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VILLAGE OF GREENPORT
PLANNING BOARD
WORK SESSION
June 25, 2015
5:00 p.m.

Meeting held at the Old Schoolhouse
Front Street, Greenport, New York 11944

- Appearances:
- Devin McMahon - Chairman
 - Ben Burns - Member
 - Chris Dowling - Member
 - Pat Mundus - Member
- Joseph Prokop, Village Attorney
Eileen Wingate, Village Building Inspector
Glynis Berry, Planning Board Consultant

1 (Whereupon, the meeting was called to order at
2 5:11 p.m.)

3 CHAIRMAN MC MAHON: Okay. We're going to begin
4 the meeting. This is the June 25th Village of
5 Greenport Planning Board work session.

6 Item No. 1 is motion to act on the review of
7 SEQRA considerations for the application for Wayne
8 Turrett. This property is located at 746 Main
9 Street. The proposed one-family house is a
10 permitted use in the R-1 (One Family Residential)
11 District. It is also located within the Historic
12 District.

13 This, because it was in an Historic District,
14 had a Type I SEQRA determination, which is a public
15 hearing, and in accordance with that, we are doing a
16 -- we issued a Notice of Coordinated Review for the
17 other Boards that have jurisdiction over this. We
18 haven't received responses from them yet, so we're
19 going to have to table this item until the next
20 Planning Board session. I believe that would give
21 enough time --

22 MR. PROKOP: Yes.

23 CHAIRMAN MC MAHON: -- to the next work session
24 of the Planning Board. That will give enough time to
25 receive feedback from the other Boards.

1 So I'm going to make a motion to table that
2 until the next work session meeting. Do I have a
3 second?

4 MS. MUNDUS: Second.

5 CHAIRMAN MC MAHON: All in favor?

6 MR. BURNS: Aye.

7 MR. DOWLING: Aye.

8 MS. MUNDUS: Aye.

9 CHAIRMAN MC MAHON: Aye.

10 Motion carries.

11 Item No. 2 is a motion to accept the use
12 evaluation application as submitted by Linda
13 Kessler. Linda Kessler represents LKessie, Inc., has
14 leased the store front at 25 Front Street, and is
15 relocating her existing business across the street.
16 The property is located in the WC - Waterfront
17 Commercial District; SCTM #1001-5.-4-28.

18 I'm going to read off some of the notes that we
19 have from our Consultant, Glynis.

20 Recent use: The property was formerly used for
21 retail.

22 Proposed use: Retail of clothing and
23 accessories.

24 No physical changes are being made to the
25 space.

1 The applicant needs to submit a sign
2 application for the proposed signage. An exception
3 could be granted, as it is reinstating the decal used
4 in its former location.

5 Retail is a conditional use in Zone
6 Waterfront-Commercial.

7 The property formerly had an approval for use
8 as a retail establishment. According to Chapter 150,
9 Section 29D, "Any use for which a conditional use
10 permit may be granted shall be deemed to be a
11 conforming use in the district in which such use is
12 located, provided that such permit shall be deemed to
13 affect only the lot or portion thereof for which such
14 permit shall have been granted."

15 Since no changes are proposed, the use is
16 considered conforming, precluding a need for a
17 hearing.

18 The applicant -- application mentions removing
19 trash off premises. The applicant needs to describe
20 where it will be stored on-site and the pickup
21 schedule.

22 Also, what will the hours of operation be?

23 MS. MUNDUS: Linda Kessler is here.

24 CHAIRMAN MCMAHON: Yes. Could you please come
25 to the podium and just address yourself, so we can

1 have it on the record, or identify yourself, excuse me.

2 MS. KESSLER: Linda Kessler, and I run Kessie
3 on Front Street.

4 As far as garbage removal, I will be using the
5 dumpster in the back that Robby Beaver has for Frisky
6 Oyster. And he said I was welcome to use it, because
7 it's bigger than his own usage, and so that is how
8 I'm handling refuse. It's basically very little.
9 It's probably like one little bag a day.

10 And what was the other question?

11 CHAIRMAN MC MAHON: Hours of operation. Just
12 you can have --

13 MS. KESSLER: Basically, our hours of operation
14 are from 10 to 6 out of season. In season, sometimes
15 we're there until 8, 9, 10, depending on the demand
16 of the day.

17 CHAIRMAN MC MAHON: Okay. What I would
18 recommend, then, is you list the hours of operation
19 for whenever you'd like to be able to be open.

20 MS. KESSLER: Okay.

21 CHAIRMAN MC MAHON: So if you don't want to
22 stay open until 10, you don't have to stay open until
23 10, but you still have the option, rather than having
24 your hours listed as 8 to 8, or whatever, and then
25 staying open until 10 or 11. It just -- it gives you

1 the freedom to have, you know, some flexibility in
2 your hours.

3 MS. KESSLER: Yes.

4 CHAIRMAN MC MAHON: So what we'd need, then --

5 MR. DOWLING: Can I ask something?

6 CHAIRMAN MC MAHON: We need something from
7 Robby Beaver, then, for the -- signifying that you're
8 going to be using his trash.

9 MS. KESSLER: Okay.

10 CHAIRMAN MC MAHON: How can we -- what can
11 we -- a letter from him --

12 MR. PROKOP: A letter.

13 CHAIRMAN MC MAHON: -- would suffice?

14 MR. PROKOP: Yeah, a letter.

15 CHAIRMAN MC MAHON: Okay. So if you can get a
16 letter from Robby stating that he's allowing you to
17 store your trash in his garbage, and include that
18 with your application, and then just -- I guess we'll
19 note on your application the hours of operation.

20 MS. KESSLER: I'm sorry.

21 CHAIRMAN MC MAHON: So, if you can get that
22 letter to us by the next --

23 MS. KESSLER: I could probably get it while the
24 meeting is going on.

25 (Laughter)

1 MR. BURNS: Approve it conditionally.

2 CHAIRMAN MC MAHON: Would that be -- can we
3 have a conditional --

4 MR. PROKOP: It's not on for approval tonight.

5 CHAIRMAN MC MAHON: It's not.

6 MR. PROKOP: I recommend that -- excuse me, I'm
7 sorry. My recommendation is it's not on for approval
8 tonight, it's only to accept the application, and she
9 needs to submit paperwork.

10 CHAIRMAN MC MAHON: Okay. Oh, that's right,
11 yes, this isn't --

12 MS. MUNDUS: This is a work session.

13 CHAIRMAN MC MAHON: This is the work session,
14 that's right. Okay.

15 MR. DOWLING: You'll get it approved at the
16 next meeting.

17 CHAIRMAN MC MAHON: So if you could have that
18 by the next -- by next week in our regular session.

19 MS. KESSLER: Which is what?

20 CHAIRMAN MC MAHON: It's next Thursday.

21 MS. KESSLER: Next Thursday?

22 CHAIRMAN MC MAHON: Yup.

23 MR. DOWLING: If you could get it to Eileen
24 tomorrow or as soon as you can, that way she can have
25 it in the packet for us next week.

1 MS. WINGATE: Yeah, please.

2 MS. KESSLER: Yeah.

3 MS. WINGATE: Monday, Tuesday latest.

4 MS. KESSLER: Okay.

5 CHAIRMAN MC MAHON: Okay. Are there any other
6 issues anyone from the Board has with this?

7 MR. DOWLING: I just have a question. You
8 asked about -- do we have to have the hours set on
9 the site application?

10 CHAIRMAN MC MAHON: We discussed this before.
11 I don't know if there is a set rule for the Village
12 as to whether or not we have hours of operation for
13 every business.

14 MS. BERRY: I asked about it and they said they
15 normally are more concerned if it's a restaurant or
16 bar.

17 MR. DOWLING: Yeah.

18 CHAIRMAN MC MAHON: So just noise concerns.

19 MS. BERRY: So it's not an absolute
20 requirement.

21 MR. DOWLING: Okay.

22 CHAIRMAN MC MAHON: Okay.

23 MR. PROKOP: What about the signage, is she
24 going to need a sign?

25 CHAIRMAN MC MAHON: The sign, let's see.

1 MS. MUNDUS: Did you submit a sign application
2 for this?

3 MS. KESSLER: Well, what I did submit is --
4 this is my logo, and it's 12 inches in its regular
5 form, and it's just going to be a vinyl cut on my
6 front door with "Kessie" written on top of -- you
7 know, it will be something similar to this.

8 CHAIRMAN MC MAHON: Okay.

9 MS. MUNDUS: And it's going to be on your door?

10 MS. KESSLER: On my door. I don't need a
11 sign-sign.

12 CHAIRMAN MC MAHON: Okay. So for -- remind me,
13 on decals on windows, do they need a separate sign
14 application for that, or is it only overhanging and
15 stand-alone signs?

16 MS. WINGATE: All signs need a sign permit.

17 CHAIRMAN MC MAHON: So a separate sign permit
18 for the -- for the decal. Okay.

19 MS. WINGATE: Once you've approved what it is,
20 they should just come in and apply for it.

21 CHAIRMAN MC MAHON: Okay. So if you could give
22 us -- submit a copy of what the sign is with the
23 dimensions that you're going to have on there, we'll
24 include that, and then there would be a separate sign
25 application.

1 MS. WINGATE: I think you have that.

2 CHAIRMAN MC MAHON: Oh, do we have it?

3 MS. WINGATE: Yeah.

4 MR. DOWLING: It's on the site -- it's on the
5 site plan, top left.

6 CHAIRMAN MC MAHON: Okay. If we could just
7 sort of clearly indicate in the application what the
8 dimensions are and where it's going to be.

9 MS. KESSLER: I thought I passed it. I thought
10 I put it in there on the bottom.

11 CHAIRMAN MC MAHON: I might just not be seeing
12 it here.

13 MS. MUNDUS: You have it written in your
14 application for use evaluation, where -- in project
15 description, she has it written down here, as before,
16 12 inches, name on door.

17 CHAIRMAN MC MAHON: Yes, it does. Okay. So
18 with just those few items that you'd want to address.
19 Does anyone else have any concerns or --

20 MR. PROKOP: In case there's a question, I just
21 want to mention, I think she's operating now. I
22 wanted to --

23 MS. KESSLER: Well, I -- I'm sorry, I didn't
24 hear you, there was a phone.

25 MR. PROKOP: I think you're operating -- I

1 think that you're operating now, right?

2 MS. KESSLER: Well, not officially. I was
3 waiting to do this. But my store has been open,
4 because I'm receiving packages for the East End
5 Seaport Museum for Tall Ships. I'm also receiving
6 Tall Ships items, and we're having meetings there.
7 So, yes, the door is open, but -- and we're still
8 setting up, we're still not finished there.

9 MR. PROKOP: Okay. Well, anyway, I just want
10 to say, in case the Board -- we have told other
11 people not to open, or to close if they were open.
12 In this case, it's my understanding a violation was
13 issued already.

14 MS. KESSLER: Yeah, I have it, I got it
15 yesterday.

16 CHAIRMAN MC MAHON: Okay.

17 MR. PROKOP: Just in case you had that
18 question, in case anybody had a question.

19 CHAIRMAN MC MAHON: Okay.

20 MR. PROKOP: I don't think any further
21 action --

22 CHAIRMAN MC MAHON: Okay.

23 MR. PROKOP: -- is necessary.

24 CHAIRMAN MC MAHON: All right.

25 MR. PROKOP: Since it's now -- since it's now a

1 matter before the -- since the violation was issued,
2 I don't know if any other action was --

3 CHAIRMAN MC MAHON: Any other action
4 is necessary from us.

5 MR. PROKOP: Based on her testimony.

6 CHAIRMAN MC MAHON: Okay.

7 MS. MUNDUS: Just for the record, I would like
8 for everyone to know that Linda Kessler is Greenport
9 Village's uber volunteer. And for anyone to suggest
10 that her door is open for any other illegal purposes
11 is crazy. Tall Ships, Maritime Festival, she is
12 making it all happen. Thank you.

13 AUDIENCE MEMBER: Bravo.

14 CHAIRMAN MC MAHON: Okay. I am going to make a
15 motion that we accept the application. Do I have a
16 second on that?

17 MR. DOWLING: Second.

18 MS. MUNDUS: Second.

19 CHAIRMAN MC MAHON: Motion carries.

20 Item No. 3, motion to accept the use evaluation
21 application from Malgorzata Rojek. Is that close?

22 MS. MARLAND: Yes.

23 CHAIRMAN MC MAHON: Sorry about that. She
24 represents Gosia Rojek Interiors, LLC, and has leased
25 the store front at 10 Front Street. The property is

1 located in the CR - Commercial Retail District;
2 SCTM# 1001-4-10-24.

3 CHAIRMAN MC MAHON: I have comments here I'm
4 going to read from Glynis, our Consultant.

5 Recent use: The property was formerly used for
6 retail (clothing, gifts)

7 Proposed use: Retail store for home goods and
8 gifts.

9 No physical changes are being made to the
10 space.

11 An application for a sign permit was not
12 formally submitted, although pictures were provided.
13 While the size of the sign appears to be compliant if
14 attached directly to a wall, it is not if it is
15 considered an overhead sign. Dimensions need to be
16 provided for that.

17 The proposed mounting of the sign is
18 problematic, as it floats above the entrance. Safety
19 of the sign mounting and its categorization are
20 issues. The sign regulations in 150-9 C (1)(a)
21 reference signs attached to walls. Technically, this
22 proposal is an overhead sign, although the
23 regulations for overhead signs reference being placed
24 over sidewalks, while this is over the entrance. Of
25 concern is the adequacy of the attachment, especially

1 for wind loads. Details of the attachment,
2 preferably by a design professional, should be
3 provided or Village guidance developed.

4 Chapter 150, Section 15, Sign Regulations L -
5 Regulations regarding overhead signs.

6 *(1) Overhead signs over sidewalks shall be*
7 *permitted, and only where the sidewalks are present.*

8 *(2) For all businesses where there is only one*
9 *business in the building, each business shall be*
10 *permitted one overhead sign.*

11 *(4) Overhead signs shall be limited to an area*
12 *of two square feet or less on each side, and may be*
13 *two sides (front and back) only.*

14 *(6) A license shall be required for each*
15 *overhead sign, and the license will be issued upon*
16 *the business owner providing proof of Planning Board*
17 *approval, providing proof of required insurance*
18 *coverage for the sign, and payment of the required*
19 *fee in full.*

20 *(7) The business owner shall obtain and*
21 *provide the Village with a certificate of liability*
22 *insurance in the amount of not less than \$500,000*
23 *naming the Village of Greenport as additional*
24 *insured. In the event that the insurance coverage or*
25 *policy expires or is terminated during the term of a*

1 *license, the license will be automatically*
2 *terminated.*

3 The recommendation from Glynis is to accept the
4 use application, but not a sign application, deeming
5 it incomplete.

6 Also of note: The applicant already installed
7 the sign.

8 Also, What will be the hours of operation be?

9 And How will trash be handled on the premises?

10 If you'd like to speak to any of this. Yeah,
11 please.

12 MS. MARLAND: First of all, I want to say that
13 I'm not Gosia Rojek. I'm her friend and business
14 colleague, Deborah Marland, okay, just on the record.

15 MS. BERRY: What's your name?

16 MS. MARLAND: It's Deborah Marland. Debra
17 Marland. Can you hear me okay?

18 MS. WINGATE: Better.

19 MS. MARLAND: Okay. The sign that we're using,
20 to address that issue that you spent so much time on,
21 was the one that was already previously there. We
22 just applied a new picture of our name to it, so it
23 isn't any different. It's within the property line,
24 because the door to the entrance is inset. The
25 windows come out further, so it doesn't actually go

1 out on the sidewalk at all. And, as I said, it was
2 the previous sign. That was Goldy & Mac before, so I
3 would imagine that the records are there for that
4 sign previously.

5 Was there another question in there? I'm
6 sorry, I don't remember.

7 CHAIRMAN MC MAHON: There was just to the sign.
8 There was also the hours, indicating hours of
9 operation. And how would trash be handled on site?

10 MS. MARLAND: Our hours of operation, 10 a.m.
11 to 10 p.m., seven days a week. And the trash we just
12 take home.

13 MS. BERRY: I couldn't hear.

14 CHAIRMAN MC MAHON: I'm sorry, what's that?

15 MS. BERRY: I couldn't hear.

16 MS. MARLAND: Oh. Should I just try it without
17 this? The hours of operation, 10 a.m. to 10 p.m.,
18 seven days a week. The trash, we have very little of
19 it, so we just take it home. We have -- we have
20 trash pickup at home, both of our homes. And I also
21 have permit to go to the dump, if I ever had anything
22 really large that I had to dispose of.

23 Is there another question?

24 MS. MUNDUS: I'd like to ask the Village
25 Attorney a question. Joe, in this case, with the

1 sign hanging over the inset of her entry foyer, where
2 does the Village sidewalk end and where does the
3 landlord's property begin?

4 MR. DOWLING: Property line.

5 MS. MUNDUS: The property line?

6 MR. PROKOP: It's -- you know, it's different,
7 it's different in every case, so we -- you really
8 have to see a survey. In general, I would think that
9 the building line -- it would be safe to say that the
10 building line at least is the landlord space and not
11 the Village space, unless -- Eileen probably has a
12 better working knowledge.

13 MS. WINGATE: I think this particular building
14 is about seven or eight inches inside the property
15 line.

16 MR. PROKOP: Inside the property line? Okay,
17 so that's the answer, I guess.

18 MS. MUNDUS: Okay. So then, in that case, she
19 would not need the Certificate of Liability, or any
20 of those things.

21 MR. DOWLING: Because the sign is not even near
22 the sidewalk.

23 MS. BERRY: Yeah. But the sign is not attached
24 to the building the way the code implies. That's the
25 issue.

1 MS. MUNDUS: Could you explain? Could you
2 explain how it is attached.

3 MR. DOWLING: That's where an overhead sign
4 is -- that's an overhead sign over the sidewalk, and
5 it's not over the sidewalk.

6 MS. BERRY: I know, but it's also not attached
7 to the building the way the other portion of the code
8 talks. If it were on the wall, fastened to the wall,
9 then you don't have any wind load on it, you know,
10 you've got the wall behind it.

11 MS. MARLAND: Well, it is tucked in, so I don't
12 know that the wind could get to it.

13 MS. BERRY: Believe me, you're going to get
14 wind load on it. It has nothing behind it and it
15 could come off its mounting. And it's over where
16 people walk, and it could -- you know, it's not --
17 that's why I raised it, because it's not one and it's
18 not the other. But there is a liability issue here,
19 because I don't think it's as safe as --

20 MS. MUNDUS: Right, but that is the tenant's
21 liability and the owner of the building. If
22 someone -- it falls down, it's going to be their
23 risk, not ours.

24 MR. DOWLING: If wind blows, that sign will
25 blow inside, right?

1 MS. BERRY: If we approve it, then we're
2 also --

3 MS. MUNDUS: I see where you're going.

4 MS. BERRY: We also have liability.

5 MS. MUNDUS: Okay. How -- could you explain
6 how it is fastened, what it's made out of and how
7 it's fastened?

8 MS. MARLAND: It's a piece of wood and -- even
9 though I'm looking at the picture of the employee
10 attaching it, I couldn't explain to you how it's
11 fastened, I don't remember. It's a -- it's a series
12 of interlocking hooks, and exactly which kind of
13 hooks, which, you know, gauge of metal, I wouldn't
14 know that now. But it is the one exactly what was
15 there before. There is no record of that
16 previously --

17 MS. BERRY: No, it doesn't matter.

18 MS. MARLAND: -- going way back?

19 MS. BERRY: It doesn't matter.

20 MS. MARLAND: Because we didn't change it,
21 except for the picture in front of it, okay? So what
22 is it that you are asking us to do? Because I don't
23 really understand what changes, if any, need to be
24 made to the sign.

25 MS. BERRY: The problem is it doesn't fit

1 either category clearly, so --

2 CHAIRMAN MC MAHON: I think we need to make a
3 determination as to what code -- what rules and
4 regulations we need to be applying to this particular
5 sign. If it's on their property, then it doesn't
6 necessarily have the same regulation as overhanging
7 -- overhead street sign. But if it's not attached in
8 another manner --

9 MS. BERRY: Then the liability is still there.

10 MR. PROKOP: So this is on -- this is on for
11 accepting the application.

12 CHAIRMAN MC MAHON: Yeah.

13 MR. PROKOP: So one of the things you might
14 consider doing is accepting the application, and then
15 I'll try to get some kind of -- from a legal
16 standpoint, try to get some kind of recommendation to
17 you.

18 CHAIRMAN MC MAHON: Okay.

19 MR. PROKOP: Or interpretation, and I'll work
20 with Glynis and Eileen on that.

21 MS. WINGATE: The sign --

22 MR. PROKOP: But -- excuse me -- the one thing
23 I would say is that, you know, once -- this is the
24 first one, you know, this is going to be a
25 significant thing, you know, if we take one of these,

1 so we -- but let me look at it, please.

2 CHAIRMAN MC MAHON: Okay.

3 MR. PROKOP: I'm sorry.

4 MS. WINGATE: The sign still doesn't have a
5 permit, so part of the permit application is how it's
6 affixed to the building. So it could all follow a
7 positive route.

8 CHAIRMAN MC MAHON: So you're suggesting --

9 MS. MUNDUS: So she just needs to apply for a
10 sign permit.

11 MS. WINGATE: She needs to apply for -- to have
12 the sign that's already there, and we'll make sure
13 that in that procedure it will meet a code. I don't
14 know what code yet.

15 MS. MARLAND: So we don't know what to do with
16 the sign either.

17 MS. WINGATE: Take it down.

18 MS. MARLAND: Okay. So, for the moment, you
19 would like us to remove the sign. We can place it
20 inside our window so people know what -- which store
21 it is, right?

22 MS. WINGATE: Yeah.

23 MS. MARLAND: So it's seen from the outside,
24 but it's not hanging on the outside.

25 MS. WINGATE: No. You need a sign permit. You

1 need to apply for a sign.

2 MS. MARLAND: Inside of your -- inside of the
3 store you need a sign permit?

4 MS. WINGATE: Yes.

5 MS. MARLAND: To just put your name in the
6 window?

7 MS. MUNDUS: That's what we just said for
8 Mrs. Kessler.

9 MS. MARLAND: Oh.

10 MS. MUNDUS: That even her decal on the door
11 needs a sign permit.

12 MS. MARLAND: Okay. Yeah, this wouldn't be a
13 permanent thing, it would temporarily --

14 MR. DOWLING: If you go to the Building
15 Department tomorrow with the application for a sign
16 permit, you know, that's not going to take long
17 either, so -- it shouldn't, right?

18 MS. WINGATE: Shouldn't take very long at all.

19 MS. MARLAND: Okay. But do we know that --

20 MR. BURNS: How do we determine the safety of
21 the sign?

22 MR. DOWLING: Eileen will sort that out for
23 you.

24 MR. BURNS: Do we get an engineer?

25 MR. DOWLING: You'll get a building permit --

1 MR. BURNS: How do we determine the safety of
2 the sign? Do we get an engineer?

3 MS. WINGATE: I don't know that we need an
4 engineer. I just think we need to see what it is and
5 evaluate it. I'm sure there's -- I could find some
6 code to compare it to, and if I can't, then we'll
7 call in a design professional.

8 CHAIRMAN MC MAHON: Okay. I would like to --
9 Joe's input on how we classify this. I am going to
10 suggest that we accept the application, noting that
11 the sign is noncompliant right now, or perhaps is.
12 Well, definitely is, because there was no sign
13 permit. So you need to apply for a separate sign
14 permit. But I'm going to -- I'm going to make a
15 motion that we accept the application. Can I have a
16 second for that?

17 MS. MUNDUS: Second

18 MR. DOWLING: Second.

19 CHAIRMAN MC MAHON: Second? All in favor?

20 MR. BURNS: Aye.

21 MR. DOWLING: Aye.

22 MS. MUNDUS: Aye.

23 CHAIRMAN MC MAHON: Aye. Okay. Yes?

24 MS. BERRY: Do we also want to have her
25 identify where the store -- she's going to store the

1 trash until she takes it out?

2 MS. MUNDUS: No. She's going to take it home.
3 She's going to have a trash back. It's portable all
4 over, wherever she feels like keeping it.

5 MS. BERRY: Okay.

6 MS. MUNDUS: I think that's --

7 MR. PROKOP: Why did you think the sign was
8 incomplete? Why did you think the sign -- what else
9 does she have to do to complete a sign application?

10 MS. BERRY: She's supposed to identify the size
11 and how it's being hung.

12 CHAIRMAN MC MAHON: There are no dimensions
13 provided. There's a picture of it.

14 MR. PROKOP: So she has to provide the
15 dimensions.

16 CHAIRMAN MC MAHON: Dimensions, yeah.

17 MR. PROKOP: You know, otherwise -- so I would
18 tell her that --

19 MS. BERRY: And the mounting.

20 MR. PROKOP: Because it's a sign, she has to
21 tell us by tomorrow the size and the mounting, file
22 it with the Village.

23 MS. MARLAND: When you say mounting, what do
24 you mean by mounting? Do you mean the way it's
25 hanging?

1 MR. PROKOP: How it's attached to the building.

2 MS. MARLAND: How it's attached to the
3 building. And how would you like it attached to the
4 building? We could save a lot of time there.

5 MS. MUNDUS: That's up to the Building --

6 CHAIRMAN MC MAHON: Yeah, that's --

7 MS. MARLAND: It's not up to us?

8 MS. MUNDUS: The sign permit --

9 CHAIRMAN MC MAHON: That's code, it's not our
10 -- it's not our preference as to how, it's just
11 whatever is conforming with the code.

12 MS. MARLAND: Oh, okay. Is there a copy of
13 this code or something I could have?

14 MR. PROKOP: So we have a recommendation from
15 the Planner not to -- to deem it incomplete. I don't
16 know how you want to handle that.

17 CHAIRMAN MC MAHON: My understanding from
18 Glynis was that the sign application is incomplete,
19 but we can accept the application --

20 MS. BERRY: (Nodded yes).

21 MR. PROKOP: Okay.

22 CHAIRMAN MC MAHON: -- for the use; is that
23 correct, my --

24 MS. BERRY: Yes. So not accepting the sign,
25 but --

1 CHAIRMAN MC MAHON: Not the sign, but accepting
2 the application. The sign is a separate permit.
3 Okay.

4 MR. PROKOP: So the motion would be to accept
5 the application and to deem the sign application as
6 incomplete.

7 CHAIRMAN MC MAHON: Yes, I believe that was --

8 MR. PROKOP: Okay.

9 CHAIRMAN MC MAHON: That was what we indicated,
10 that was the motion. So I think that's what we
11 already approved, right

12 MR. PROKOP: All right.

13 CHAIRMAN MC MAHON: Yeah. That was -- and that
14 was -- it was noted in there that the sign was not
15 compliant.

16 MR. PROKOP: Thanks.

17 CHAIRMAN MC MAHON: Okay. So are you clear on
18 what --

19 MS. MARLAND: I'm to go to the Planning Board
20 tomorrow and get a --

21 MR. DOWLING: Building Department.

22 MS. MARLAND: An application for the sign
23 permit.

24 CHAIRMAN MC MAHON: For the sign, yup.

25 MS. MARLAND: And fill out the dimensions and

1 describe how it's attached. And in the meantime, I
2 should just take it down.

3 CHAIRMAN MC MAHON: Yes

4 MS. MARLAND: And put it in the back room. Is
5 that --

6 CHAIRMAN MC MAHON: Okay.

7 MS. MARLAND: Do I have it?

8 MR. DOWLING: Yes.

9 CHAIRMAN MC MAHON: Okay. And then Joe's going
10 to give us his recommendation as to whether or not
11 this qualifies as --

12 MR. PROKOP: Yeah, I'll speak with Glynis --

13 CHAIRMAN MC MAHON: Okay.

14 MR. PROKOP: -- and Eileen.

15 CHAIRMAN MC MAHON: Okay.

16 MR. PROKOP: Thanks.

17 CHAIRMAN MC MAHON: Thank you.

18 MS. MARLAND: Thank you.

19 CHAIRMAN MC MAHON: Thank you. All right.

20 Item No. 4 was a motion to accept the request
21 from Beth Pike, owner of Deepwater Bar and Grille,
22 for permission to place two small tables outside.
23 The property is located at 47 Front Street, and is in
24 the WC Waterfront Commercial District; SCTM# 1001-
25 5.-4-19.

1 Glynis, did you write notes on that one, or is
2 it just --

3 MS. BERRY: No.

4 CHAIRMAN MC MAHON: No? Okay.

5 MS. BERRY: I didn't receive it, it's tabled.

6 CHAIRMAN MC MAHON: Yeah.

7 MS. MUNDUS: This came so late. We don't have
8 any paperwork on it. We don't have any anything on
9 it. Maybe we should save this for the next time.

10 CHAIRMAN MC MAHON: Yeah, that was -- I was
11 going to recommend a motion to table discussion until
12 we have a completed application with a drawing
13 showing where the tables are going to be, and how
14 that would affect occupancy also.

15 MS. PIKE: Okay.

16 CHAIRMAN MC MAHON: If you're going to -- would
17 you mind coming up to the podium?

18 MS. PIKE: Yup, definitely. Hi.

19 CHAIRMAN MC MAHON: Hello.

20 MS. PIKE: I had sent a letter in regarding my
21 application to come in. And, obviously, I did send
22 something, but it was late. And the letter stated I
23 had wanted to talk about three items. One was the
24 tables, two was the dumpster, three was music. Since
25 then, I've found out that music, Eileen told me, is

1 not in front of you. I was unaware of that.

2 The table issue, I was told that the plan I
3 sent in is not appropriate and/or too late. However,
4 does that mean I need to hire an architect or an
5 engineer for this?

6 CHAIRMAN MC MAHON: No, I believe just a
7 to-scale drawing showing the dimensions in the front.
8 I mean, you'd have to have an appropriate drawing.
9 It doesn't need to be prepared by an engineer, but it
10 does need to be to scale.

11 MR. DOWLING: Submitted to us earlier,
12 possibly.

13 MS. PIKE: Right, I just added two tables,
14 whatever. So I understand I'm too late for that. I
15 will -- I will adjust that for the next one. The
16 music as well I understand is not here. However, the
17 third item was the dumpster issue.

18 MS. WINGATE: That's a Village issue.

19 MR. PROKOP: What is the issue? If you don't
20 mind.

21 CHAIRMAN MC MAHON: I'm curious, what is it?

22 MS. PIKE: The issue with the dumpster that I
23 put in in the same letter was regarding the dumpster.
24 That is on my property, located in the back of the
25 building, which, as I was told, has to fit inside a

1 certain area. And that dumpster is so small and
2 ineffective, that when I took over the property, I
3 spoke with Mattituck Sanitation and he told me that
4 for years he's been using a different system, that
5 they never used that particular system there. And
6 when I spoke with Eileen, she stated that it had to
7 go in there. She made a visit, and I did immediately
8 call them and they did put the second one back tucked
9 under. It's small, and when we spoke, she said that
10 there were other ones on Village property that were
11 either grandfathered in, special-permitted in, or
12 some type of other item behind on the Marina area.

13 My question was how would I go about getting
14 that special exception or permit for this? Because
15 there is no way that that small dumpster can contain
16 the garbage, especially with what's happening in the
17 next week. I cannot have trash all over the street,
18 which is what is going to happen. I don't know how
19 to -- you can't stuff it in this teeny, tiny
20 dumpster.

21 CHAIRMAN MC MAHON: I've got to say, I'm --

22 MS. WINGATE: The site -- pretty much the site
23 plan -- I don't recall the dumpster being any other
24 place but where it is now. There were four
25 dumpsters, one of which was our -- actually,

1 one-and-a-half were ours. There was a shared
2 dumpster with Ralph's. There was a stray dumpster,
3 which we had removed. And, fundamentally, at this --
4 at this point in time, the Village has decided that
5 they don't want to provide dumpster space for anybody
6 but our Marina, so all those dumpsters are being
7 removed. And so you're not alone, everybody else --

8 MS. PIKE: Do we have some kind of fix-it for
9 July 4th weekend? Is there a fix-it for this issue?

10 MS. WINGATE: It's a really good point, Beth.

11 MS. PIKE: Because it's a -- it's an area
12 issue.

13 MS. WINGATE: Linda.

14 MS. PIKE: It is not just me. And I'm trying
15 to trouble-shoot because I see this as being a big
16 problem.

17 CHAIRMAN MC MAHON: Yeah. I don't know that
18 it's under the purview of the Planning Board to -- I
19 don't know how the Village wants to handle trash on
20 the --

21 MS. PIKE: I don't know who to go to.

22 CHAIRMAN MC MAHON: Yeah.

23 MS. PIKE: This is my problem. I'm not that
24 smart legally and I don't know who to go to. So the
25 only person I've reached out to is Eileen, and she

1 did tell me, and correct me when I'm wrong, about the
2 music. The tables I am wrong. But this dumpster
3 affects the whole Village next week, it's not just
4 me.

5 CHAIRMAN MC MAHON: The only thing I could
6 think would be the Board of Trustees, and I don't
7 know who else.

8 MS. WINGATE: And their meeting is tonight at
9 7 o'clock in this room.

10 CHAIRMAN MC MAHON: In this building, in this
11 room.

12 MS. PIKE: I will be back at -- do I have to
13 wait 30 days for that, or can I just show up?

14 MS. MUNDUS: Well, they should definitely get
15 your message about July 4th weekend and Tall Ships,
16 because --

17 MS. PIKE: I don't know how anyone's doing it.

18 CHAIRMAN MC MAHON: Yeah. I can't speak to how
19 they handle agendas and items that come up the day
20 of, but we're not -- we don't have the -- I mean,
21 there's nothing that we could really do in the
22 meantime to make accommodation on a Village property
23 or anything like that.

24 MS. MUNDUS: What is Ralph's solution if the
25 dumpsters are disappearing? Where is Ralph going to

1 put his trash?

2 MS. WINGATE: I don't know, but he was a huge
3 problem in the past, which is why he lost his
4 privilege.

5 MS. MUNDUS: Right.

6 MS. PIKE: It's on the other side as well.
7 There's issues on the other side of the street behind
8 that area as well, and I've been all over. So my
9 concern is for the Village, number one. Number two,
10 tell me what I need to do and I will do it.

11 MR. PROKOP: Well, right now, you need to
12 comply with the site plan. And if you'd like to make
13 any changes, then to make an application.

14 MS. PIKE: And who do I apply to?

15 MR. PROKOP: Changes to the site plan go to the
16 Planning Board.

17 MS. PIKE: That's you guys?

18 MR. PROKOP: Yes.

19 MR. DOWLING: Based on the fact that your
20 property can't -- you can't fit a larger container on
21 your property, is that what it is?

22 MS. PIKE: I cannot.

23 MR. DOWLING: Okay.

24 MS. PIKE: And it's just -- believe me, I have
25 everything cleaned out. I've called the gas company

1 to move the tanks. They said they can bury them.
2 Obviously, they can't bury them, because, first of
3 all, I'm only leasing. Second of all, I don't own
4 the property.

5 CHAIRMAN MC MAHON: Okay. I think that --

6 MS. PIKE: I don't know what else to do.

7 CHAIRMAN MC MAHON: In order to put a larger
8 dumpster back there, you would have to come to the
9 Planning Board with a revised site plan. But in
10 order to have access or be able to use Village
11 property for a dumpster or something, you would need
12 approval from the Board of Trustees. So, I know, it
13 seems a little convoluted, but it would sort of
14 require both. It would require some action from the
15 Board of Trustees to allow Village space, or I
16 don't -- I'm getting the impression they're moving
17 away from that. But, at this time, I don't know that
18 we have a solution for you this evening.

19 MS. PIKE: I don't know either. I will have to
20 hire someone to help with this, because I can't seem
21 to navigate well.

22 CHAIRMAN MC MAHON: Okay.

23 MS. PIKE: So thank you very much.

24 CHAIRMAN MC MAHON: Thank you.

25 MS. MUNDUS: Thank you.

1 CHAIRMAN MC MAHON: So I'm going make a motion
2 that we table this item until we have a completed
3 application for the tables or any other changes. Do
4 I have a second?

5 MS. MUNDUS: Second.

6 CHAIRMAN MC MAHON: All in favor?

7 MR. BURNS: Aye.

8 MR. DOWLING: Aye.

9 MS. MUNDUS: Aye.

10 CHAIRMAN MC MAHON: Aye.

11 Okay. Motion carries.

12 Item No. 5, motion to accept the use evaluation
13 application from Susan De Paola. Susan De Paola
14 represents North Fork Brew and has leased 45 Front
15 Street (formerly Tony's Asian Fusion), and proposes
16 to use the existing restaurant as it was approved by
17 the Planning Board on 3/7/2013 as a 38-seat
18 restaurant. The restaurant is located on the
19 Waterfront -- in the Waterfront Commercial District;
20 SCTM #1001-5-.4-20.

21 I'm going to read our comments from Glynis.

22 Recent use: The property was formerly --
23 excuse me.

24 SEQR Recommendation: Type II.

25 Recent use: The property was formerly used as

1 a restaurant.

2 Proposed use: Restaurant/Bar.

3 No physical changes are being made to the
4 space. The only proposed change is the name.

5 The applicant needs to submit a sign
6 application for the proposed awning.

7 A restaurant is a conditional use in Zone Water
8 Commercial.

9 The property formerly had an approval use as a
10 restaurant. According to 150-29 D,

11 *Any use for which a conditional use permit may*
12 *be granted shall be deemed to be a conforming use in*
13 *the district in which such use is located, provided*
14 *that such permit shall be deemed to affect only the*
15 *lot or portion thereof for which such permit shall*
16 *have been granted.*

17 Since no changes are proposed, the use is
18 considered conforming, precluding a need for a
19 hearing.

20 The original C of O was for 38 seats, not 40,
21 as indicated on the plan. Although actually counts
22 to 38, it does say 40. The plan should be amended to
23 38 seats, otherwise a hearing would be required.

24 Also, please indicate the hours of operation?

25 Is there a representative here?

1 MS. DE PAOLA: Hi.

2 CHAIRMAN MC MAHON: Hello. I'm Susan DePaola.

3 CHAIRMAN MC MAHON: Could you use the mic,
4 please?

5 MS. DE PAOLA: Yes, sure.

6 CHAIRMAN MC MAHON: Thank you.

7 MS. DE PAOLA: Okay. I understand it's only
8 38. I don't know how we got 40 on there.

9 CHAIRMAN MC MAHON: Okay.

10 MS. DE PAOLA: No changes. It will still be a
11 restaurant/bar. We're just changing the name on the
12 already existing awning. Hours of operation, 11:30
13 to 11:30, around there.

14 MS. MUNDUS: I have a question.

15 MS. DE PAOLA: Yes.

16 MS. MUNDUS: Where do you put your garbage?
17 You're right next door.

18 MS. DE PAOLA: I will be right next door. I
19 understand I can get a dumpster from Mattituck
20 Garbage.

21 MS. MUNDUS: Okay. So you don't have a space
22 problem on your property for trash?

23 MS. DE PAOLA: I don't think so, no.

24 MR. DOWLING: How did we get to 40 seats? I
25 only have 38 on the site plan.

1 CHAIRMAN MC MAHON: It's 38. It just says, if
2 you look, it says 40.

3 MR. DOWLING: Oh, it says 40 right on there.

4 CHAIRMAN MC MAHON: It says 40, though it
5 counts to 38. Just need to make sure that that is
6 changed to 38.

7 MS. MUNDUS: That's on the site plan?

8 CHAIRMAN MC MAHON: Yeah. I don't see the
9 dumpster indicated on the site plan. Oh, no. Yes,
10 it is, actually.

11 MS. MUNDUS: It's a typo in the site plan, is
12 all it is.

13 CHAIRMAN MC MAHON: Yeah. It looks like the
14 dumpster is, I believe, on the building within the --
15 if I'm reading this correctly. It's just to the back
16 of the covered patio?

17 MS. DE PAOLA: Yes.

18 MR. PROKOP: Is there seating on the patio?

19 CHAIRMAN MC MAHON: There isn't any indicated.

20 MR. PROKOP: So you're not going to have
21 seating on the patio?

22 MS. DE PAOLA: I'm sorry?

23 MR. PROKOP: Are you going to have any seating
24 on the patio?

25 MS. DE PAOLA: No.

1 MR. PROKOP: Okay.

2 MS. DE PAOLA: There's no real patio.

3 CHAIRMAN MC MAHON: So is that just a -- does
4 that have a designated purpose back there. Is it
5 a --

6 MS. DE PAOLA: There's a walk-in refrigerator
7 back there.

8 CHAIRMAN MC MAHON: Okay. Other than the
9 number of seats, we had continued use, so we don't
10 have an issue with that, right? We don't need a
11 hearing, because it's continued -- it's conforming.

12 Does anyone else have any concerns about this
13 application?

14 MR. DOWLING: It's pretty straightforward.

15 MS. MUNDUS: Is there anything planned for the
16 sidewalk at all?

17 MS. DE PAOLA: Not at this time, no.

18 MS. MUNDUS: Okay.

19 CHAIRMAN MC MAHON: And you don't plan on
20 having any music going out into the street? Okay.

21 MS. DE PAOLA: No, I don't think so.

22 MR. DOWLING: It looks like -- it looks like
23 there's a property line right in the face of the
24 building, right? It's showing on here as far as it
25 extends. I believe they used to have -- someone put

1 some tables out there a couple of years ago, right?

2 MS. MUNDUS: Yeah, that's why I asked. When it
3 was Tony's Asian Fusion, there were was tables out
4 there, stools that I don't think were legal.

5 MR. DOWLING: Yeah.

6 MS. DE PAOLA: I don't have a place for that.

7 CHAIRMAN MC MAHON: Okay. All right. If there
8 are no other concerns, I suggest we accept the
9 application.

10 MR. DOWLING: Yeah.

11 CHAIRMAN MC MAHON: Okay. I make a motion we
12 accept the use evaluation application. Do I have a
13 second?

14 MR. PROKOP: There's something --

15 CHAIRMAN MC MAHON: What's that?

16 MR. PROKOP: Excuse me.

17 MS. MUNDUS: She needs a sign permit for the
18 name on the awning.

19 CHAIRMAN MC MAHON: Yes.

20 MR. PROKOP: And that's deemed to be
21 incomplete.

22 MS. BERRY: Well, she hasn't made it, so it's
23 just if you're going --

24 CHAIRMAN MC MAHON: Yeah. So when you --
25 before you put your new awning up, go see Eileen to

1 with -- to get a sign permit application.

2 MS. DE PAOLA: Okay. Even if we're just
3 changing the name?

4 MR. DOWLING: Yes.

5 CHAIRMAN MC MAHON: Yes.

6 MS. DE PAOLA: The same awning is going to be
7 used.

8 MR. PROKOP: Yes.

9 MS. DE PAOLA: Okay.

10 CHAIRMAN MC MAHON: Yup. You get a permit for
11 the sign, and it should be good to go. All right.

12 So are there other issues, concerns? No?

13 (No Response)

14 Okay. So I make a motion that we accept the
15 application. Do I have a second.

16 MS. MUNDUS: Second.

17 CHAIRMAN MC MAHON: All in favor?

18 MR. BURNS: Aye.

19 MR. DOWLING: Aye.

20 MS. MUNDUS: Aye.

21 CHAIRMAN MC MAHON: Aye.

22 Motion carries.

23 MS. DE PAOLA: Thank you.

24 CHAIRMAN MC MAHON: Thank you.

25 CHAIRMAN MC MAHON: Okay. Item No. 6,

1 Pre-submission conference for Eric Urban. Attorney,
2 Patricia Moore, represents owner Eric Urban, and is
3 before the Board to discuss a proposed subdivision
4 of an existing 13,500 square foot lot, creating two
5 non-conforming lots, increasing the nonconformity of
6 the existing house substantially. The property is
7 located at 440 First Street, and is in the R-2, One
8 and Two Family District, as well as in the Historic
9 District; SCTM #1001-4.-7-1.

10 Again, I'm going to start with our notes from
11 our Consultant.

12 SEQRA recommendation: Type I, as it has
13 implications on existing historic house in National
14 Historic District.

15 Site History: Lots 98 and 99 on map of
16 Greenport, filed 8/10/1838, according to the survey.

17 Configuration of the house on one larger lot
18 was existing at the time of the establishment of the
19 Zoning Code.

20 Current condition: Property currently has a
21 large two-story frame house and two-story frame
22 carriage house on-site. Condition appears poor.

23 Issue is nonconformance.

24 The proposed list is subdivide the existing lot
25 into two lots the existing lot is 100 feet by 136.25

1 feet. The total parcel size is 13,627 square feet.

2 As per Chapter 150 of the Zoning Code of the
3 Village of Greenport, Article 5, District Bulk and
4 Parking Regulations. Schedule of regulations,
5 Chapter 150-12.

6 The existing lot size complies with current
7 code, but the subdivision would not comply with the
8 following:

9 Minimum lot area required for either a
10 one-family or two-family dwelling is 7500 square
11 feet. If divided, the lot sizes would be 6,813
12 square feet, introducing nonconformance where there
13 was none.

14 The minimal lot width is 60 feet. If divided,
15 the widths would be 50 feet, introducing
16 nonconformance.

17 One side yard needs to be a minimum of 10 feet.
18 If the lot were to be subdivided, the side yard of
19 the dividing lot line would be nonconforming.

20 Corner lot has further requirement of
21 maintaining two front yard setbacks, impacting
22 spacial limitations for this lot.

23 Article VIII, Nonconforming Uses and
24 Nonconforming Buildings, Chapter 150-Section 20,
25 Subsection A(5), shall not be re-established if such

1 use has -- shall not be re-established if such use
2 had been changed or replaced by a conforming use.
3 There is no right to re-establish nonconforming lots.

4 Impact on historic character. This subdivision
5 cannot occur without requiring significant
6 destruction of the historic house, which straddles
7 the proposed new parcel boundary.

8 Financial hardship: Rejection of this proposal
9 does not impose a financial hardship on the owner, as
10 the property may be used as a two-family residence.
11 If subdivided, the lot sizes would not support two
12 family dwellings.

13 Is Ms. Moore here?

14 MS. WINGATE: No.

15 MR. PROKOP: If she's not here, since this is a
16 conference, I would recommend that you table this
17 until the next work session.

18 CHAIRMAN MC MAHON: Okay. I make a motion that
19 we table this until the work session at -- anyone
20 know the date offhand when the next will be.

21 MS. MUNDUS: Second.

22 CHAIRMAN MC MAHON: No, the work session.

23 MS. WINGATE: 23rd.

24 CHAIRMAN MC MAHON: 23rd of July? I'd like to
25 make a motion we table this item until the 23rd of

1 July.

2 MR. BURNS: It's the last Thursday.

3 CHAIRMAN MC MAHON: Oh, that would make sense,
4 it would be the 30th.

5 MR. PROKOP: It's the 30th of July.

6 MR. BURNS: Last, last.

7 CHAIRMAN MC MAHON: Last Thursday.

8 MS. WINGATE: Yeah. Sorry.

9 CHAIRMAN MC MAHON: So 30th, okay. I would
10 like to make a -- I would like to make a motion that
11 we table this item until July 30th, the Planning
12 Board work session at 5 p.m. Do I have a second?

13 MR. BURNS: Second.

14 MR. DOWLING: Second.

15 CHAIRMAN MC MAHON: All in favor?

16 MR. BURNS: Aye.

17 MR. DOWLING: Aye.

18 MS. MUNDUS: Aye.

19 CHAIRMAN MC MAHON: Aye.

20 MR. PROKOP: Could we just note in the minutes
21 that there was no appearance by the applicant or the
22 applicant's representative?

23 CHAIRMAN MC MAHON: Okay.

24 All right. Item No 7, which I believe has been
25 changed, originally, it was motion to accept the use

1 evaluation application as submitted by John
2 Olinkiewicz, owner of Wooden House Construction
3 Company. John Olinkiewicz represents Lisa and Terry
4 Harwood, owners of Blue Canoe Restaurant at 104
5 Third Street. The property is located in the
6 Waterfront Commercial District; SCTM #1001-5.-4-3.

7 I believe it's been changed to a pre-submission
8 conference; is that correct? Yes. That's my
9 understanding anyway. There -- give me just one
10 moment. I'll read our comments from our Consultant,
11 Glynis.

12 Action: Pre-submission conference with intent
13 to request site plan approval for an addition to
14 provide two seasonal handicapped accessible toilets.

15 SEQR Recommendation: Type II

16 Clarification and/or information needed:

- 17 1. Site elevations.
- 18 2. Stamped drawing.

19 Issues: The inside toilets are not handicapped
20 accessible. The applicant will reconsider potential
21 configurations to accommodate this.

22 The design needs to ensure that access is
23 accessible, handicapped accessible, I believe.

24 Depth of aisle behind the privacy screen does
25 not appear compliant, 42" needed, See ICC/ANSI

1 A117.1, Figure 404.2.3.1, and turning radii, see
2 Figure 304.3.

3 Of issue is the placement of the outside
4 toilets, as it will increase the lot coverage, which
5 already is not compliant, 59%, as opposed to 40%,
6 Article V, 150-12, Section B.

7 If coverage is increased, an application to the
8 Zoning Board of Appeals is necessary, and the
9 retention of stormwater run-off on the site is
10 needed.

11 The applicant needs to get a letter of
12 non-jurisdiction from NYSDEC due to the proximity to
13 the wetlands there.

14 The applicant should submit to the Trustees,
15 due to its adjacency to a drainage pit and the
16 waterfront park.

17 Do you have any comments? Identify yourself
18 for the record.

19 MR. OLINKIEWICZ: I'm John Olinkiewicz,
20 Wooden House Company. I'm based on Shelter Island,
21 and we work on both North and South Fork and also on
22 Shelter Island.

23 We are looking to -- what brought this about
24 was to bring the seasonal bathrooms to the
25 restaurant, because there was a high volume of

1 traffic from not only the restaurant, but also from
2 the Village itself during the peak summer season.
3 The owners of the property, and Lisa and Terry, who
4 are the owners of the restaurant, are asking to put
5 these bathrooms in as a way to alleviate some of the
6 Village traffic that uses the bathrooms with now
7 being customers. It's very hard for them to turn
8 anybody away and say, you know, "I'm sorry, you're
9 not having dinner here, so you can't use the
10 bathroom."

11 They're willing to pay for the entire
12 installation. They're not asking for the town or for
13 the Village to put anything into a restroom that the
14 Village would clearly benefit from. When you have
15 the Music in the Park, there's six, seven, 800
16 people, you know, 1500 to 2000 when Gene Casey & The
17 Lonesharks appear. And just on those 10 days alone,
18 the three bath -- the two stalls in the women's
19 bathroom and one stall in the men's room on the east
20 side of Mitchell Park are just not enough to handle
21 the overflow. And I know that other businesses are
22 also dealing with people walking in and asking to use
23 the bathroom.

24 Now, with that said, I know that there are a
25 couple of issues that have been brought up. And I

1 sat down with Eileen Wingate, the Building Inspector,
2 the other day. The first issue that was brought up
3 was lot coverage. I just brought -- I emailed and
4 brought a hard copy of a survey that was done two
5 years ago when the property changed hands, in which
6 all the other drawings can be based upon. And all
7 the drawings in the area that were planning on
8 putting the bathrooms, there's currently a wooden
9 deck. So that's already configured into the lot
10 coverage. We're not asking to increase the lot
11 coverage, we're asking to change how we're using that
12 lot coverage. The -- so we are at 59%, we will
13 remain at 59%.

14 The second item with respect to a wetlands
15 permit is clearly delineated on the survey that I
16 got, where the boundary of the 75-foot mark for the
17 wetlands are, and the area that we would be putting
18 the bathrooms in is clearly outside of that area.
19 Now, I apologize, I haven't been able to get the
20 Board the survey, I just got it yesterday.

21 CHAIRMAN MC MAHON: Okay.

22 MR. OLINKIEWICZ: So I have a couple of copies
23 I can distribute. But the item of the drainage is
24 definitely something that should be addressed.

25 In any Village or any township like this, when

1 you have storms like we had the other day and there's
2 a tremendous amount of rainwater just dropping it
3 onto the sidewalks and letting it go down into the
4 sewer system is not a very viable method to take care
5 of that discharge. So the owners would be open to
6 installing a dry well as necessary and to route the
7 -- and to route the water from the drains into the
8 dry well.

9 CHAIRMAN MC MAHON: Okay.

10 MR. OLINKIEWICZ: And that could also be
11 installed in the area where the wooden deck is. In
12 the area that has the wooden deck, we would be
13 able --

14 CHAIRMAN MC MAHON: That's where the dry well
15 would be?

16 MR. OLINKIEWICZ: That's where we could put the
17 dry well. Granted, that was brought to my attention
18 the other day, so that would have to be drawn onto
19 the plan.

20 The other item on the list from Eileen was that
21 we do not currently have a handicapped accessible
22 bathroom in the restaurant, and that's further
23 exacerbated by the fact that you could have 10, 15 to
24 20 patrons waiting at any given time on a busy
25 evening to use the bathroom. So that, again, leads

1 us towards the seasonal restrooms. Now, that doesn't
2 help us in the wintertime, and we are -- in terms of
3 handicapped bathrooms. So we are looking at the
4 structure to determine which of the two bathrooms
5 that are in -- existing now in the structure could be
6 modified or renovated to become a handicapped
7 accessible bathroom. We have a basic plan. It has
8 to go now through the owners. But if that's -- if
9 that would be part of this scope of work, we're happy
10 to take that on.

11 CHAIRMAN MC MAHON: Okay.

12 MR. OLINKIEWICZ: Basically, we see this as a
13 win-win situation for both the owners and the
14 Village. And I don't think there's -- in my opinion,
15 I don't think there's anything that's insurmountable
16 here that should turn into a long process.

17 The -- I'm sorry, I just lost my train -- we
18 are not changing the number of seats or the occupancy
19 rating of the building. We're not changing the
20 building itself, except for the seasonal -- I'm
21 sorry, except for the -- making one of the bathrooms
22 handicapped accessible.

23 We talked about a few ideas, one of them which
24 was brought up in my meeting with Eileen and Glynis,
25 but I don't remember your last name.

1 MS. BERRY: Berry.

2 MR. OLINKIEWICZ: Berry?

3 MS. BERRY: (Nodded yes).

4 MR. OLINKIEWICZ: Okay. And it was brought up
5 that there is a provision in the code for a seasonal
6 use structure nine months out of the year. If this
7 is going to take a while to do this type of work and
8 everything, we are also not opposed to putting a
9 seasonal structure there, tying it into the existing
10 waste line of the building. So at least short term
11 we can help relieve some of the problems that are
12 caused here.

13 If it ends up being that we have to go through
14 a greater permitting procedure for this, we are more
15 than happy to try and go that route, and then in the
16 Fall, after we've had a chance to bring everything
17 together, then talk about how we wrap up the rest of
18 these items.

19 Unfortunately, it's not until you look at a
20 project like this, even if it's just a small part of
21 adding a bathroom, that it opens up a number of
22 issues that are preexisting and nonconforming. The
23 owners of the property, as well as the owners of the
24 restaurant, are all on board with understanding that,
25 you know, these things come up, they have to be

1 addressed one way or another, and they're happy to
2 address them. But on the other side of the coin, you
3 know, they would like to try and find a solution that
4 could help out for this summer season, as we move
5 towards a permanent resolution on other items.

6 I don't know if the wetlands code is strictly a
7 lineal footage, or if it's based upon an elevation.
8 That was not clear to me, so I would like to have a
9 little bit of more information on that. But from
10 everything I've read, being bulk -- the property in
11 front of Blue Canoe is bulkheaded, okay, and then the
12 mean high water mark from the beach is 75 feet away,
13 only cuts a short corner where there is already an
14 existing gazebo.

15 There's been a number of renovations or
16 upgrades, if you will, to the building when it first
17 changed hands three years ago, and none of those
18 items required the -- a wetlands permit. So I would
19 have expected if a wetlands permit was needed then or
20 not needed then, that it stands to reason why should
21 we look for one now.

22 The other thing is, as we looked at the lot
23 coverage, there are areas that have at-grade decks
24 throughout the -- throughout the property. There are
25 areas that have paved courtyards, and we're trying to

1 Look into changing some of those deck areas into
2 paver patio material, so that we can again make the
3 lot coverage decrease, because as my understanding
4 is, that the pavers are not considered as part of lot
5 coverage, but a wooden structure like a deck, or a
6 ramp, or a stair, or something like that, becomes
7 part of the lot coverage.

8 CHAIRMAN MC MAHON: Okay.

9 MR. OLINKIEWICZ: So, you know, in a large --
10 larger nutshell, that's kind of where we're at. So
11 we're asking for your feedback in terms of what the
12 best way to proceed is, so that we can try and make
13 this work for everybody.

14 CHAIRMAN MC MAHON: Okay.

15 MR. OLINKIEWICZ: And we don't have a sign that
16 we're going to put up.

17 (Laughter)

18 MR. BURNS: Question. The current waste goes
19 into the sewer?

20 MR. OLINKIEWICZ: Yes, it goes into the
21 Greenport Sewer. Now, adding these other bathrooms
22 will not change the amount of waste going into the
23 sewers, because we're already using, or the public is
24 already using the bathrooms. So what we're doing is
25 we're making it easier for the public to use the

1 bathrooms. We're not making it or changing the flow
2 that's already there.

3 MR. BURNS: So these also would be attached to
4 the sewer?

5 MR. OLINKIEWICZ: Yes, these would be attached
6 to the sewer. And we have a couple of -- couple of
7 points on the building where we can make access to
8 the sewer with minimum amount of -- you know, minimum
9 amount of effort.

10 CHAIRMAN MC MAHON: Okay.

11 MR. OLINKIEWICZ: Now, I believe that in 2013
12 -- '12 or '13, there were a number of different
13 upgrades on the sewer lines and the -- and grease
14 trap, the gray water, how it went into the -- how it
15 attached to the sewer system, so a lot of that piping
16 has already been done. So we're not looking at
17 opening up the streets, we're not looking at any of
18 that type of thing that was done a couple of years
19 ago. We're trying to make this into as low impact to
20 the Village and for the people who are visiting as
21 possible. With that said, you know, we have --
22 you're going to have a large Tall Ship Regatta coming
23 in 10 days, two weeks, something like that. Okay.
24 We also -- at the end of the season, we have a
25 Maritime Festival, we have Music in the Parks, so

1 there's a tremendous amount of visitor traffic coming
2 through the Town.

3 And 20 years ago, nobody really anticipated the
4 amount of people that would be coming through
5 Greenport Village. The revitalization of the Village
6 over the last 20 years has been tremendous, and I
7 know you guys have had a hard time keeping up with
8 it. So in that spirit, you know, the homeowners --
9 not homeowners -- the owners of the restaurant and
10 the owners of the property are trying to do their
11 share as part of the Village.

12 CHAIRMAN MC MAHON: Yeah. I would say, in a
13 general sense, I think more bathrooms you're opening
14 up to the public is generally a good thing. Making
15 an existing bathroom handicapped accessible is
16 certainly a good thing. Again, the devil's in the
17 details as to, you know, how this all works out,
18 particularly with the DEC and whether or not -- my --
19 I thought it was the phragmites or that area that was
20 causing a problem.

21 MR. DOWLING: That looks like the wetlands --

22 MS. MUNDUS: That's a drainage pit there.

23 MR. OLINKIEWICZ: I'm sorry?

24 MS. MUNDUS: It's a drainage pit right
25 bordering that area.

1 MR. DOWLING: The border, the south border
2 there.

3 MR. OLINKIEWICZ: The drainage pit? That's New
4 York State property? Is that --

5 MS. MUNDUS: It's Village property, no?

6 MS. BERRY: I just got confirmation, and
7 although it's Village property, the DEC has
8 jurisdiction over the protection of it. So, you
9 know, I think he should just ask for a Letter of --

10 CHAIRMAN MC MAHON: Nonjurisdiction.

11 MS. BERRY: -- Nonjurisdiction. And if they
12 think it's a jurisdiction, they'll --

13 MR. OLINKIEWICZ: That's a copy of the survey.

14 MS. MUNDUS: My feeling about it is that the
15 lack of bathrooms is a Village issue, just like the
16 lack of dumpster space is a Village issue. And, I
17 mean, it's honorable that Blue Canoe -- we really
18 should read this letter into the record also.

19 CHAIRMAN MC MAHON: Yeah, I'd be happy.

20 MS. MUNDUS: Would you like to do that? I've
21 got it right here.

22 CHAIRMAN MC MAHON: Sure, yeah.

23 MS. MUNDUS: This is from Lisa Terry Harwood.

24 "To Whom it May Concern: We are writing this
25 letter in support of our application for constructing

1 two seasonal bathrooms for our restaurant, Blue
2 Canoe, located in Greenport Village at 104 Third
3 Street. During the spring, summer and early fall
4 months, we have been experiencing a continued
5 hardship from Village visitors, who are not Blue
6 Canoe customers, asking to use our restroom
7 facilities. It is very clear that even though the
8 Village maintains a public restroom at the east end
9 of Mitchel Park, there still continues to be a large
10 amount of visitor foot traffic from the Maritime
11 Museum, the boardwalk at Mitchell Park, the public
12 docks, as well as overflow users from the ferry that
13 continue to ask and use the restrooms at Blue Canoe
14 as if they were a Village asset.

15 As owners of the restaurant, our policy has
16 been to allow the use of the restrooms to all who
17 ask, even though it aggravates our paying customers
18 and taxes our existing restrooms. We do this because
19 we feel that it is beneficial to the visitors, as
20 well as the Village of Greenport as a whole.

21 The application to construct seasonal restrooms
22 at the Blue Canoe is an effort to recognize this
23 issue that confronts the Village every season, and to
24 also provide a solution that will be mutually
25 beneficial to all. The Blue Canoe is not asking for

1 any financial assistance, even though we recognize
2 full well that these existing and new bathrooms will
3 continue to serve not only our patients" --
4 patients -- "patrons, but also the many other
5 visitors of Greenport Village. All we are asking of
6 the Village is its assistance in expediting the
7 permit so that we can move forward.

8 Thank you, Lisa Harwood."

9 It's honorable that you're trying to solve the
10 Village problems, but this whole dialogue should
11 really go to the Village Trustees, because we're
12 right back to Tall Ship overcrowding, we're back to
13 Maritime Festival. Actually, the Seaport Museum has
14 the same issue that you do. People who get off the
15 train and the Hampton Jitney go to the Seaport Museum
16 to ask to use the bathrooms.

17 MR. OLINKIEWICZ: I'm sure.

18 MS. MUNDUS: There is a common denominator,
19 almost everybody on the west side of the Village,
20 that we need more bathrooms. I don't think the
21 long-term solution is of Blue Canoe to provide it,
22 personally, but it's honorable that they're trying.
23 This issue really should go back to the Village
24 Trustees. And all these Boards are all
25 interconnected, and I really think that the Trustees

1 ought to solve this problem.

2 MR. OLINKIEWICZ: Okay.

3 MR. DOWLING: Yeah. Which, I mean, granted,
4 it's very nice to have these bathrooms available for
5 the public, but, you know, unless there's actually
6 like a separate entrance from, you know, the property
7 to these bathrooms, then you have -- you know, and
8 you're not advertising, putting sign up that says
9 "public restrooms". It's kind of hard to say these
10 are really just for the public to use, too. You
11 know, you'll still have more people walking through
12 the dining areas and stuff like that.

13 MS. MUNDUS: And they probably have some kind
14 of port-o-potty plan, I would imagine, for a lot of
15 extra port-o-potties all over the place, at the ferry
16 slip. I mean, even the North Ferry doesn't have a
17 bathroom.

18 MR. DOWLING: They do.

19 MS. MUNDUS: They do?

20 MR. DOWLING: But it's locked.

21 MR. OLINKIEWICZ: Locked all the time.

22 MS. MUNDUS: As a customers, you have to ask
23 somebody to unlock it for you, right?

24 MR. DOWLING: Yes.

25 MS. MUNDUS: So it's not a public bathroom

1 either. So, I mean, this is -- this is a problem
2 that goes through all of the western part of the
3 Village for people.

4 MR. OLINKIEWICZ: What would the process be if
5 we wanted to make use of a nine-month seasonal
6 facility that can be removed at the end of the
7 season?

8 MS. MUNDUS: Like port-o-potty?

9 MR. OLINKIEWICZ: Well, I mean, it would be
10 better than --

11 MS. MUNDUS: I mean, they make deluxe and
12 elaborate port-o-potties. They're not even called
13 port-o-potties, but temporary.

14 MR. OLINKIEWICZ: There's a couple of companies
15 out there. There's a couple of companies out there
16 that make restrooms that are --

17 MS. MUNDUS: Mobile.

18 MR. OLINKIEWICZ: Movable.

19 MS. MUNDUS: Right.

20 MR. OLINKIEWICZ: And even a step above what
21 you normally see as the --

22 MS. MUNDUS: Hot and cold running water, and
23 towels, and everything, right.

24 MR. OLINKIEWICZ: Yeah, right. You know, and
25 if we used something like that and had, you know,

1 running water, hot and cold, and tied into the
2 existing waste lines at the restaurant, would the
3 Planning Board be open to looking at that as an
4 option for the season?

5 MS. MUNDUS: I would think that would be a
6 better solution. Personally, I would think it would
7 be a better solution than building a whole new
8 structure. And, you know, I understand that you're
9 building these on top of a preexisting structure, so
10 that it's not increasing the square footage on the
11 property, but it's still another structure, and it's
12 already quite maxed out over there.

13 MR. DOWLING: Are buildings and decks
14 considered the same usage as the property's area?

15 MR. PROKOP: Yes, for purposes of lot coverage,
16 I believe they are.

17 MS. BERRY: Yes.

18 MR. PROKOP: And I think what's proposed here
19 is, if I'm not mistaken, and maybe you can correct me
20 if I am, please, is that the deck area would be
21 removed and it would be replaced with a foundation,
22 or supported with a foundation; is that correct?

23 MR. OLINKIEWICZ: Yeah. We would put a
24 foundation in its place, in the deck area.

25 MR. PROKOP: Yeah. One of the problems is --

1 MR. OLINKIEWICZ: And probably the adjacent
2 deck next to it, where we'd look to put in a dry well
3 and probably change that with pavers.

4 MR. PROKOP: Yeah. I don't know. I don't
5 know. I'm not sure how you got to this lot coverage,
6 but you can't -- once you're over the lot coverage,
7 you cannot replace one structure for another
8 structure and claim, you know --

9 CHAIRMAN MC MAHON: So they would need a Zoning
10 Board variance?

11 MR. PROKOP: I think so, yeah. But I don't
12 know enough about the application. That would come
13 from Eileen as the Building Inspector.

14 CHAIRMAN MC MAHON: Okay.

15 MR. PROKOP: I mean, the details of the
16 construction, I don't know. It has to come from
17 Eileen.

18 CHAIRMAN MC MAHON: Okay. Would temporary
19 structures fall into the same restrictions with
20 regards to lot coverage and --

21 MS. BERRY: I think the issue here is if you're
22 temporary structure has a foundation. Are you
23 planning on building a foundation?

24 MR. OLINKIEWICZ: No.

25 MS. BERRY: No.

1 MR. OLINKIEWICZ: No. We'd set the temporary
2 structure up basically on the deck that is there,
3 that is there now.

4 MS. BERRY: Okay. And then once you get your
5 permit, you would raze that and put a foundation?

6 MR. OLINKIEWICZ: Yes. Once we get a permit,
7 then we will remove that and put our foundation in.
8 We don't want to overstep our bounds in any way,
9 shape or form, but there are ways to do this that
10 would -- that would accommodate everybody, and so I'm
11 trying to find the solution that works well for
12 everybody. You know, it would be a temporary -- a
13 temporary seasonal restroom there, which, once we get
14 the permit, we take away and put a foundation and
15 whatever it is, the structure's going to be. We're
16 fine with that.

17 MS. BERRY: Okay.

18 MR. OLINKIEWICZ: We're fine with that. I
19 mean, there are a lot of people using the restaurant
20 and they're -- you know, so there is a lot of traffic
21 for the bathrooms. So while it is a Village issue,
22 it is still a Blue Canoe issue, too. So, if it's
23 going to be a longer term to get through and work out
24 the whole Village part, we're willing to do that.
25 But we also want to try to solve the issue we have

1 right at hand right now with minimal disruption to
2 any of the Boards.

3 MS. BERRY: I think all the intentions are good
4 here. I think -- I don't have a problem with it. I
5 think you also need to go to the Trustees, because
6 it's adjacent to any kind of wetland issue. So I
7 would schedule with the Trustees as soon as
8 possible --

9 MR. OLINKIEWICZ: Okay.

10 MS. BERRY: -- to let them know what you're
11 doing.

12 MR. OLINKIEWICZ: Okay.

13 MS. BERRY: But you should proceed contacting
14 DEC, you know, while you're doing this.

15 MR. OLINKIEWICZ: Yeah, I will --

16 MS. BERRY: Yeah.

17 MR. OLINKIEWICZ: I will start with that.

18 MS. BERRY: Right.

19 MR. OLINKIEWICZ: I will run all the paperwork
20 concurrently.

21 MS. BERRY: Right. But I don't see a problem
22 with a temporary structure.

23 MR. DOWLING: How would you get it there?
24 Because I was looking at it, you've got these decks,
25 and there's a narrow walkway between them, and then

1 there's a very narrow aisle on the north side of the
2 building. How would you even get a temporary unit
3 there without a huge crane?

4 MR. OLINKIEWICZ: Well, I've looked at that,
5 and a couple of the structures I looked at calculated
6 weight, dry weight, is about 3500 pounds. And we can
7 use a dolly system that we can just roll it down the
8 boardwalk and into the back of the restaurant. We
9 have a -- we could bridge the boardwalk right into
10 the back of the restaurant in a matter of about an
11 hour-and-a-half's time.

12 MR. DOWLING: The boardwalk, and then you'd
13 have to go across the grasses, and stuff like that.

14 MR. OLINKIEWICZ: We would go over that, we
15 would across the grass. What we would do is we would
16 bring in a couple of beams that we would lay down
17 from the boardwalk into the Blue Canoe, and that
18 would just allow us to move it into position.

19 MR. PROKOP: I think if they wanted to submit
20 an application with that in it, you know, like
21 something that could be entertained by the Board.

22 CHAIRMAN MC MAHON: Just the temporary?

23 MR. PROKOP: Yes.

24 MR. OLINKIEWICZ: Then the other thing I spoke
25 with Eileen about is, you know, if we, you know,

1 stage bringing this in, we also would not have a
2 problem hiring a Village representative to oversee
3 the part of it, whether somebody from the Public
4 Works Department, or what, because, obviously, you
5 know, the Village needs to be protected, as well as
6 everybody else in this. So we're 100% open with what
7 we're trying to do, because we don't want to sit here
8 and have you say after the fact, "Well, you didn't
9 tell us that."

10 CHAIRMAN MC MAHON: Given this is -- where we
11 are, it's about to be July 4th, and this is a
12 pre-submission conference, I don't see this -- see
13 the plans you had originally submitted being
14 completed in time for this season.

15 MR. OLINKIEWICZ: Right.

16 CHAIRMAN MC MAHON: I think a temporary
17 structure would be -- if you're looking to have
18 something this summer, that's the only thing that
19 would sort of --

20 MR. OLINKIEWICZ: That's kind of where my head
21 is at, too.

22 CHAIRMAN MC MAHON: So I would suggest, if you
23 want to -- while some of these issues are still going
24 to be overlapping, even for a temporary structure,
25 we'd still need a Letter of --

1 MR. PROKOP: Yes.

2 CHAIRMAN MC MAHON: -- Nonjurisdiction from the
3 DEC. We would want input from the Trustees as to
4 whether or not this -- I don't know. What is
5 the justification for it? Just it's adjacent to the
6 property or --

7 MS. BERRY: It's --

8 MR. PROKOP: Go ahead. I wasn't going to say
9 anything.

10 MS. BERRY: Oh, I'm sorry. It's a gray area,
11 because it's filled with water, but it does drain.
12 And it does have DEC jurisdiction, and it is owned by
13 the Village, and it's right adjacent. So, to be on
14 the safe side, it's better that the Trustees are
15 involved.

16 CHAIRMAN MC MAHON: Okay. How would this be
17 presented to the Trustees, then? Would it be -- I
18 mean, would this application --

19 MS. BERRY: I think you propose both to them,
20 so they know, and then maybe you can get both done at
21 the same time. Or if you don't have the drawings
22 ready and stuff, just do one and then do the other
23 after.

24 MR. OLINKIEWICZ: When do the Trustees meet,
25 and how do I get on their agenda?

1 CHAIRMAN MC MAHON: Well, they are meeting in
2 about 45 minutes here. I don't know their agenda
3 process. I don't know. I'd have to -- I don't know.

4 MR. OLINKIEWICZ: I hate to blindside them, you
5 know. Obviously, like --

6 MS. WINGATE: There is a wetlands permit
7 application process, so I could email that out to you
8 tomorrow.

9 MR. OLINKIEWICZ: Okay.

10 MS. WINGATE: And you could start there.

11 MR. OLINKIEWICZ: If you could get that to me,
12 then I could get that -- get that rolling. How often
13 does the Trustee -- do the Trustees meet?

14 CHAIRMAN MC MAHON: I believe --

15 MS. WINGATE: Twice a month.

16 CHAIRMAN MC MAHON: -- twice a month.

17 MR. OLINKIEWICZ: Twice a month?

18 CHAIRMAN MC MAHON: Do they have a work session
19 and a regular session as we do, or --

20 MS. WINGATE: Tonight is their regular session,
21 so their next work session is in three weeks, two
22 weeks.

23 CHAIRMAN MC MAHON: Okay.

24 MR. PROKOP: July 23rd it is.

25 CHAIRMAN MC MAHON: July 23rd?

1 MR. PROKOP: Oh, no. It might actually be the
2 16th, because it's -- they have a different schedule
3 than we do. So you can look on the July -- you can
4 look --

5 MR. OLINKIEWICZ: On the July calendar?

6 MR. PROKOP: -- on the calendar, I believe,
7 yeah.

8 MR. OLINKIEWICZ: Okay.

9 MR. PROKOP: They may not have July yet. But I
10 would just start working on something as soon as
11 possible.

12 MR. OLINKIEWICZ: Okay.

13 MR. PROKOP: If that's what you would like to
14 do.

15 MR. DOWLING: Would a temporary structure be
16 allowed to hook into the sewer system? Does that now
17 become a non-temporary structure?

18 MS. WINGATE: A temporary structure, as
19 classified by New York State, has to do with time.

20 MR. DOWLING: Okay.

21 CHAIRMAN MC MAHON: Okay. So what are the --
22 still address whatever relevant issues would need to
23 be addressed for a temporary structure? Still need
24 the Letter of Noncompliance.

25 MR. PROKOP: I just want to say something. He

1 has to go -- I've run into this with another
2 restaurant operation, and I think that you should
3 talk to your -- a code professional, a certified code
4 professional, because there's -- there are
5 regulations specific to exterior bathrooms at a
6 restaurant. So you need -- you need to have somebody
7 who understands the code, the Plumbing Code and the
8 Building Code of the State of New York.

9 MR. OLINKIEWICZ: Okay. I could certainly
10 bring it --

11 MR. PROKOP: So it would be well worth your
12 time to speak to somebody, and I don't mean somebody
13 inside the Village, I mean outside the Village.

14 MR. OLINKIEWICZ: Right, Right. I use an
15 engineer who does a lot of -- a lot of DEC, and
16 Health Department issues, and stuff like that, so he
17 could do all the work for that.

18 MR. PROKOP: Yes, I would recommend that.

19 MR. OLINKIEWICZ: So we need the Letter of
20 Nonjurisdiction?

21 CHAIRMAN MC MAHON: A letter of Nonjurisdiction
22 from the DEC. And I would recommend that you speak
23 with the Board of Trustees for their input with both
24 the proposed temporary structure and also your
25 long-term plans.

1 MR. OLINKIEWICZ: Okay.

2 CHAIRMAN MC MAHON: Ask them to give their
3 recommendations to us or --

4 MR. PROKOP: Well, Eileen had a good idea, you
5 know, to do a wetlands permit. I think that that's a
6 really good idea, because that would get you before
7 the --

8 MR. OLINKIEWICZ: That will get us in front
9 of --

10 MR. PROKOP: At least they'll take notice of --
11 they'll receive notice of what you intend to do.

12 CHAIRMAN MC MAHON: Okay.

13 MR. OLINKIEWICZ: Okay.

14 CHAIRMAN MC MAHON: Are there any other issues?
15 The Board has recommendations for them to be well
16 prepared for the next meeting?

17 MR. DOWLING: No.

18 CHAIRMAN MC MAHON: Thoughts?

19 MS. MUNDUS: Thank you for explaining.

20 MR. PROKOP: You want to keep it on -- I'm
21 sorry, I'm interrupting.

22 MS. MUNDUS: No, I'm done.

23 MR. PROKOP: I think you want to keep it on our
24 calendar. That's up to you, but, I mean, really,
25 there's nothing really to do until those things are

1 done.

2 CHAIRMAN MC MAHON: All right.

3 MR. PROKOP: So it's up to you how you want to
4 deal with that.

5 CHAIRMAN MC MAHON: Yeah. If you'd like to
6 come back, and if you have other questions or
7 concerns, something comes up, speak with the Board or
8 anything else, you're welcome to come back and have
9 another -- can we do multiple pre-submission
10 conferences or --

11 MR. PROKOP: You might table it until the next
12 work session, do you think, or just get it off the
13 calendar? It's up to you.

14 CHAIRMAN MC MAHON: It's up to me? I've --

15 MR. OLINKIEWICZ: Well, let me see what -- I
16 can start working on the paperwork and then we'll --
17 you know, I'll definitely get it back in front of you
18 guys as soon as I can.

19 CHAIRMAN MC MAHON: Okay.

20 MS. MUNDUS: I would check. I don't know
21 anything about Board of Health issues for a
22 restaurant, but it could be that there might be some
23 kind of a restriction on portable bathroom installed
24 on the premises of a restaurant, how long it can stay
25 there, proximity, all that sort of stuff.

1 MR. OLINKIEWICZ: Yeah, we'll look into that,
2 too, definitely.

3 CHAIRMAN MC MAHON: Okay. So I'm going suggest
4 that we do keep this item -- we'll table discussion
5 of it until our next work session, which is July
6 30th. But if there's something that comes up, he'll
7 let us know.

8 So I'm going to make a motion that we table
9 this discussion until the next work session on July
10 30th. Do I have a second?

11 MR. BURNS: Second.

12 CHAIRMAN MC MAHON: All in favor?

13 MR. BURNS: Aye.

14 MR. DOWLING: Aye.

15 MS. MUNDUS: Aye.

16 CHAIRMAN MC MAHON: Aye.

17 That motion carries. Thank you.

18 MR. OLINKIEWICZ: Thank you very much.

19 MR. BURNS: Good project, in any event.

20 MR. PROKOP: Yes, thank you.

21 CHAIRMAN MC MAHON: Item No. 8,
22 Discussion on 300-308 Main Street. The Sterling
23 Square Project is to be reviewed by the Historic
24 Preservation Commission on July 6, 2015. The
25 restaurant and residential units are nearing

1 completion. HPC will be reviewing outside
2 construction of the arbor, outside seating and all
3 signage.

4 And we don't actually have any notes on this.
5 This was added at the last minute.

6 MS. BERRY: I don't have anything.

7 CHAIRMAN MC MAHON: Joe, did you have anything
8 you wanted to --

9 MR. PROKOP: I asked the Building Department --
10 excuse me. I asked the Village to put this on the
11 calendar only to let the Board know that there was a
12 determination that this project had to go before the
13 Historic Preservation Commission and did not receive
14 our review before we issued a -- we reviewed it at
15 our January, February meetings, and then issued an
16 approval. So it's going to be before their Board on
17 July 6th, 2015.

18 CHAIRMAN MC MAHON: Okay.

19 MR. PROKOP: And I don't know. You know, based
20 on whatever comes out of that, you know, I don't know
21 what will happen with the Planning Board, but I
22 wanted you to be aware that this process is being
23 completed.

24 CHAIRMAN MC MAHON: Okay. So there's no action
25 necessary from us this evening?

1 MR. PROKOP: Well, there's nothing really
2 before you, you know. I just -- but that will be --
3 normally, this Board acts after the review of the
4 HPC.

5 CHAIRMAN MC MAHON: Okay.

6 MR. PROKOP: And I guess we'll see what comes
7 out of that.

8 CHAIRMAN MC MAHON: Okay.

9 MR. MC DERMOTT: We're just here to acknowledge
10 the fact that we know we're going to come before the
11 HPC.

12 MR. PROKOP: Can you just say who you are? I
13 know you're well known to other people here.

14 MR. MC DERMOTT: Dennis McDermott. I'm
15 Operator of the American Beech Tree Restaurant, and
16 I'm accompanied with Rob Brown, who's the General
17 Architect for the project.

18 And we acknowledge the situation, and we
19 haven't been before the Historic Preservation
20 Commission just yet. And we're -- I think we're on
21 the schedule and we'll do everything we could do to
22 comply and cooperate with the process.

23 CHAIRMAN MC MAHON: Okay.

24 MS. MUNDUS: Dennis, what do you plan on doing
25 with the little building that used to be the flower

1 shop, with Gelato --

2 MR. MC DERMOTT: Oh, no, that's not us. That's
3 a separate tenant. It used to be an Italian
4 deli/wine bar.

5 MR. DOWLING: Yeah, Basso. We approved that a
6 year ago.

7 CHAIRMAN MC MAHON: Yeah, it was last year.

8 MR. MC DERMOTT: Yeah. He's been paying rent
9 for about a year-and-a-half.

10 MS. MUNDUS: But I'm at your place pretty much
11 every other day or so. I was just there this
12 afternoon, and I'm really impressed by your progress.
13 You're working like crazy, your guys down there.

14 MR. MC DERMOTT: You know, I think we're doing
15 some really nice work, fitting into the square and
16 fitting in very nicely. We apologize for not
17 following the procedure, you know, as timely as we
18 should have. But we might have had a collective
19 round of applause when we took the awning down, but
20 we didn't hear that. But we'll do everything we can
21 to cooperate.

22 MS. MUNDUS: And the beech tree, it looks like
23 it's in really good shape and everybody's taking care
24 of that.

25 MR. MC DERMOTT: Yeah. And we're honoring it

1 by calling the restaurant American Beech Tree.

2 MS. WINGATE: I won't tell that it's really a
3 European beech.

4 (Laughter)

5 MR. MC DERMOTT: That's a running joke. Strike
6 that. That's a running joke. It's really an
7 American beech.

8 MR. BROWN: It's in America, it's got to be an
9 American beech.

10 CHAIRMAN MC MAHON: Okay.

11 MR. DOWLING: Does it have papers?

12 MR. MC DERMOTT: Thank you.

13 CHAIRMAN MC MAHON: All right.

14 MR. BROWN: Is there anything else?

15 CHAIRMAN MC MAHON: No. I don't have any
16 further questions or comments. Does anyone else?

17 MR. PROKOP: My recommendation would be that
18 you put this over to the -- you table this until the
19 work session in July, so you can see what comes out
20 of the HPC.

21 CHAIRMAN MC MAHON: Okay. I am going to make a
22 motion that we table this item until our next work
23 session, and, hopefully, we'll have recommendations
24 or comments from HPC by then.

25 MR. PROKOP: Can I just ask you one thing?

1 This area that you're calling the arbor, that's the
2 area with two-by-twelves, or whatever?

3 MR. MC DERMOTT: Right. They used to have the
4 yellow awning.

5 MR. PROKOP: The awning that you took down is
6 now replaced with these two-by-twelves that are
7 strapped together?

8 MR. MC DERMOTT: It won't be covered.

9 MR. PROKOP: Those are two-by-twelves that
10 there now, whatever they are? I'm not a carpenter,
11 sorry.

12 MR. BROWN: Three-by-eights?

13 MR. PROKOP: Is that -- they're
14 three-by-eights? Thank you. Was that in the plans
15 that were before this Board in February?

16 MR. BROWN: Yes.

17 MR. PROKOP: Or was that a change?

18 MR. BROWN: No, they were there.

19 MR. PROKOP: Okay, good. Thank you.

20 CHAIRMAN MC MAHON: All right.

21 MS. MUNDUS: Take care.

22 CHAIRMAN MC MAHON: So I'm going to make a
23 motion we table this item until our next work
24 session. Do I have a second?

25 MS. MUNDUS: Second.

1 CHAIRMAN MC MAHON: All in favor?

2 MR. BURNS: Aye.

3 MR. DOWLING: Aye.

4 MS. MUNDUS: Aye.

5 CHAIRMAN MC MAHON: Aye.

6 Motion carries.

7 Item No. 9, motion to schedule the regular
8 meeting for July 2nd, and the work session for July
9 30th. Is that what we're doing? Yes, the 30th, not
10 the 23rd?

11 MR. PROKOP: Yes.

12 MS. WINGATE: Yes. I am sorry.

13 CHAIRMAN MC MAHON: Okay.

14 MS. WINGATE: I just have one more thing to
15 say --

16 CHAIRMAN MC MAHON: Sure.

17 MS. WINGATE: -- about the arbor. It's
18 incomplete, it gets another row of beams. And they
19 just set it up so that they could see the space. But
20 it looks like it's overspanned, and it is
21 overspanned, so people are looking at it and saying,
22 "Oh, my." We've all done that. It's just about the
23 space, it's not nearly a finished product. We
24 stopped construction on all outside work at this
25 point.

1 CHAIRMAN MC MAHON: Okay.

2 MR. PROKOP: That's not what he -- I was going
3 to ask you that question, because that's not what he
4 said. So I don't know what's -- I was told that
5 there's a stop on the construction.

6 MS. WINGATE: There is a -- well, they're
7 working on the inside.

8 MR. PROKOP: Working on the inside?

9 MS. WINGATE: They're working on the inside.
10 They're not working on anything that has to do with
11 the Historic Preservation on the outside.

12 MR. PROKOP: And something that's on the
13 agenda, that they're looking -- the HPC is looking at
14 the outside construction, the arbor, and seating, and
15 signage. But aren't they also looking at -- there's
16 other things that they're looking at, right?

17 MS. WINGATE: The whole package, yes. I
18 just --

19 MR. PROKOP: So -- okay. Thank you.

20 MS. WINGATE: I stopped it at that.

21 CHAIRMAN MC MAHON: Okay. Motion to schedule
22 the regular meeting for July 2nd, the work session
23 for July 30th. Do I have a second for that?

24 MR. BURNS: Second.

25 CHAIRMAN MC MAHON: All in favor?

1 MR. BURNS: Aye.

2 MR. DOWLING: Aye.

3 MS. MUNDUS: Aye.

4 CHAIRMAN MC MAHON: Aye.

5 The motion carries.

6 Item No. 10, motion to adjourn. Do I have a
7 second?

8 MR. DOWLING: Actually, can I ask a question?

9 CHAIRMAN MC MAHON: Yes.

10 MR. DOWLING: We still have -- and it needs to
11 be put on the agenda soon. If we have -- we're
12 supposed to review the resolution made for, or the
13 application for Rhumblines, for their rear bar area,
14 that we gave them a temporary. And we have not
15 brought that back up again, but I'm pretty sure
16 they're not complying with the site plan that we
17 approved.

18 MS. WINGATE: Okay. I will look into that.

19 CHAIRMAN MC MAHON: Rhumbline and Layyah, also.

20 MR. DOWLING: Layyah was a one-year, and I
21 think we gave six months, or something, for
22 Rhumbline, I believe.

23 MS. WINGATE: You can call up the resolutions.

24 MR. DOWLING: Yeah.

25 CHAIRMAN MC MAHON: Okay.

1 MR. DOWLING: But definitely Rhumblin needs to
2 be checked, because he is not in compliance.

3 MR. PROKOP: Would you like to put that on the
4 agenda at the next meeting?

5 MS. MUNDUS: How are we keeping track of these
6 roll-over approvals, because they're several of them,
7 and who keeps that calendar?

8 CHAIRMAN MC MAHON: I don't know that we are.

9 MS. WINGATE: I suppose it could be me or
10 Glynis at this point. She wasn't here for that. If
11 you remind me --

12 MS. MUNDUS: Yeah. I mean, we would have to go
13 back through them all and --

14 MS. WINGATE: I suppose if the resolutions are
15 written, I can always put them in my calendar.

16 MR. DOWLING: Okay.

17 CHAIRMAN MC MAHON: Yeah. Well, we should
18 certainly -- we should work on a process.

19 MS. MUNDUS: There should be some planning
20 mechanism for that, so --

21 CHAIRMAN MC MAHON: We should have a set
22 process for that. So we need to review that, along
23 with a number of procedural items.

24 MS. BERRY: I'm keeping a spread sheet, so
25 maybe -- but I don't set the agenda. So maybe --

1 CHAIRMAN MC MAHON: Yeah. We need to have
2 something established --

3 MS. BERRY: Right.

4 CHAIRMAN MC MAHON: -- so it's clear to
5 everybody, because somebody could get it done, but
6 it's not -- you know, we need to -- we should have a
7 set procedure for it. All right. So we can discuss
8 that at a future meeting. We could -- do we need to
9 make a motion, or can we just add it to the agenda if
10 we want to --

11 MR. PROKOP: I would make a motion to add it to
12 agenda.

13 CHAIRMAN MC MAHON: Add it to the agenda.

14 MR. PROKOP: Since it's not an application.

15 CHAIRMAN MC MAHON: All right. I'm going to
16 make a motion that at the next meeting we review any
17 overdue revisits to previously approved applications
18 that required follow-up. So we'll take a look at any
19 of the ones that we have given conditional approval
20 to, and then we can see which ones are up for review.

21 MS. WINGATE: Do you want the clients here?

22 CHAIRMAN MC MAHON: Yeah. I mean, we would --
23 if possible. It's short notice at this point, so I
24 don't know that we could require anybody's presence
25 for -- you know, we may have to push it off to the

1 next -- to next month, but at least have a
2 discussion, identify who we need to --

3 MS. WINGATE: Okay. I will identify all of
4 them for the next meeting.

5 CHAIRMAN MC MAHON: Okay. So I'm going to make
6 a motion that we add at the next meeting, the work
7 session, we review projects that were given
8 conditional approval to that require follow-up. I'm
9 not going to specify the applicants, because we're
10 not sure who we may be overlooking right now. Do I
11 have a second for that motion?

12 MR. DOWLING: Second.

13 CHAIRMAN MC MAHON: All in favor?

14 MR. BURNS: Aye.

15 MR. DOWLING: Aye.

16 MS. MUNDUS: Aye.

17 CHAIRMAN MC MAHON: Aye.

18 Motion carries.

19 Unless there's any other business, a motion --
20 I'll entertain a motion to adjourn. Do I have a
21 second?

22 MR. BURNS: Second.

23 CHAIRMAN MC MAHON: All in favor?

24 MR. BURNS: Aye.

25 MR. DOWLING: Aye.

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MS. MUNDUS: Aye.

CHAIRMAN MC MAHON: Aye.

The motion's carried. Thank you very much.

(Whereupon, the meeting was adjourned at 6:35 p.m.)

