?

MR. THOMAS: Second.

CHAIRWOMAN GIVEN: All those in favor?

MR. BURNS: Aye.

MR. FOOTE: Aye

MR. THOMAS: Aye.

CHAIRPERSON GIVEN: Aye.

Motion carried. Thank you, Patricia.

MS. LIANTONIO: Thank you, Board. Thank you, public.

CHAIRWOMAN GIVEN: Item No. 3. A public
hearing for the site plan review of J & J Impact Hospitality, LLC., represented by Brooke Epperson. The application is for the approval of a conversion from a vacant commercial space to a restaurant, for the property located at 409 Main Street. The property is located in the Commercial Retail District, and is also in the Historic District. It's designated Suffolk County Tax Map #1001-4.-7-12.

MR. PORTILLO: Hi. Good afternoon, Board, Chairlady. I'm Anthony Portillo, P, as in Paul, O-R-T-I-L-L-O, and I'm from AP Architecture. I'm the Principal of the firm, and we're representing the Pearl Restaurant.

Basically, we had our first hearing about a month ago and we're back. The questions from that hearing were really on the bathroom, and we've updated our drawings and --

CHAIRWOMAN GIVEN: Just to clarify, it wasn't a hearing, it was a pre-submission conference --

MR. PORTILLO: Sorry, the pre-submission.

CHAIRWOMAN GIVEN: -- I believe, yeah.

MR. PORTILLO: Yeah, I apologize.

CHAIRWOMAN GIVEN: Yeah, just to --
MR. PORTILLO: We updated the drawings, and we now have the two bathrooms that were required. And the last discussion also was in regards to the fire rating on the ceiling. And we are aware that there's a separation requirement for existing residential and the commercial space, and that has been provided to the town. So, basically, that's about all that came out of the last meeting. I would like to say we're not changing the facade at all, the building's staying the same, basically just changing the use. We are going to provide a commercial kitchen, and that will have what's required by code.

CHAIRWOMAN GIVEN: Do you have any questions for this gentleman?

MR. FOOTE: I didn't get the updated plans. Were those circulated to us?

CHAIRWOMAN GIVEN: They were. Yeah, the newest ones were dated what, May 22nd, or something?

MR. CONNOLLY: Paul had a question about handicapped accessible entrance.

CHAIRWOMAN GIVEN: Paul had a question about a handicapped --
MR. CONNOLLY: The Village Administrator is not here today. He had a question if the updated plan showed a handicapped accessible entrance to the building.

MR. PORTILLO: So just to be --

MS. O'BRIEN: Yes.

MR. PORTILLO: Yes. But to be clear, we're going to -- the original, the original building has about a four-inch threshold that goes into the building, and we'll provide a temporary ramp as needed, which is allowed per code. I discussed that with the Town.

The plans aren't updated, but, basically, since we have to go back for Building Department approval and a building permit, the plans won't be brought up to that standard, and need to be brought up to any construction. You know, these are -- really were for the Planning Board, so we'll be revising and adding those notes.

CHAIRWOMAN GIVEN: I'm having trouble hearing you.

MR. PORTILLO: Oh, I apologize.

CHAIRWOMAN GIVEN: That's okay.

MR. PORTILLO: All right.

CHAIRWOMAN GIVEN: You're probably having
trouble hearing me, too, right?

    MR. PORTILLO: Sometimes.

CHAIRWOMAN GIVEN: I can fix that.

    MR. PORTILLO: I'm loud, so I don't want to
    be too loud.

CHAIRWOMAN GIVEN: I'm normally that way,
    too.

    MR. PORTILLO: Yes. So we will update the
    plans and add the temporary ramp, and we'll
    specify what manufacture and ramp we're going to
    be using.

    MR. FOOTE: So I didn't get a chance to
    compare the two plans, but besides just adding an
    extra bathroom --

    MR. PORTILLO: Sure.

    MR. FOOTE: -- what were the changes to the
    plans?

    MR. PORTILLO: That was the largest change.
    We added the extra bathroom. One of them is
    handicapped, the other one is not, and,
    basically, they're coed bathrooms. You'll have
    an outside lavatory for washing your hands.
    There was no major changes.

    MR. FOOTE: It didn't affect the rest of
    the floor plan?
MR. PORTILLO: No, sir. No. We actually had some dead space in that area, so --
MR. FOOTE: Okay.
MR. PORTILLO: -- we were able to utilize that for the --
MR. FOOTE: So it's still -- it's still going to be like an open kitchen concept.
MR. PORTILLO: Yes.
MR. FOOTE: I think that's how it was described.
MR. PORTILLO: Yes.
MR. THOMAS: I think there was a question about the dumpsters in the back or something.
MR. PORTILLO: Yes. So we already spoke with North Fork Sanitation and they will provide us with garbage cans, and we'll have pickup as needed. Obviously, the winter months, we'll need less garbage pickup than the summertime, when the traffic is more, and that will be behind the building. And there is a right-of-way to -- to enter to pick up the garbage.
CHAIRWOMAN GIVEN: It may be --
MS. O'BRIEN: Can I say something?
MR. PORTILLO: Do you want to?
MS. O'BRIEN: Yeah.
MR. PORTILLO: Yeah.

MS. O'BRIEN: I'm sorry. Can I say something, or do I need to go up there?

CHAIRWOMAN GIVEN: You need to go to the microphone.

MS. O'BRIEN: Oh, I do? I'm sorry.

CHAIRWOMAN GIVEN: Thank you.

MS. O'BRIEN: Hi. I'm Jessica O'Brien.

In terms of the sanitation, we spoke with North Fork Sanitation, and we're going to get a 95-pound -- it's basically on wheels, and so it will be in the kitchen every day, and they'll come in and pick it up every morning, and then we wheel it back into the inside of our space. So it's -- it won't take up any additional space outside or obstruct any, you know, traveling, or it won't be in the way of anything. And that will be daily pickups. And, obviously, depending on the season, you know, how busy you are or not will determine how many pickups a week or daily. We may even need -- we may get like another one if we need, but I doubt it.

MR. THOMAS: Okay.

MR. FOOTE: Is that -- have you checked to make sure that complies with the Health Code or
MS. O'BRIEN: Yes, absolutely.
MR. FOOTE: Okay.
MS. O'BRIEN: And I have an image of it, if you guys would like --
CHAIRWOMAN GIVEN: Sure.
MS. O'BRIEN: -- for submission.
CHAIRWOMAN GIVEN: And that will be inside your kitchen.
MR. FOOTE: I'm sorry. What is the size of it?
CHAIRWOMAN GIVEN: The other one's behind it.
MS. O'BRIEN: It's 95. Let me see. I'm sorry. Ninety-five gallon trash can, so it's 40-by-29-by-33.
MR. THOMAS: And that fits in the kitchen?
MS. O'BRIEN: Uh-huh.
CHAIRWOMAN GIVEN: But my question was that it met Health Code as well. The Health Department didn't have a problem with that. Any other questions --
MR. FOOTE: I have nothing.
CHAIRWOMAN GIVEN: -- or concerns?
MR. FOOTE: Nothing else.
CHAIRWOMAN GIVEN: Ben?
MR. BURNS: No.

CHAIRWOMAN GIVEN: Okay. Does anyone else from the audience wish to speak on behalf of this application? Yes, Mary Bess.

MR. FOOTE: Thank you.

CHAIRWOMAN GIVEN: Thank you.

MS. O'BRIEN: Thank you.

MS. MARY BESS PHILLIPS: Good afternoon, Ladies and Gentlemen. First, I must disclose that I'm a Village Trustee in the Village of Greenport. My name is Mary Bess Phillips. I live at 210 Atlantic Avenue, Greenport, New York. I am assuming that you all received a letter from my husband, Captain Mark Phillips --

CHAIRWOMAN GIVEN: Yeah.

MS. MARY BESS PHILLIPS: -- which is his words. And as he's at sea and not available to read this, I'm reading it for him.

CHAIRWOMAN GIVEN: Okay.

TRUSTEE PHILLIPS: Okay?

CHAIRWOMAN GIVEN: I was going to read it into the minutes. Go ahead.

MS. MARY BESS PHILLIPS: If you'd like to--

CHAIRWOMAN GIVEN: Since that's what that
what've I've been told to do.

TRUSTEE PHILLIPS: Would you like to do it, because --

CHAIRWOMAN GIVEN: No. You may do it, Mary Bess. Thank you.

MS. MARY BESS PHILLIPS: Okay. I just want to make sure that everybody understands that these are his words, as he is the president of the corporation, K&M Properties, Inc.

CHAIRWOMAN GIVEN: Yes.

MS. MARY BESS PHILLIPS: Okay?

CHAIRWOMAN GIVEN: Yup.

MS. MARY BESS PHILLIPS: "Chairperson Givens and Members of the Village of Greenport Planning Board, I would like to enter into the public hearing record information I believe that will be helpful in your discussion for 409 Main Street site plan review.

The property at 414 First Street has deeded right-of-ways to Main Street and to South Street. In reviewing the survey, the property from First Street to either of the right-of-ways is private property. Currently, we do allow North Fork Sanitation to have access to the one dumpster that fits on the property for pickup. Two
reasons: First, we are their customer at the fish market. And second, it would cause major issues with the dump truck trying to back into the right-of-way from Main Street. I assume with a restaurant more than one dumpster will be required. I do have to question how this will be accomplished without placing them on our property.

We have not gated the First Street access so the Greenport Fire Department has the ease of entry, should any of the buildings bordering our property need their service. A previous tenant was allowed access to the back of their building for deliveries, ended upon them vacating one of our rental properties" -- "one of our rental spaces. They are now taking deliveries on South Street.

Over the years, many are surprised when told to vacate our property, our parking lot, that access from First Street out to South and Main Street is not Village property or a street.

The copy of the survey map provides a clearer picture of the situation. So we must enter into the record to allow delivery trucks for a restaurant across our private property is
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1 not an option.
2 Sincerely, Mark Phillips, president of K&M Properties," which is the property owner for 414 First Street.
3 Okay. If anyone has any questions, you have a copy of the survey map.
4 CHAIRWOMAN GIVEN: I do.
5 TRUSTEE PHILLIPS: I tried to distinct it well so that you could understand what the situation is, okay?
6 CHAIRWOMAN GIVEN: Right.
7 TRUSTEE PHILLIPS: All right. Thank you.
8 CHAIRWOMAN GIVEN: Thank you, Mary Bess.
9 MR. FOOTE: Mary Bess.
10 CHAIRWOMAN GIVEN: Walter has a question.
11 MR. FOOTE: Yeah. So, I mean, they just spoke before about their proposed solution. Is that sufficient, from your perspective?
12 CHAIRWOMAN GIVEN: For the trash, but what about deliveries?
13 TRUSTEE PHILLIPS: Well, the deliveries are going to have to be through Main Street.
14 MR. FOOTE: Right. No, the trash.
15 MS. MARY BESS PHILLIPS: That's why Mark wants to bring this to you.
MR. FOOTE: No, the trash.

TRUSTEE PHILLIPS: Well, that's something we'll have to discuss, to be honest with you. We have always done it, because the tenants that live in that building, it's one dumpster and it's one pickup a week. But I've dealt with the dump truck breaking telephone poles and running into things, okay?

So I just -- at this point, I can't answer that question. But I just wanted you -- well, excuse me. The corporation wanted to make you aware of the situation of how tight it is there, and that everyone assumes that this is a Village street or a Village parking lot. And I'm sure all of you have seen it, it's well used, okay? But we haven't shut it off because of the -- because of the use of the Fire Department, okay, you know, for our neighbors.

As far as in answering the garbage pickup, that's something I'll have to take up with the rest of the members of the corporation. I can't answer that one, okay?

MR. FOOTE: Okay. Thanks.

MS. O'BRIEN: Hi. Sorry about that.

The -- I guess I just wanted to respond back to
what you were saying in terms of deliveries or
garbage. There's already a garbage container for
the building in itself, and it's there every day,
and they get -- they get pickups for garbage
removal. So we're not, we're not adding or
creating more than what's already been.

And in terms of the space, I believe that
this meeting is predominantly about the use,
right? This space was previously a tavern, a --
a tavern, Ulmer's, so it's been preexisting.

So I just wanted to put that onto the
record, that it's already been -- this space,
it's already been a bar, so commercial use.

MR. FOOTE: I'm just a little confused.

The --

MS. O'BRIEN: Okay. I think I am, too, a
little bit, so that's why I'm here.

MR. FOOTE: That's why we're all here, to
hear it all out.

The picture of that portable dumpster --

MS. O'BRIEN: Yes.

MR. FOOTE: -- that you're going to use in
the kitchen stored --

MS. O'BRIEN: Yes.

MR. FOOTE: -- at the end of the day, they
come and pick it up and empty it, right? That's
the idea, depending on how busy you are, I guess,
but --

MS. O'BRIEN: Yes.

MR. FOOTE: How does that conflict? So
far, it doesn't sound like it conflicts with what
her issue was, was that you were -- whether or
not you were going to use another dumpster that's
already on her property; is that what we're
talking about?

MS. O'BRIEN: Well, what I'm saying is that
there's already a dumpster on the property for
the four -- for the tenants, as -- you know, as
well as the four spaces in this building that we
will be in, so --

MR. FOOTE: Okay. You're going to use that
dumpster?

MS. O'BRIEN: We're going to have our own
dumpster. We're having our own, in addition to
that already. But what I'm saying is that we're
not adding more to it, because we're just
literally like at the end of the night, it goes
out for them to pick up first thing in the
morning and then it comes back in. So it's not
going to cause more traffic or --
MR. FOOTE: So are you --

MS. O'BRIEN: -- truck use or --

MR. FOOTE: Yeah, I'm sorry.

MS. O'BRIEN: It's basically what I'm trying to say.

MR. FOOTE: Are you -- but is the portable dumpster like a method to dump into the big -- the other dumpster outside?

MS. O'BRIEN: No, no. It's just -- it's for the North Fork Sanitation to remove our trash.

MR. FOOTE: Okay. But are you -- what about the dumpster outside that you said is part of the building, are you going to use that as well?

MS. O'BRIEN: No, that's for -- that's for the building, for the tenants and for the --

MR. FOOTE: Got it. That's --

MS. O'BRIEN: It has nothing to do with us.

MR. FOOTE: Got it.

MS. O'BRIEN: But my point of bringing it up I suppose is that that's already there.

MR. FOOTE: Right.

MS. O'BRIEN: So we're not adding.

MR. FOOTE: I understand.
MS. O'BRIEN: We're not adding more, is what I'm trying to explain.

MR. FOOTE: Okay. Thanks for clarifying that.

MS. O'BRIEN: So there would be like no more additional, you know, trucks or delivery, or anything like that, right.

MR. FOOTE: Okay.

MS. O'BRIEN: I'm not articulating my thoughts, I apologize.

MR. PORTILLO: So I do have the deed for the building, and the deed does read, "Being and intended to be the same premise conveyed by William Ulmer Brewery to Benjamin Lipman and Joseph Lipman by deed dated April 30th, 1921, recorded in the Suffolk County Clerk's Office on or about May 2nd, 1921, subject to a right-of-way for egress" -- "ingress and egress over the southerly 10.9 feet, more or less, of the premise in favor of the owners of the premise adjoining on the west." And I believe it's on the survey as well. There is a right-of-way of 10.9 feet. So --

MR. FOOTE: That's the right-of-way for access to that dumpster, you're saying?
MR. PORTILLO: It's in -- it's in the deed for the building that they are renting. But, furthermore, we are -- we aren't proposing having trucks going up and down there. We're proposing having the trash be able to have someone to come, take it to the street and throw it into a truck --

MR. FOOTE: Right.

MR. PORTILLO: -- and then put it back.

MS. O'BRIEN: It was a way for us to alleviate that.

CHAIRWOMAN GIVEN: Okay. I don't --

MR. PORTILLO: So we are -- we are avoiding having the trucks going in and out. And also the deliveries as well don't need to be having trucks come. You know, it can be small amounts of delivery. The idea of the restaurant is a daily delivery. It's a very fresh restaurant.

MR. FOOTE: Yeah.

MR. PORTILLO: So it's going to be a lot of very small deliveries on a daily basis. We're not getting a weekly or a monthly amount. We actually don't have much refrigeration because of that reason. That's how they're going to run the restaurant, so it's -- you know, it's -- the food
aspect is actually pretty small, and it's very
farm to table, if you will, and that's --

Ms. O'Brien: It's a scratch kitchen.

Mr. Portillo: A scratch kitchen.

Ms. O'Brien: A scratch kitchen.

Mr. Portillo: A scratch kitchen is how
we're proposing it, so there isn't going to be a
lot of large deliveries of frozen items and, you
know, fresh items. It's going to be small
deliveries from, you know, areas that they
choose, and there'll be, you know, small boxes of
stuff on a daily basis.

So I don't see a lot of traffic being
added, as Jessica was stating. And I do believe
us having -- you know, bringing stuff up and down
the road, as long as it's not trucks, I don't see
the issue with that. Thank you.

Ms. Mary Bess Phillips: Mary Bess
Phillips. I just want to make a clarification,
that if they're going to have North Fork
Sanitation or any dump company, that they would
be -- in order to pick up the dumpsters, normally
they back in to provide that service. That's why
we've allowed North Fork Sanitation to go in from
First Street, so that they're not blocking up
Main Street. If they're going -- because that's how they would have to get in to get the dumpster out, is they would have to back in and that would snarl up any activity on Main Street, which is the reason why we're bringing it to the Planning Board's attention. It has nothing to do other than the fact that the Planning Board is responsible for the surrounding areas as to intensification of use, and traffic is one of them, okay?

It has nothing to do, the right-of-way. The right-of-way is very much well in my deed. I'm assuming that you're reading the one that's the K&M Properties off the website. We're not disputing the right-of-way. What we're disputing -- what we're trying to say is you need to be aware of the fact that they will have to have their trucks come in through that right-of-way, and that they'll be either backing in off of Main Street, okay? That's what we're trying to bring to your attention. If they're using small trucks, that's another issue. I have no idea what type of restaurant is going in there. My -- the concern of the corporation is dealing with trying to keep traffic off of our
property. That's where we're at, okay? Thank you.

MR. PORTILLO: So thank you for that, and we appreciate your comments.

I will say that, again, we're using -- we're not using dumpsters, as we showed the Board. This is sort of a hand-held trash can that someone can come and bring out.

And I think it's important to know how we're using the space, and it's not going to be some sort of restaurant that has a lot of heavy deliveries. So I think we made that pretty clear.

Jessica did speak about the space originally being used as a tavern, and that was the first use of that space, and then it became retail. And so in a way we're reverting it back to the original use of what that space was.

Thank you.

MS. SARAH PHILLIPS: Hi. Sarah Phillips, 415 Main Street. I actually live in the building that they're discussing, so I very intimately am familiar with this issue.

I think that the discrepancy on garbage is the frequency of the trucks that changes, so it's
more of a daily thing as opposed to a weekly thing. But as all people are already working with North Fork Sanitation, I'm sure there's something agreeable that could be decided upon between all parties, which makes sense.

There is South Street available for deliveries, even if there are trucks, as opposed to Main Street, which the plumbing supply store uses quite often, which gets backed up and double-parked with twice for plumbing that goes to Hommel, as well as to the property that used to be rented at the corner of the lot that Mary Bess is referring to. So that could be another excellent alternative for people to consider. That's it.

CHAIRWOMAN GIVEN: Does anyone else wish to speak on behalf of this application? David. No, David's going to take the podium.

MS. O'BRIEN: Oh, sorry.

CHAIRWOMAN GIVEN: Then after David. Thank you.

MR. CORWIN: My name is David Corwin, C-O-R-W-I-N. And I couldn't quite place where this was going to be until they said Lipman, and then I realized it was the Lipman Block --
CHAIRWOMAN GIVEN: Yes.

MR. CORWIN: -- which is a block of housing with some commercial space on the first floor.

So I want to remind you all what your job is, as per the Village Code. The maximum protection of residential areas. Now I don't know what you want to call the Lipman Block, but it looks like residential to me. So a bar is -- what I can gather, a bar is going to go into a residential area. All right. I guess if you rent in the Lipman Block, what I'll call the Lipman Block, there's going to be some noise. And once a bar goes in there, there's going to be a lot of noise until 4 o'clock in the morning, if the venture is successful.

And that goes to the first public hearing you had that you closed, which I would say I was the Chairman of the Planning Board at one time a long time ago. And, generally, if a letter comes into the Planning Board, or the Zoning Board, or the Village Board for a public hearing, the letters are read into the record, so, like Ms. Allen said, so people would know how to respond.

So the point -- I lost my point, I'm sorry.
When somebody brings a letter, I think you should read the letter into the record, so people that attend the meeting or watching it can see what's going on.

But to go back to the idea of these businesses in residential areas, it's the same thing with the first application, the first public hearing you had that you closed. It would be better to leave it open until it's time to vote, then close it, then vote, because there might still be people that want to have input after they saw the public hearing at this meeting or they heard the letter. But that's a procedural issue up to you people, I guess.

But I want to make the point on that first one, it's the same thing. A bar, music until 4 o'clock in the morning in what's basically a residential area. The back abuts residential. It's one piece of property away from residential. So I think you all have to look at these very carefully and put restrictions on them to approve them, because your responsibility is the maximum protection of residential areas. Thank you.

CHAIRWOMAN GIVEN: Thank you, David.

MR. FOOTE: Thank you.
CHAIRWOMAN GIVEN: Do you wish to take the podium again?

MS. O'BRIEN: Yes, please.

CHAIRWOMAN GIVEN: Yes, thank you.


Just to make a correction, it won't be -- it's not a bar. It was a bar, so I addressed that. It used to be a bar, the space that my husband and I have taken over. This is a restaurant, it's a small restaurant. It's very -- it will seat less than 50 people. And this is my vision, this has been a dream of mine, and I get emotional. I'm sorry.

CHAIRWOMAN GIVEN: That's okay.

MS. O'BRIEN: So it's a scratch kitchen, meaning that it really is about local seasonal stuff. So as far as deliveries go, I think what Anthony was trying to relay for me is that I will be dealing with a lot of local purveyors. And so I'm the chef, so I will actually be going out and getting the stuff myself. So everything is cooked to order, prepared daily. Hence, that's why we don't have big refrigerations. We don't -- it's not your typical restaurant kitchen that you see. So it really is a small bistro,
like neighborhood restaurant, and that's --
that's our concept and that's what we're doing.
   So I just wanted to correct, you know,
correct or make clear of what type of
establishment this place is going to be or is.
So we really are concerned with the town and
everybody else, the neighbors. We really want to
be a part of this community, and bring some value
to people here, and create, you know, community
and offer, offer something special. And I
believe that it will be really well received.
And we're not looking to cause any traffic or
problems, we just want to offer a wonderful
service for the community. That's all. Thank you.

MR. FOOTE: One question. What are your
proposed hours of operation?

MS. O'BRIEN: We don't have any, other than
that it will just be like everybody else. We're
going to be a restaurant, we're not going to be a
nightclub or a bar. Full menu. Right now, we're
thinking lunch and dinner. If possible, we would
love to do breakfast, but, really, we were not
certain yet, so.

MR. FOOTE: I think the sensitivity that
Mr. Corwin raised was how late you'd be open at

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night. Have you thought, put thought into that?

MS. O'BRIEN: I haven't put much thought into the specific hours. I think it was -- it's really about like kind of seeing as we go. If we get diners that, you know, want to come and eat at 10 o'clock, we'll be open until 11:30, midnight by the time we close down. So I know for myself, I don't want to be there. I'm the chef, I don't want to be there until -- I'm not going to be there until four in the morning, so I can promise you that. So it's going to be regular restaurant hours, like --

MR. FOOTE: So would you be comfortable if we put as a condition -- it's come up on other applications in terms of the hours of operation.

MS. O'BRIEN: Okay.

MR. FOOTE: Something that, you know, you ought to give us a little guidance in terms of what your expectation is, so we can have a better idea of what to work with.

MS. O'BRIEN: I think that that's -- that would be fine. I will say that I don't -- I personally am not so comfortable with having a restriction, because, as you know, for any other business owners, this is a risk financially for
myself and my husband, and if we lock down that
we're going to only to be open until 10 o'clock
every day or 11 o'clock --

MR. FOOTE: I didn't say 10 or 11.

MS. O'BRIEN: -- or a specific hour, like I
just --

MR. FOOTE: But you just said that you're
not going to be open until 4, so --

MS. O'BRIEN: Well, that's --

MR. FOOTE: -- let's start with that, okay,
and work backwards.

MS. O'BRIEN: Okay.

CHAIRWOMAN GIVEN: Excuse me. Could you
take your phone call outside, please? Ma'am,
could you take -- thank you. I'm sorry.

MS. O'BRIEN: That's okay. We're open to
suggestions. Certainly, we don't want to, you
know --

MR. FOOTE: Well, I think starting with --
I would suggest like checking with other
restaurants in the area, but I don't know of any
that serve beyond 11, or at least, you know, in
terms of the dinner, but maybe I'm wrong.

MS. O'BRIEN: In terms of dinner --

MR. FOOTE: Somebody can correct me on
that, maybe midnight, whatever. But, certainly, I -- there's a certain point where we have to say we have to draw a line.

CHAIRWOMAN GIVEN: Our kitchen is closed.

I worked in restaurants.

MS. O'BRIEN: Oh, yeah, that would be fine, the kitchen part, yeah, absolutely.

MR. FOOTE: And particularly since it's a mixed building, we have residents in there --

MS. O'BRIEN: Yes.

MR. FOOTE: -- living upstairs. It's -- you know, we have to -- that's part of our job, is to take that into consideration.

MS. O'BRIEN: I will say being, especially working back of the house through the years, I know that I wanted to serve dinner a little bit later than probably most -- most restaurants out here for the industry people, because for myself, somebody like myself, I get off of work, and I've worked really hard, and there's nobody serving dinner after "X" amount of time. And so I want to have the availability and the ability to be able to serve, maybe a limited menu, or what have you, but -- and I do think that it's good to have food with the beverages available as often as
possible. So, like I said, I'm open to please
the Board with whatever. So are you asking me
for a specific hour?
MR. FOOTE: No.
MS. O'BRIEN: Because I'm not sure quite
how to answer.
MR. FOOTE: It would be great if you could
come up with something specific.
MS. O'BRIEN: I think -- I think 11 o'clock
is fair to close a kitchen, except for maybe a
special occasion, if I have --
MR. PORTILLO: Jessica, you don't have to
give it to them now.
MR. PORTILLO: Can we give it to you later?
MR. FOOTE: Yeah, sure.
CHAIRWOMAN GIVEN: Yes, absolutely.
MR. FOOTE: Yeah, I don't -- not on the
spot.
MS. O'BRIEN: Oh, okay.
CHAIRWOMAN GIVEN: You could come back with
a suggestion, too.
MS. O'BRIEN: This is my first time, so if
I'm rambling or I don't know, it's my first time.
CHAIRWOMAN GIVEN: Yeah. No, that's fine.
MS. O'BRIEN: So thank you for bearing with me.

CHAIRWOMAN GIVEN: Thank you.

MR. FOOTE: Thanks.

MR. PORTILLO: So Anthony Portillo again.

Thank you for your time. We can provide the hours, as you guys requested, and we'll come up with a schedule. Maybe a seasonal schedule might make sense for us, like anybody in Greenport, that makes sense. So we'll put something together and I'll provide it to the town.

MR. FOOTE: That would be great.

MR. PORTILLO: Okay?

MR. THOMAS: Cool.

MR. FOOTE: Thanks.

MR. PORTILLO: Okay. And I think we've answered all the questions. And I think that, hopefully, we settled any disputes. And I thank the Board, I thank the public.

CHAIRWOMAN GIVEN: So you're going to provide updated plans showing the temporary ramp; is that what I understood you to say?

MR. PORTILLO: I have already provided a specification for the temporary ramp, and there was a -- it was approved, I guess.

CHAIRWOMAN GIVEN: By? To Paul, to the
Village?

MR. PORTILLO: By Greg, the Code Enforcement.

CHAIRWOMAN GIVEN: Okay.

MR. PORTILLO: I forget his last name, I'm sorry.

CHAIRWOMAN GIVEN: Okay. All right. Thank you.

MR. PORTILLO: Thank you. Thanks.

CHAIRWOMAN GIVEN: Ben?

MR. BURNS: No questions.

CHAIRWOMAN GIVEN: Okay.

MR. THOMAS: No, looks good.

CHAIRWOMAN GIVEN: Are we up for closing this? Are we closing the public hearing this evening, or do you want -- because John wasn't here.

MR. FOOTE: I have no more questions.

MR. THOMAS: I have no questions.

MR. FOOTE: So right before our work session, but it's up to you to close it if you want. It's up to Board Members.

CHAIRWOMAN GIVEN: Okay. Do I have a motion to close the public hearing on this application?
MR. FOOTE: Yes, motion.

MR. THOMAS: Yes, motion.

CHAIRWOMAN GIVEN: Second?

MR. FOOTE: Second.

MR. THOMAS: Second.

CHAIRWOMAN GIVEN: All those in favor?

MR. BURNS: Aye.

MR. FOOTE: Aye

MR. THOMAS: Aye.

CHAIRPERSON GIVEN: Aye.

Motion carried.

Item No. 4, motion to adjourn at 5:04. Do I have a second?

MR. THOMAS: Second.

CHAIRWOMAN GIVEN: All those in favor?

MR. BURNS: Aye.

MR. FOOTE: Aye

MR. THOMAS: Aye.

CHAIRPERSON GIVEN: Aye.

Thank you.

(The meeting was adjourned at 5:04 p.m.)
CERTIFICATION

STATE OF NEW YORK )
) SS:
COUNTY OF SUFFOLK )

I, LUCIA BRAATEN, a Court Reporter and Notary Public for and within the State of New York, do hereby certify:

THAT, the above and foregoing contains a true and correct transcription of the proceedings taken on June 7, 2018.

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 21st day of June, 2018.

Lucia Braaten

Lucia Braaten
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