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VILLAGE OF GREENPORT

PLANNING BOARD

WORK SESSION

September 25, 2014

5:00 p.m.

Meeting held at the Greenport Firehouse
236 Third Street, Greenport, New York 11944

Appearances:

Chris Dowling – Acting Chairman

Devin McMahon

Pat Mundus

Joseph Prokop, Village Attorney

Eileen Wingate, Village Building Inspector

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1 ACTING CHAIRMAN DOWLING: This is the
2 Planning Board meeting, September 25th, 2014.
3 It's a work session.

4 Item #1 is a motion to accept application
5 for use evaluation approval. Applicant, Jim
6 Olinkiewicz, has proposed to remodel a
7 nonconforming dwelling into a mixed use building.
8 The building is located at 211 Carpenter Street.
9 The property is zoned CR; Commercial/Retail;
10 Suffolk County Tax Map #1001-7.1-15.2.

11 Does anybody have any public comment on
12 this?

13 MR. OLINKIEWICZ: Good evening. James
14 Olinkiewicz, the owner of 211 Carpenter Street,
15 the property in question.

16 211 Carpenter Street has a long history in
17 the Village. It's in the CR District,

18 Commercial/Retail District. It had originally
19 been a five-room boarding house owned by the
20 North Fork Housing Alliance that had gotten a
21 bunch of raccoons in it and stuff and had some
22 problems, and they decided to sell it, so I
23 purchased it.

24 According to the Village zoning, because
25 it's in a Commercial/Retail zone, I have the

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1 ability to put a one -- an apartment upstairs and
2 keep commercial downstairs, according to the
3 Village zoning requirements.

4 So I've come to the Board because I've had
5 a number of inquiries already for rental on the
6 downstairs from an artist, from another builder,
7 and from a draftsman all about renting the
8 commercial space. And I'd like to split it and
9 put an apartment upstairs, a two-bedroom,
10 apartment as you have on the plans.

11 According to the Commercial/Retail zoning,
12 parking is not an issue. It's a commercial
13 building, so it does not have to fall into the

14 Village Code of a two-family house or one-family
15 house, and having a certain amount of parking
16 spots for tenants, or for people that rent the
17 business, so that is a moot point based on
18 Village zoning.

19 There are many other Commercial/Retail
20 properties in the Village that have rental
21 property above them, so I'm just in line with
22 everybody else. There is an ingress and egress
23 right for the buildings behind to have access for
24 deliveries and for garbage, so they have a right
25 to drive across the first 10 feet of my property

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1 alongside the building, but I don't see that as
2 an issue. Frank and I have talked about it, the
3 owner of the other property and stuff. So we
4 just want to -- desperately needed housing in the
5 Village.

6 I have a number of homes that have been
7 renovated, and restored, and put back together
8 for tenants. I have a 46-family waiting list for
9 apartments. So there is a -- there's a definite

10 need for that.

11 This is a nice small two-bedroom in the
12 middle of the Village. Rather than something
13 being done as a weekend rental, or as a -- I
14 don't know the term, that the website that people
15 are coming out now and renting their house by the
16 week or by the month on Bed and Breakfast by
17 Owner, or whatever that is, and, you know, it's a
18 needed space.

19 The lot is small, it is nonconforming. The
20 house has been there for 150 years, and I'm only
21 requesting to do what's been in the zoning code
22 forever. So, I mean, there are people in the
23 audience and there are people in the Village that
24 are upset with some of the stuff that I'm doing,
25 but I'm just following the zoning code of the

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1 Village, so it's really, I feel, not against me,
2 it's against what the Village has as their
3 zoning. And that's an issue that has to be taken
4 up with Village Board, not with berating me in
5 the public eye. So that's it.

6 I'd like to put a two-bedroom apartment
7 upstairs, and a rental downstairs, a commercial
8 rental. I have to put in a sprinkler system to
9 meet New York State Code, so that plan is being
10 worked on right now, fire suppression system.
11 And again, the parking is not necessary due to
12 Village zoning requirements. So to me, it's a
13 pretty easy conversion, but we shall see. Thank
14 you.

15 MS. MUNDUS: Could I ask a couple of
16 questions?

17 MR. OLINKIEWICZ: Sure, go ahead.

18 MS. MUNDUS: On your plan, it has Office
19 #1, Office #2, and Office #3.

20 MR. OLINKIEWICZ: It should have been a
21 meeting room in the center instead of Office #2.
22 The one in the center there was supposed to enter
23 the hallway and go into a meeting room, and then
24 two offices off of it.

25 MS. MUNDUS: Does that mean that there'll

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1 be two separate tenants there?

2 MR. OLINKIEWICZ: No. One tenant, but
3 they'll have two offices that they can -- so if a
4 lawyer goes in there and has a paralegal, or
5 somebody else, they can have a separate space.

6 MS. MUNDUS: Okay.

7 MR. OLINKIEWICZ: There'll be one tenant in
8 the downstairs, and then an apartment, two
9 bedrooms, upstairs.

10 MS. MUNDUS: The reason that I was asking
11 is that I'm just trying to get an idea of how
12 many cars there are. It may not be an issue for
13 you as a landlord, but it is an issue for
14 everybody else who lives and works on Carpenter
15 Street. I'm up and down the street 10 times a
16 day and there's always a delivery truck. There
17 are people parking where they shouldn't be
18 parking, and it is -- it is an issue for the rest
19 of us in Greenport.

20 MR. OLINKIEWICZ: But again, that's the --
21 this is the whole thing with the Village, not
22 just my property.

23 MS. MUNDUS: No, I know. No one is even
24 insinuating that you would be discriminated
25 against.

1 MR. OLINKIEWICZ: Right.

2 MS. MUNDUS: I just wanted to make a public
3 statement that there are people who are concerned
4 about the parking on the street there.

5 MR. OLINKIEWICZ: I would imagine so.

6 MS. MUNDUS: And, you know, the
7 right-of-way that's there is specifically there
8 so the garbage trucks and the -- you know, the
9 delivery trucks can go down there.

10 MR. OLINKIEWICZ: Right.

11 MS. MUNDUS: The problem is they don't go
12 down there.

13 MR. OLINKIEWICZ: Right. Why they don't
14 back in, I have no --

15 MS. MUNDUS: Everybody who lives along here
16 is constantly getting blocked in by delivery
17 trucks.

18 So, you know, my question to the rest of
19 the Board is how do we try to make this better,
20 and allow the owner of the property to use it for
21 use that he's legally allowed to use?

22 ACTING CHAIRMAN DOWLING: Well, there's

23 parking on one side of the street that's allowed,
24 and I believe that's the opposite side of the
25 street. So when that's full of everybody from

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1 STIDD and the local businesses --

2 MS. MUNDUS: Right.

3 ACTING CHAIRMAN DOWLING: -- then there's
4 no way a truck can actually turn to park into --
5 pull into there to do a delivery.

6 MS. MUNDUS: Right. And then when the
7 boatyard trailers are trying to get through
8 there, then he's jammed up even further, and the
9 Sweet Indulgence parking lot sticks right out
10 onto the corner. So, you know, I really hope
11 that rather than just slicing the salami for
12 every homeowner and business that wants to, you
13 know, park on the street, we really should try to
14 encourage some kind of unified plan, because
15 every year it's just getting worse and worse.

16 ACTING CHAIRMAN DOWLING: Yeah. Because if
17 we're looking at three offices and a break room,
18 you figure three people work in an office, you

19 get three cars, and a two-bedroom home is two
20 cars, possibly, that's five cars.

21 MS. MUNDUS: There's five cars already.

22 MR. OLINKIEWICZ: Right, right. But that
23 was -- it used to be a five-room boarding house,
24 which would have had five cars for each
25 individual boarder in the house anyway.

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1 MS. MUNDUS: I would questions that. Even
2 if it was an Airbnb guest who came out on the
3 train, he or she would walk to an apartment
4 there.

5 MR. OLINKIEWICZ: Yeah.

6 MS. MUNDUS: It's, you know -- I mean, I
7 don't think we can argue who's going to possibly
8 have a car or not.

9 MR. OLINKIEWICZ: Right.

10 MS. MUNDUS: If there are potential for
11 five cars, they have to go somewhere.

12 MR. OLINKIEWICZ: Right.

13 MS. MUNDUS: So --

14 ACTING CHAIRMAN DOWLING: And then when we

15 have snow, then there's five more spots that cars
16 have to move to the municipal lot --

17 MS. MUNDUS: Yeah, well.

18 ACTING CHAIRMAN DOWLING: -- to get a plow
19 through it.

20 MS. MUNDUS: I mean, it's just everyday use
21 on a 365-day basis is bad.

22 ACTING CHAIRMAN DOWLING: Yeah.

23 MS. MUNDUS: But I also just want to say
24 that I really -- I'm thrilled that you're doing
25 this, because that thing has been an ugly

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1 eyesore. And it also is in the Historic
2 District, correct?

3 MS. WINGATE: (Nodded yes.)

4 MS. MUNDUS: So that's not even mentioned
5 in your proposal here.

6 MR. OLINKIEWICZ: Right, right. Well, we
7 haven't addressed that yet, because the original
8 colors on the outside -- I didn't know if the
9 Historic District came into effect after North
10 Fork Housing Alliance had renovated it 15 years

11 ago or 20 years ago. So if I fix it and paint it
12 the same colors, I don't know if I have to go to
13 the Historical District or not. I haven't even
14 broached that avenue, but I would imagine that if
15 you're doing in-place, in-kind with the same
16 colors when they were there, it would be --

17 MS. MUNDUS: It doesn't always work that
18 way. What they would like you to do, if you're
19 in the Historic District, is to do something that
20 is appropriate and modified for growth.

21 MR. OLINKIEWICZ: Sure, I would love to
22 bring it up to historical colors, I have no
23 problem with doing that at all.

24 MS. MUNDUS: Okay, because that, it would
25 be an asset.

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1 MR. OLINKIEWICZ: Right. It is vinyl
2 sided, so that's kind of an issue that, you
3 know --

4 MS. MUNDUS: Well, they're not going to ask
5 you to replace like and kind. They won't ask you
6 to put vinyl siding back on there again.

7 MR. OLINKIEWICZ: Right, right.

8 MS. MUNDUS: So you should be aware of that
9 going forward.

10 MR. OLINKIEWICZ: Okay.

11 ACTING CHAIRMAN DOWLING: What are you
12 going to be doing to the outside of the
13 structure?

14 MR. OLINKIEWICZ: Well, pretty much,
15 there's not a tremendous amount. I mean, we
16 could get away with sanding and painting. We
17 replaced two broken windows that were open to the
18 elements with the exact same pane that was there.
19 So we replaced those already, because I didn't
20 want anymore critters or raccoons getting in the
21 place.

22 And then, you know, I'm going to have to
23 come, I guess, to the Historical District and see
24 what colors paints they want it painted or what
25 they want done. That's what we'll do to the

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1 outside. If they want the vinyl siding stripped
2 off and resided with cedar or with clapboard, if

3 we have to, that's what we'll do. I'd like to
4 make it, you know, cohesive with all the rest of
5 the Village, all the rest of the properties.
6 There's been a tremendous amount of renovation,
7 and, you know, redo on that whole area in the
8 Commercial District. You know, I don't want to
9 buck the trend.

10 MS. MUNDUS: Yeah. Is there anybody else
11 in the audience who would like to speak?

12 MR. TOWNSEND: Yeah.

13 MR. OLINKIEWICZ: You're all set, no more
14 questions?

15 MS. MUNDUS: Thank you.

16 ACTING CHAIRMAN DOWLING: No, thanks.

17 MR. OLINKIEWICZ: Okay.

18 MR. TOWNSEND: Be on the microphone?

19 ACTING CHAIRMAN DOWLING: Yes, please.

20 MR. TOWNSEND: Hi. My name is Joe Townsend
21 and I own the building at 216 Main Street, which
22 is directly west of that building. I have a
23 perspective on this because I've been in that
24 building for 40 years, and I remember the owner
25 prior to the North Fork Housing Alliance, Frances

1 Waring, and I know the traditional use of that
2 building. It was always a SRO, single room
3 occupancy, and there was never any cars, because
4 the tenants, you know, people that occupied it
5 just weren't people that had cars. I mean, they
6 could have had cars, but they didn't.

7 It is, you said, a nonconforming use, it's
8 very -- you know, the building envelope, or the
9 current building occupies probably 95% of the
10 property. And what makes it more complicated is
11 that Carpenter Street is a narrow street. Right
12 across from that property, there's a fire hydrant
13 with stakes around it. So even if you can park
14 on that side, you cannot park right across the
15 way. That fire hydrant makes it very difficult
16 for those trucks that you referred to to make the
17 turn, it's just very difficult. If there's
18 anybody parking -- parked anywhere else, you
19 really can't do it.

20 I think, you know, I'm very -- like you,
21 I'm very happy that somebody, a builder is going
22 to improve that property, because it really could
23 use it. But I would be wary of having a use that

24 required any parking, extensive parking. And I
25 think that since it's nonconforming, you know, it

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1 could be a two-family residence, and, certainly,
2 that would allow him a reasonable return on his
3 -- on his money. That would reduce the amount of
4 parking required substantially.

5 I believe the Planning Board has the
6 authority to put conditions on the proposal, and
7 perhaps something could be worked out where he
8 got parking from Steve Clarke, or something,
9 although those tend not to really work, but there
10 is that possibility.

11 Something should be done with the building,
12 and perhaps if he wanted parking, the back
13 section could be taken down and parking could be
14 provided in there. But those are the concerns
15 that I have, is that it's -- that location makes
16 it very difficult to park. And my experience has
17 been that people will park there, and they will
18 block off that area, and it will be hard for
19 Frank to operate his business with that spot

20 used for parking. It is already, as you know.

21 That's -- those are my comments.

22 MS. MUNDUS: Joe, could you share your
23 knowledge about the history of the right-of-way?
24 How did it wind up like that?

25 MR. TOWNSEND: Well, it was always that

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1 way. I mean, the original survey had the 10-foot
2 right-of-way, and, you know, I use the back for
3 parking. I used to park right behind my office
4 there. I could put two or three cars pulled
5 down, and then I'd back around and back in what's
6 Frank's building and go out that way. No one's
7 parking there now, I don't believe. He has his,
8 you know, dumpsters back there and so forth. But
9 it was -- that was the way the property was
10 purchased, and it's been that way since, I think
11 it was -- my father purchased that property in
12 1960, I think. There have been issues over the
13 years.

14 One point -- at one point, there was steps
15 that came out over the right-of-way, and then

16 they were moved back, so -- but that's the way
17 it's always been. And like so many other things
18 in the Village, it's just that people have made
19 due with what they had, and it wasn't -- parking
20 wasn't an issue historically because of the
21 nature of the use. You know, no one had cars.
22 You know, that's where they slept.

23 MS. MUNDUS: Right. Thank you.

24 MR. CORWIN: My name is David Corwin. Is
25 this a public hearing?

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1 MS. MUNDUS: Yes.

2 MR. PROKOP: It's a public meeting, it's
3 not a public hearing.

4 MR. CORWIN: It is a change of use. Does
5 that require a public hearing?

6 MR. PROKOP: It's a -- there's a number of
7 use questions regarding this application that I
8 have to -- I was going to wait until the public
9 was done and then advise the Board, but that's
10 one of the -- one of the things we're going to
11 have to look into it.

12 MR. CORWIN: All right. I submit you can't
13 really take comments until you have a public
14 hearing, and people that are here might want to
15 the study this and then make comments. I think
16 all you're doing is accepting an application at
17 this point in time; am I correct, Mr. Prokop?

18 MR. PROKOP: That's right.

19 MR. CORWIN: So probably we'll end up with
20 a public hearing?

21 MR. PROKOP: I don't know. I'll have to
22 talk to the Board.

23 MR. CORWIN: You don't know.

24 MR. PROKOP: It's a very -- looking through
25 the file, it's a very complicated history of use,

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1 it's not a -- it's not a simple history of use.
2 There was some -- also some Zoning Board
3 involvement that has to be reviewed, so I have to
4 -- you know, I'm not going to -- I'm not saying
5 that it's -- it doesn't look like it's going to
6 conclusively change the application, but it's
7 something that has to be taken into account and

8 we need to know about it.

9 MR. CORWIN: I would like to reserve the
10 opportunity to make comments at some point in the
11 future if you don't have an official public
12 hearing, because you've let other people talk.

13 ACTING CHAIRMAN DOWLING: Yup, that's fine.

14 MS. MUNDUS: Yeah. Well, since it's a work
15 session, we're trying to gather information and
16 learn about the whole project, and the history of
17 the project as well.

18 MR. CORWIN: Well, I don't agree with the
19 way you're proceeding. It's just to accept the
20 gentleman's application, because people that are
21 here haven't had the opportunity to study it, so
22 how can they make comments?

23 MS. MUNDUS: Well, neither have we. We've
24 just gotten it ourselves.

25 MR. CORWIN: Fair enough.

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1 MS. MUNDUS: Thank you.

2 ACTING CHAIRMAN DOWLING: Any other
3 comments?

4 (No response.)

5 ACTING CHAIRMAN DOWLING: I also have a
6 letter here that was given to me by some of the
7 local business owners. Can I read it aloud?

8 MR. PROKOP: It's up to you. You can read
9 it, or you can note that's it in the file. So if
10 you would like to read it, if you think it's
11 relevant, that's fine.

12 ACTING CHAIRMAN DOWLING: You read your --

13 MS. MUNDUS: Yeah.

14 ACTING CHAIRMAN DOWLING: I'll read it.

15 "Planning Board Members: As concerned
16 neighbors and property owners, and hope the
17 Planning Board considers the impact of the
18 multiple use of the property in question before
19 you.

20 The footprint of the house basically covers
21 the entire lot, with five feet at the rear, in
22 the north next to the Capital One Bank, and the
23 right-of-way easement directly to the south.
24 Though parking may not be required, it needs to
25 be taken into consideration in an already

1 difficult and congested situation, where often
2 the driveways are blocked and inaccessible.

3 The applicant being a landlord and not an
4 occupant in another" -- "is another issue of
5 concern. An occupant oversees the property on a
6 daily basis, which is more appropriate in a tight
7 shared space.

8 We all favor seeing the property improved,
9 but we ask the Planning Board to consider the
10 adjacent property owners, Carpenter Street and
11 the two proposed multiple-use" -- "and the
12 proposed multiple-use property will affect
13 property compared to a single-use
14 owner-occupied." Sorry.

15 MS. MUNDUS: Yes. "This should be given as
16 single use residential/commercial?"

17 ACTING CHAIRMAN DOWLING: And that's
18 concerned property owners and neighbors, Sweet
19 Indulgences at 200 Main Street, Joe Titus, 210
20 Main Street; D'Latte, 216 Main Street, and Biere,
21 218 Main Street.

22 MS. WINGATE: You have the file. Why don't
23 you put it in the file.

24 ACTING CHAIRMAN DOWLING: Okay.

25 MR. PROKOP: So were there changes to the

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1 plans that need to be made? Did somebody say --
2 was there something that was indicated on the
3 plan that needed to be changed, the break -- the
4 meeting room or break room; is that what it is?

5 MS. MUNDUS: The offices are numbered,
6 Office #2 and #3, leading us to think that there
7 is a #1. But Mr. Olinkiewicz said that it's
8 really only two offices instead of three. The
9 break room is not a separate office; is that
10 right? Is that --

11 MR. OLINKIEWICZ: Yeah. There's a -- as
12 you come in the hallway -- excuse me. James
13 Olinkiewicz again. As you come in the hallway
14 and you head straight in, there's a room which I
15 guess used to be like a living room, which for
16 some reason was a designated office, too. That's
17 a meeting room where, I guess, a secretary would
18 sit and meet whoever comes in, and then you have
19 the offices for whoever is in the office.

20 I just have one other quick question for

21 the Board, for Mr. Prokop, while I have him here.
22 If I just rented it out as a commercial property
23 tomorrow and there's six rooms in there, so,
24 really, there could be six or eight cars just
25 from the tenants, and I wouldn't have to come in

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1 front of the Board, correct?

2 ACTING CHAIRMAN DOWLING: Incorrect. It's
3 a change of use.

4 MS. MUNDUS: Yeah.

5 MR. OLINKIEWICZ: Change of use, so you
6 have to come in front of the Board?

7 ACTING CHAIRMAN DOWLING: Yup.

8 MS. MUNDUS: Yup.

9 MR. OLINKIEWICZ: So that was my question.
10 Okay.

11 MS. MUNDUS: Not only that, but --

12 MR. TOWNSEND: It hasn't been used for
13 three or four years, so there has not been a use.

14 MS. MUNDUS: Yeah, you've lost your
15 nonconforming use.

16 MR. OLINKIEWICZ: Okay.

17 MS. MUNDUS: It can't be five single people
18 living there.

19 MR. OLINKIEWICZ: No, no, I'm not saying
20 five single people. But let's say I rented it to
21 an architect that has three drawers, and two
22 people, do I have to come and get a use variance
23 for that, or whatever?

24 ACTING CHAIRMAN DOWLING: Because it's a
25 change of use, because the last use expired.

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1 MR. OLINKIEWICZ: Okay. Fantastic. I just
2 wanted to know what -- I didn't know what --

3 MR. PROKOP: What is the use that you're
4 planning for the first floor?

5 MR. OLINKIEWICZ: First, I actually had an
6 artist who would like to paint there and have a
7 gallery there ask me. I've got another builder
8 come in and ask me about putting an office in
9 there, and I had a draftsman, architect, come
10 and talk to me. So that's the three that I've
11 had since I've owned it in three-and-a-half
12 weeks.

13 MR. PROKOP: Okay. But now -- you know,
14 you're behind -- now you're before the Board, so
15 we -- you know, I think the Board --

16 MR. OLINKIEWICZ: I mean, that's the uses.
17 I would do light commercial. I would --

18 MR. PROKOP: In order for the Board to
19 assess your application, I think we need to know
20 what -- you know, not what -- who's approached
21 you, but what use you plan for the first floor.

22 MS. MUNDUS: Well, he did include that in
23 his letter. Let me see if I can find it.

24 MR. OLINKIEWICZ: I put that in my letter,
25 that it would be either a painter or a

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1 professional.

2 MR. PROKOP: Okay.

3 MR. OLINKIEWICZ: As for lawyer or
4 engineer, architect, or builder, someone in --

5 MR. PROKOP: So I found out, looking at the
6 file, that there's litigation involving the use.
7 It's pretty extensive litigation involving the
8 use of the property. So I don't know if it

9 affects the application at all, but I need to
10 look at it, which I will do, and then send around
11 an email to everybody. You know, I'll do it
12 right away.

13 MS. MUNDUS: Okay.

14 ACTING CHAIRMAN DOWLING: Okay.

15 MR. PROKOP: And just figure out what had
16 happened.

17 MS. MUNDUS: But for the record, the letter
18 that Mr. Olinkiewicz submitted says that the
19 commercial use for the first floor will be for
20 professional use, a/k/a doctor, massage, real
21 estate, or other business office, insurance
22 agent, artist studio and gallery.

23 MR. PROKOP: Okay. Thanks.

24 MS. MUNDUS: That's what he says. It's
25 complicated.

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1 ACTING CHAIRMAN DOWLING: It is. Now I
2 have a question. Since it is Historic District,
3 does that go in front of HPC before we have done
4 anything as well?

5 MS. WINGATE: It only goes before HPC when
6 he takes on a building permit.

7 ACTING CHAIRMAN DOWLING: Okay.

8 MS. WINGATE: That's the trigger.

9 ACTING CHAIRMAN DOWLING: Okay.

10 MR. PROKOP: You can make recommendations
11 to the HPC. If there's anything that you think
12 that they should look into, you could make
13 recommendations or conditions.

14 MS. MUNDUS: I don't have anything.

15 ACTING CHAIRMAN DOWLING: So wait until we
16 have -- find out what the deal is with this
17 litigation before we go further.

18 MS. MUNDUS: Yeah. We're going to have to
19 learn a lot more about several things.

20 MR. PROKOP: Well, I'll be able to do that.
21 It will -- I mean, it will definitely be done by
22 next week. I'll try to do it in the next day or
23 two.

24 MS. MUNDUS: Okay.

25 MR. PROKOP: And then get an email to

1 Eileen and she could circulate it.

2 MS. MUNDUS: Okay.

3 ACTING CHAIRMAN DOWLING: Okay.

4 MR. PROKOP: It's not going to -- you know,
5 it's not going to hold up the application, it's
6 just something that I need to educate myself and
7 then inform the Board with. So there was a ZBA
8 process, and there was also litigation involving
9 the property, the use of the property in the
10 past. So I'll take a look at that and let you
11 know exactly what happened.

12 ACTING CHAIRMAN DOWLING: Okay.

13 MR. PROKOP: So then I think, if you're
14 ready, you can make a motion to --

15 ACTING CHAIRMAN DOWLING: Just table this
16 until we get your findings?

17 MR. PROKOP: Or you could put it on for
18 discussion at next week's meeting. You know,
19 basically, what you do here is you accept -- you
20 basically accept the application as complete into
21 the process. I mean, you're not approving it or
22 disapproving it, but to get it into the process
23 of reviewing it --

24 ACTING CHAIRMAN DOWLING: Okay.

25 MR. PROKOP: -- at your meeting. So

1 there's no reason why you can't do that.

2 ACTING CHAIRMAN DOWLING: Okay. Are you --

3 MS. MUNDUS: Yes.

4 ACTING CHAIRMAN DOWLING: Okay.

5 MS. MUNDUS: So make the motion.

6 ACTING CHAIRMAN DOWLING: Okay. So motion
7 to accept the application for use evaluation
8 approval. Applicant, Jim Olinkiewicz, has
9 proposed to remodel a nonconforming dwelling into
10 a mixed use building. The building is located at
11 211 Carpenter Street. The property is zoned
12 Commercial/Retail; Suffolk County Tax Map
13 1001-7.-1-15.2.

14 MS. MUNDUS: I second.

15 MR. MC MAHON: Aye.

16 ACTING CHAIRMAN DOWLING: All in favor?

17 MS. MUNDUS: Aye.

18 ACTING CHAIRMAN DOWLING: Aye.

19 Approved.

20 Item 2, motion to accept application for
21 use evaluation approval. Applicant, Phillip

22 Karlin, has proposed to reconfigure an existing
23 store to accommodate a new business. The
24 proposed use is for a wholesale production,
25 processing and packaging facility. The property

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1 is located at 414 First Street; Suffolk County
2 Tax Map #1001-7.-7-15.2.

3 MS. WINGATE: Excuse me, Chris.

4 ACTING CHAIRMAN DOWLING: Yes.

5 MS. WINGATE: I made a mistake there. The
6 number is 1001-4-7-5. Sorry.

7 ACTING CHAIRMAN DOWLING: Okay, correction.
8 Suffolk County Tax Map 1001-4-7-5?

9 MS. WINGATE: (Nodded yes.)

10 ACTING CHAIRMAN DOWLING: Anybody to
11 comment?

12 MR. KARLIN: Good evening, everyone. How
13 are you all this evening?

14 MS. MUNDUS: Hi.

15 MS. PHILLIPS: First, I need to make a
16 disclaimer. I am currently a Village Trustee in
17 the Village of Greenport. My name is Mary Bess

18 Phillips. I live at 210 Atlantic Avenue,
19 Greenport, New York. I am also here as the
20 landlord for this particular property at 414
21 First Street.

22 And I also need to make a clarification
23 that the tax map number that you are showing is
24 incorrect. I decided today to pull out the deed,
25 pull out the surveys, and I checked with the

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1 current Village sewer and water billings to make
2 sure that my information is correct. And the
3 water meter that is going to the old Salamanders
4 building, which is where this particularly is
5 housed, the tax map number is 4-7-13.

6 I have copies here. I have the original
7 survey, which, when we closed on the property in
8 1997, the property was surveyed to show that the
9 second portion of that building, if you look at
10 the survey itself here, it has both tax map
11 numbers on it. And the reason that it was
12 surveyed that way is that property encompasses
13 100% of the lot coverage, and it has no parking

14 to it. The only parking that's available to that
15 property is because we own the other piece, which
16 has the last two digits of 05.

17 So I need to make the clarification. There
18 has been confusion over this property over the
19 years, so today I just want to put this on record
20 that this is -- and I will get a full copy of the
21 survey for you, which I have here, so that you
22 have it. I think that probably what you have is
23 the portion that I gave the tenant at the time.

24 MS. MUNDUS: This is the Suffolk County Tax
25 Map. So you're saying the Suffolk County Tax Map

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1 is incorrect also?

2 MS. PHILLIPS: Well, I get two tax map
3 bills, I have two tax map numbers. And I'm not
4 sure where you got that copy from, but I do know
5 that I gave the tenant a copy of what the fish
6 market -- I'm sorry, so I call it the fish
7 market, where Salamanders used to be and where
8 North Fork Smoked Fish is trying to go into.

9 MS. MUNDUS: But the building itself is

10 physically located on Lot #5.

11 MS. PHILLIPS: No. There are two separate
12 tax maps. There are two separate tax bills, I
13 pay two separate taxes, they are two separate
14 pieces of property.

15 MS. MUNDUS: No, I understand what you're
16 saying, but the building itself is physically
17 sitting on Lot #5, yeah.

18 MS. PHILLIPS: It has no -- the only access
19 that that building has on Lot 5 is the parking
20 lot. The whole building covers -- the old
21 survey, the old survey, the old tax -- property
22 taxes, when you go through for the deed, separate
23 them out into two separate pieces.

24 MS. MUNDUS: Well, it does show Lot #5
25 separate from Lot #13.

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1 MS. PHILLIPS: And #13 is the small
2 building.

3 MS. MUNDUS: That's interesting. So here's
4 the survey that we have in the application.

5 MS. PHILLIPS: Here's the full survey.

6 You'll see the full survey here has 0-7-5 and 13;
7 13 is this piece that goes this way, and it only
8 goes up to the back of the cement piece. When
9 Mrs. Jones had this property, she subdivided it
10 years ago. So when we purchased it, we purchased
11 it with two separate pieces. These are --

12 MS. MUNDUS: And who owns this?

13 MS. PHILLIPS: These pieces here all belong
14 to 05. This is the only thing that's separate.
15 Our title insurance reads this way, our deed
16 reads this way. I don't know what Suffolk County
17 map says, I can't vouch for that. I will go back
18 to the County with my deed, but this is how our
19 title insurance reads, and this is the full map,
20 which I will get you.

21 MS. MUNDUS: So you're saying on this map
22 here, that this strip that the fish market is on
23 is part of #13?

24 MS. PHILLIPS: I can't tell you -- I can't
25 tell you how they numbered it. All I can tell

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1 you is how my tax map properties read. I get two

2 separate tax bills, one is for 5 and one is for
3 13.

4 MS. MUNDUS: Right.

5 MS. PHILLIPS: Thirteen belongs to that
6 building.

7 MS. MUNDUS: Yeah.

8 MS. PHILLIPS: Okay? I can't tell you how
9 that reads. I will have to go to Suffolk County
10 myself and get it corrected.

11 MS. MUNDUS: So could you please explain to
12 us why that makes any kind of a difference to the
13 use of the store?

14 MS. PHILLIPS: It doesn't. I just want the
15 property tax -- I want -- the property has to
16 have the correct tax map number.

17 MS. MUNDUS: Yeah. Well I would say that
18 it really should be resurveyed and this should be
19 conclusively solved, because, in the future, it's
20 going to be a bigger problem down the line.

21 MS. PHILLIPS: Well, that's a part of the
22 reason why I brought the survey map today,
23 because this is the survey map that we closed
24 with. And I have my title insurance. I also
25 have a copy of the receipts of my bills from the

1 Village of Greenport which show two separate
2 properties.

3 MS. MUNDUS: Well, I see two separate
4 properties. I just --

5 MS. PHILLIPS: The tax map number has to be
6 4-7-13, not 4-7-5.

7 MS. MUNDUS: Okay. So, really, what you're
8 trying to explain, then, is that this common
9 border between Lot #15 and Lot #13 is inaccurate.

10 ACTING CHAIRMAN DOWLING: Five.

11 MS. MUNDUS: I mean, Lot #5 and Lot #13.
12 But the building itself is still physically on
13 this map located on #5.

14 MS. PHILLIPS: If I were to sell it
15 tomorrow --

16 MS. MUNDUS: On the sidewalk.

17 MS. PHILLIPS: If I were to sell it
18 tomorrow, the building, the building itself, 13,
19 if I were to sell it tomorrow, it has no
20 connection to the parking lot.

21 MS. MUNDUS: Yeah

22 MS. PHILLIPS: Okay? The parking lot

23 belongs to the tax map 05.

24 MS. MUNDUS: 05. So, in other words,
25 you're saying that the clearinghouse uses Parking

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1 Lot #5.

2 MS. PHILLIPS: They are #5.

3 MS. MUNDUS: They are #5.

4 MS. PHILLIPS: Okay. And the other two
5 buildings in the back.

6 MS. MUNDUS: Okay. Okay.

7 MS. PHILLIPS: But I need that corrected,
8 okay?

9 MS. MUNDUS: Well, I'd like to see some
10 more -- I'd like to see some clarification.

11 ACTING CHAIRMAN DOWLING: Yeah.

12 MS. MUNDUS: I just can't believe that this
13 Suffolk County Tax Map is inaccurate, so --

14 MS. PHILLIPS: I will have my attorney here
15 the next time.

16 MS. MUNDUS: Okay. Thank you very much.

17 MS. PHILLIPS: Okay? Because I have tried
18 to correct this for years.

19 MS. MUNDUS: Okay.

20 MS. PHILLIPS: Thank you.

21 MS. MUNDUS: So should we ask some
22 questions about -- or maybe you could explain to
23 us exactly what the business is and --

24 MR. KARLIN: Yeah. I'm Phillip Karlin.

25 MS. MUNDUS: Hi, Phillip.

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1 MR. KARLIN: I own the North Fork Smoked
2 Fish Company. It's a -- it's just a wholesale
3 location where we process smoked fish and other
4 fish products to be shipped out, and on a
5 wholesale basis, and that's it.

6 MS. MUNDUS: Why are you coming to the
7 Planning Board after the business was opened?
8 And it's been open most of the summer, right?

9 MR. KARLIN: Oh, yeah.

10 MS. MUNDUS: Okay.

11 MR. KARLIN: Yes, it has. I was informed
12 that I had to do this, so here I am doing it. I
13 didn't realize that I needed to do it. I hadn't
14 made any changes to the building. I just moved

15 in and put some -- washed down walls down,
16 painted it and moved my equipment in.

17 ACTING CHAIRMAN DOWLING: What kind of
18 equipment did you move in?

19 MR. KARLIN: Self-contained 110 volt
20 smokers, and a couple of cutting tables, some
21 stainless steel tables.

22 MS. MUNDUS: For -- to use the building for
23 this purpose, did you have to have electrical
24 survey, did you have to have Board of Health? Do
25 you have all of the stuff that goes with food

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1 preparation that's required?

2 MR. KARLIN: Yeah. I'm covered under Ags
3 and Markets. I'm a certified HACCP -- certified
4 with HACCP and through Ags and Markets. I've
5 been inspected. I have my C-20 there. That's
6 it.

7 MS. MUNDUS: Okay. The electrical supply
8 has been inspected, and everything, because I
9 imagine smoking takes a lot of heat, right?

10 MR. KARLIN: No, it doesn't. No, not at

11 all.

12 MS. MUNDUS: It doesn't?

13 MR. KARLIN: No. It's the same as -- it's
14 less than plugging in an oven. An oven is
15 usually 220, these are 110. They're
16 self-contained smokers, very low heat, and very
17 little smoke. Even folks around say, "I thought
18 you were smoking fish in there, I never smell
19 anything."

20 MS. MUNDUS: So where does it exhaust; does
21 it?

22 MR. KARLIN: Yeah, there's an exhaust fan
23 in there. It exhausts out of the side of the
24 building, the little bit that there is.

25 MS. MUNDUS: Well, my questions are really

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1 for the landlord. And I'm happy that you're
2 here, even though it's a little bit late. So
3 could I ask you a couple of more questions?

4 MS. PHILLIPS: Sure.

5 MS. MUNDUS: Regardless of which lot number
6 the building is on today, when I was over there,

7 I noticed that all of your roof drainage goes
8 into the gutter on the next door neighbor's
9 property. Is that an arrangement that you made
10 with Joe Henry, or how long has that been that
11 way?

12 MS. PHILLIPS: That has been there since we
13 bought the building, and Joe Henry is aware of
14 it. It always has been that way.

15 MS. MUNDUS: Okay. And then the other
16 drainage on this side jumps right out on the
17 sidewalk.

18 MS. PHILLIPS: That is part of what -- when
19 Salamanders was in there, they constructed
20 something that I was not aware of, and I believe
21 it's supposed to go down into the ground. I'm
22 sorry, I didn't notice, Pat. I'll take a look at
it.

23 MS. MUNDUS: Yeah, it's -- I would hope
24 that as a Village Trustee, that you would be
25 setting a good example for everybody else. And

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1 that dry well jumps right straight -- right next
2 to the steps. It's kind of under those

3 hydrangeas there. And I know there's a storm
4 drain right there on the street, but, you know,
5 that would make a good example of --

6 MS. PHILLIPS: As I said, the tenant that
7 was in there before had complete control of what
8 was going on.

9 MS. MUNDUS: Right.

10 MS. PHILLIPS: When she vacated, I had a
11 building that I am still trying to figure out
12 what still needs to be fixed.

13 MS. MUNDUS: Yeah.

14 MS. PHILLIPS: It was not left in the best
15 condition.

16 MS. MUNDUS: Yeah.

17 MS. PHILLIPS: The other thing is, I need
18 to let everyone know that I have had less
19 complaints from the neighbors, given the fact
20 that that company is in there with low traffic,
21 low odor. For years, I dealt with complaints
22 from everyone dealing with the previous business
23 being in there. So part of the reason for doing
24 this was to keep it low impact. And there are
25 other plans to do other things there, but this is

1 just a first step on just -- Mr. Karlin has taken
2 the approach of fixing what needed to be fixed.
3 There was no need for anything other than to
4 paint the walls. We were left with an empty
5 building that had been stripped of anything that
6 should have been left there.

7 MS. MUNDUS: I'm sorry to hear that. What
8 about the area in the back, which is like a
9 restaurant service area, which is pretty trashy
10 right now? Is there any --

11 MS. PHILLIPS: You mean the cement slab
12 that's behind the building?

13 MS. MUNDUS: Behind the building.

14 MS. PHILLIPS: Okay. He has a portable
15 building there that was left from the previous
16 tenants that they used as storage, and then there
17 is a dumpster back there. And part of what's
18 going on is, as he completes his business
19 starting to grow, some of that will go inside
20 during the wintertime.

21 MS. MUNDUS: Yeah. Well, it doesn't appear
22 that the dumpster, nor the building, are being
23 maximized, because it's filled with garbage and

24 trash back there.

25 MS. PHILLIPS: I'm sorry. Maybe you got

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1 the wrong building, because it --

2 MS. MUNDUS: No. I have it on my phone, if
3 you want to look at. There's -- I mean, I know
4 it's right after Maritime Festival. Maybe there
5 is big baskets of beer bottles back there from
6 the festival, but it's a -- you know, the problem
7 with the area --

8 MS. PHILLIPS: The dumpster is off on the
9 side towards Mr. Henry's. Is that the dumpster
10 you're talking about?

11 MS. MUNDUS: I'm talking about the fish
12 crates, and work stuff, and --

13 MS. PHILLIPS: That is in a separate
14 building. That has nothing to do with
15 Mr. Karlin.

16 MS. MUNDUS: It's not in a building, it's
17 on the concrete, laying right outside. I guess
18 the point is that I'm making is that it doesn't
19 matter whether the building is on Lot #13 or Lot

20 #5, whichever tax map it is, this area still is,
21 you know, public -- people walk through here.
22 It's filled with mud puddles, and ruts, and
23 trash, and dumpsters full of stuff, and I --

24 MS. PHILLIPS: And I'll be more than happy
25 to close off the entrance to Main Street and -- I

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1 mean, to Front Street. That's --

2 MS. MUNDUS: I don't mean to be -- it's not
3 a wisecrack. I'm just saying that as things get
4 better in Greenport, it gets better for all of
5 us. And as a Trustee, I would hope that you
6 would take the first step.

7 MS. PHILLIPS: Then I suggest that you --
8 are you mentioning the boxes of fishing gear
9 that is --

10 MS. MUNDUS: One second and I'll tell you
11 exactly what's back there. Fish crates, plastic
12 buckets full of beer cans, a cardboard box full
13 of bottles. There's a hand truck, there's a
14 cardboard waxed fish crate filled with beer cans
15 and bottles. You're right, the dumpster is off

16 to the side, and that small shed, you know, is
17 there, but, like I said, they're not containing
18 all the junk. And then on the other building,
19 which I guess is the old icehouse, you know, I
20 mean, what the heck is going on there?

21 MS. PHILLIPS: That is being converted into
22 a storage on the inside to put all of Mark's gear
23 in. I'm in the middle of -- we originally had
24 the lot across the street from Arden where she
25 changed, and I had to move 25 years of my

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1 husband's fishing gear. If you will notice that
2 most of that stuff is being moved around to --
3 and it changes every day, it doesn't stay there.
4 Recently, Mark came out to get a piece of netting
5 out of his box, which is being put into one of
6 the buildings. So, eventually, that will all --
7 but I'm afraid summer season kind of took hold.

8 The beer bottles, I don't know where they
9 came from. I can't answer that. No one drinks
10 down there, so -- unless they were collecting
11 them from around the corner from the people who

12 kind of like to hang out in the back.

13 MS. MUNDUS: I mean, a lot of things go on
14 during Maritime Festival that nobody has any
15 control over. I just don't think people from
16 Maritime Festival are going to leave fish crates
17 laying around. I mean, it is Maritime.

18 MS. PHILLIPS: Pat, what I'm trying to
19 explain to you is we're trying to move stuff into
20 there.

21 MS. MUNDUS: Okay.

22 MS. PHILLIPS: It's a commercial building.

23 MS. MUNDUS: Yeah.

24 MS. PHILLIPS: It's commercially zoned. I
25 had to move gear all over the place, out of the

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1 place. My son is building shelving inside one of
2 the buildings. I'll be more than happy to show
3 you.

4 MS. MUNDUS: Okay.

5 MS. PHILLIPS: If you'd like to stop and
6 see me, I will show you what's going on there.

7 MS. MUNDUS: Yeah.

8 MS. PHILLIPS: Okay?

9 MS. MUNDUS: I would love --

10 MS. PHILLIPS: It's not going to happen
11 overnight.

12 MS. MUNDUS: I would love to see it. You
13 know, I've been here only seven years now, but it
14 hasn't been much different over the last seven
15 years. I have no idea who is there in that ice
16 building. You can't even tell what it's -- if
17 it's being used for a business, or storage, or
18 what it is, but it -- there's a lot of trash
19 outside for the last seven years. It's been a
20 messy --

21 MS. PHILLIPS: Have you had
22 clearinghouses --

23 MS. MUNDUS: -- mud-puddle-filled center of
24 an important part of the Village, that's all I'm
25 saying. And I appeal to you as the landowner.

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1 MS. PHILLIPS: I'm only one portion of
2 that, I'm not the total. One thing at a time.

3 MS. MUNDUS: A dumpster, a big dumpster

4 would go a long way.

5 MS. PHILLIPS: Perhaps. Then maybe --
6 never mind. Fishing has become a spot of trying
7 to find spots to store our stuff, and it will
8 continue to be that way until we can get
9 everything cleaned up and put away. So it's a
10 matter of building, taking time, and it's a
11 matter of -- I guess you're suggesting that Mark
12 stays in from fishing to take care of it.

13 MS. MUNDUS: Look, I come from a fishing
14 family, and I have no problem with fishermen or
15 with fishermen's gear, but the Planning Board
16 routinely has this issue with everybody in Town,
17 with a back alley, whether it's 7-Eleven, whether
18 it's your husband's fishing boat, or whether it's
19 the, you know, convenience store. Piles of
20 pallets that have been laying around for 10 years
21 rotting, you know, it's just not a good thing.
22 It's not good for the Village, and it creates
23 rats and stuff. We don't need piles of garbage
24 laying all over the place, that's all I'm saying.
25 No one is discriminating against fishing boats,

1 least likely me.

2 MS. PHILLIPS: Pat, I'll take it under
3 consideration, but the pallets belong to
4 Hommel's, they do not belong to us. Your --

5 MS. MUNDUS: Do you concede that there's a
6 pile of stuff back there that maybe could be
7 neatened up?

8 MS. PHILLIPS: I can see that things
9 that -- I can see that things have been moved
10 there because I needed to move them to a spot.

11 MS. MUNDUS: Okay.

12 MS. PHILLIPS: And that they have to go
13 inside the building, but I'm not going to put
14 them inside the building and not do it in a way
15 that's organized.

16 MS. MUNDUS: Okay.

17 MS. PHILLIPS: And there is stuff that
18 needs to go, and I have to wait --

19 MS. MUNDUS: I'm happy that you're looking
20 forward to cleaning it up.

21 MS. PHILLIPS: I have to wait until the
22 Captain comes home to tell me what I can throw
23 out and what I can't. Those nets don't just cost

\$10.

24 MS. MUNDUS: No, but they do come home once
25 every seven years. It's the same stuff has been

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1 piled up out there for a long time.

2 MS. PHILLIPS: I have to disagree with you
3 on that one.

4 MS. MUNDUS: Okay. Well, thank you. Thank
5 you very much?

6 MS. PHILLIPS: Any other questions from
7 anyone?

8 MR. MC MAHON: (Shook head no.)

9 MS. PHILLIPS: Thank you.

10 ACTING CHAIRMAN DOWLING: There's a
11 question for Mr. Prokop before you have to go.
12 There's an inconsistency, obviously, between the
13 Village's records and the landlord's records of
14 what the tax map I.D. is. Can we even accept an
15 application if there's -- we don't know what plot
16 of land we're even looking at?

17 MR. PROKOP: You know what I would do is I
18 would accept it, but I would accept it for the
19 meeting next week conditionally on getting some

20 document. This is straight -- some type of
21 official document straightening out the tax map
22 number.

23 One of the things was the applicant had to
24 apply -- the tenant had to apply to a couple of
25 different agencies, you know, to get approval to

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1 operate there. One of the things might be to see
2 what tax map number is indicated on those
3 applications. And then also there is a survey, I
4 know it's an old survey, but there is a survey.
5 The survey refers to 5 and 13 as the tax lots.
6 Maybe that surveyor could be asked to divide up.

7 MS. WINGATE: He's long gone.

8 MR. PROKOP: He's long gone. Well,
9 somebody acquired his records, somebody. You
10 know, we should --

11 MS. PHILLIPS: I'm sorry, excuse me. Which
12 survey are you referring to, because if you're
13 looking --

14 MR. PROKOP: The one that shows 5 and 13.

15 MS. PHILLIPS: -- for Mr. VanTuyll's, I have

16 it. The one I have is from 1997.

17 MR. PROKOP: Yeah, that's one. It shows
18 the -- it says 5 and 13 together. It doesn't say
19 5 or 13, it says 5 and 13.

20 MS. WINGATE: Yeah, VanTuyl, he's long
21 gone.

22 MR. PROKOP: So that's my -- I would -- if
23 you wanted to accept that, I think it's okay to
24 accept it, as far as starting the process and the
25 review process, but it would be conditional on

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1 getting the tax -- some kind of official document
2 that the tax map consistency has been resolved.

3 ACTING CHAIRMAN DOWLING: Okay.

4 MR. PROKOP: If there is an inconsistency.
5 I don't know if there is one.

6 ACTING CHAIRMAN DOWLING: Okay. The one
7 that Pat has here shows, you know, 5, Lot 5
8 basically being, you know, the place where the
9 fish market is right now, Smoked Fish Corp., and
10 the whole Hommel and clearinghouse as one lot, so
11 that's --

12 MR. PROKOP: That's the Suffolk County Tax
13 Map?

14 ACTING CHAIRMAN DOWLING: This is what --

15 MS. MUNDUS: That's an enlargement from the
16 Suffolk County Tax Map.

17 ACTING CHAIRMAN DOWLING: Five here and 13
18 here. So one building's here, one building's
19 here, with a lot in between, parking lot.

20 MR. PROKOP: Where did this come from?

21 MS. MUNDUS: Suffolk County Tax Map.

22 MR. PROKOP: Okay. So we're talking about
23 what's over here, right? It's on the street
24 here?

25 MS. MUNDUS: The building is right here.

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1 MR. PROKOP: The building that we're
2 talking about?

3 MS. MUNDUS: The building we're talking
4 about is right here, and it's right -- inches,
5 inches.

6 MR. PROKOP: So it looks like it's 5 that I
7 can see.

8 MS. MUNDUS: That's what I thought, too,
9 but that's not what Mary Bess says.

10 MR. PROKOP: So we do have to verify.

11 MS. MUNDUS: Yeah. Mary Bess is saying
12 that this lot is part of #13, so that this line
13 back here is untrue.

14 MR. PROKOP: I think maybe somebody could
15 just take the survey -- you know, a surveyor can
16 just take that survey and plot it for you. You
17 know, we just need to know where the building --
18 where the building lies. If that came from
19 Suffolk County, then it seems pretty clear it's
20 Lot 5. I don't see how it could be anything else
21 but that. You know, who knows, maybe it's --

22 MS. MUNDUS: It could be maybe that Suffolk
23 County hadn't been updated with that change.

24 MS. PHILLIPS: We've owned the property
25 since 1997. I have no idea how old the Suffolk

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1 County map is, but I do know that there have been
2 other building permits that have been dealing
3 with separation of the two through the Village of

4 Greenport. This is not the first time that
5 you've had to correct this. That's why I came
6 before you, is that this is not the first time
7 there's been confusion. But I do receive two
8 separate property tax bills from Suffolk County,
9 and from the Village of Greenport, and the Town
10 -- well, the Town of Southold. And if you were
11 to go and actually look on the property taxes
12 that come through from Suffolk County, they are
13 two separate pieces.

14 ACTING CHAIRMAN DOWLING: That's
15 understood. The main thing is which building is
16 this on is what's unclear, which lot, because,
17 you know, there's inconsistency on this picture
18 and your survey.

19 MS. PHILLIPS: Okay.

20 ACTING CHAIRMAN DOWLING: So that's what we
21 need to clear up --

22 MS. PHILLIPS: As I explained --

23 ACTING CHAIRMAN DOWLING: -- is that
24 inconsistency between the two.

25 MS. PHILLIPS: As I explained before, to

1 verify, I asked the Electric and Sewer and Water
2 Department to tell me which meter was on which
3 building. And when I verified, because the
4 previous tenant left me a sewer and water bill
5 that I let go on the tax map -- I mean, on the
6 property taxes, that is the property with that
7 tax map number, is where the ending is 13.

8 MR. PROKOP: We can pretty easily get -- an
9 engineer can do this in one second. These
10 engineers have the programs on their computer to
11 do this in one second.

12 ACTING CHAIRMAN DOWLING: Okay.

13 MR. PROKOP: I'll call somebody tomorrow
14 and get it done.

15 MS. MUNDUS: Maybe the Village Utility
16 Office has the wrong tax number on your meter.

17 MR. PROKOP: But I'll get that for you.

18 ACTING CHAIRMAN DOWLING: Okay.

19 MR. PROKOP: There's no need to resurvey, I
20 don't think. We could get --

21 MS. MUNDUS: Okay.

22 ACTING CHAIRMAN DOWLING: Okay.

23 MR. PROKOP: I think we can get that done.

24 MS. MUNDUS: I mean, it really doesn't have

25 any bearing on exactly what the tenant is

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1 applying for.

2 ACTING CHAIRMAN DOWLING: Except for
3 parking.

4 MS. MUNDUS: Except for parking.

5 ACTING CHAIRMAN DOWLING: Do you --

6 MS. MUNDUS: But the parking is not --
7 okay.

8 MS. PHILLIPS: The parking is available to
9 the tenant because we own both pieces.

10 MR. PROKOP: So I think the kinds of things
11 we're discussing are the kinds of things that
12 would be discussed in public at the next meeting.

13 ACTING CHAIRMAN DOWLING: Okay.

14 MR. PROKOP: And I would, you know, accept
15 the application as far as getting it in the
16 process.

17 ACTING CHAIRMAN DOWLING: Okay.

18 MR. PROKOP: These other things we'll
19 straighten out --

20 ACTING CHAIRMAN DOWLING: Okay.

21 MR. PROKOP: -- between now and then.
22 ACTING CHAIRMAN DOWLING: Okay, great.
23 MR. PROKOP: That would be my
24 recommendation.
25 ACTING CHAIRMAN DOWLING: Is there any

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1 other public comment at all?
2 (No response.)
3 ACTING CHAIRMAN DOWLING: Do you have any
4 questions?
5 MR. MC MAHON: (Shook head no.)
6 ACTING CHAIRMAN DOWLING: The only question
7 I have is for -- so parking and deliveries are
8 all done basically using the adjacent parking
9 lot?
10 MR. KARLIN: Yeah, pretty much. Well,
11 that, and, you know, right in the back there
12 where that slab is, is the garage door. So I
13 park my truck there, and if I have a delivery, or
14 a drop-off, or a pickup, it's right there on that
15 pavement there, that cement slab.
16 ACTING CHAIRMAN DOWLING: And are you the

17 only one there? Do you have other employees
18 or --

19 MR. KARLIN: I have somebody that works for
20 me part-time, but I'm -- basically, it's me.

21 ACTING CHAIRMAN DOWLING: Okay.

22 MR. KARLIN: You know, my son is every once
23 in a while in there with me.

24 MS. MUNDUS: I have nothing to add.

25 ACTING CHAIRMAN DOWLING: Nothing to add?

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1 Do you?

2 MR. MC MAHON: (Shook head no.)

3 ACTING CHAIRMAN DOWLING: All right. I'll
4 make a motion to accept application for use
5 evaluation approval. Applicant, Phillip Karlin,
6 has proposed to reconfigure an existing store to
7 accommodate a new business. The proposed use is
8 for wholesale production, processing and
9 packaging facility. The property is located at
10 414 First Street. Suffolk County Tax Map is in
11 question, pending verification at the next -- at
12 the regular meeting. Second?

13 MR. MC MAHON: I second it.

14 ACTING CHAIRMAN DOWLING: All in favor?

15 MS. MUNDUS: Aye.

16 ACTING CHAIRMAN DOWLING: Aye.

17 Item 3, general discussion on the
18 enforcement of site plan and use evaluation
19 approvals. So this is something I was --

20 (Siren Sounded)

21 ACTING CHAIRMAN DOWLING: So this is a
22 topic that -- it would be nice if the Attorney
23 were here as well, but when there are new
24 businesses that open up and don't comply, or
25 don't accept, what is -- I mean, there's no real

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1 set -- I don't know if we have any kind of power
2 to -- power to say, go to someone and say, or
3 have the Code Enforcement Officer go to someone
4 and say, "You have to come in front of the
5 Planning Board."

6 MR. MC MAHON: Is there a Code Enforcement
7 Officer?

8 ACTING CHAIRMAN DOWLING: There is a

9 Code -- yeah, part time.

10 MR. MC MAHON: Good.

11 MS. WINGATE: In that case, he would.

12 ACTING CHAIRMAN DOWLING: He would. But
13 what does the -- I mean --

14 MS. WINGATE: If you would like him at the
15 next meeting, we could arrange for that. He is
16 part-time, 20 hours a week, and I'll see him on
17 Friday. Maybe -- this week, it's a holiday week,
18 so I might not see him until Monday.

19 ACTING CHAIRMAN DOWLING: Okay.

20 MS. WINGATE: But --

21 ACTING CHAIRMAN DOWLING: Just because
22 there are other businesses. I mean, it's great
23 that he's, you know, taken the initiative to come
24 in front of us for the Smoked Fish Corp., but
25 then there's a bakery on --

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1 MS. WINGATE: The bakery is in litigation.

2 ACTING CHAIRMAN DOWLING: They're in
3 litigation?

4 MS. WINGATE: (Nodded yes.)

5 ACTING CHAIRMAN DOWLING: Okay. So would
6 you have any other comments about this, or, I
7 mean --

8 MS. MUNDUS: Well, I mean, we just saw
9 the -- you know, the attitude, and that if the
10 landlord doesn't take, you know, first
11 responsibility, we, as the Planning Board, I have
12 nothing, no recourse or nowhere to go, except to
13 ask the Code Enforcement -- I mean, I don't know
14 what to say. It just seems like the primary
15 responsibility lands with the -- should be with
16 the landlord. And the Planning Board, we've had
17 the same frustration over and over again, where
18 we know what should be done, but as soon as we
19 all leave the door, life goes on and nothing
20 happens.

21 ACTING CHAIRMAN DOWLING: Any other
22 comments about this? I mean, anybody else?

23 MS. WINGATE: Perhaps next week, when Joe
24 is here, you do a little Executive Session and
25 discuss this with him.

1 MS. MUNDUS: Because we -- you know, I'd
2 like to meet the Code Enforcement Officer and
3 have a meeting with him so that we can all be on
4 the same team together.

5 ACTING CHAIRMAN DOWLING: Yup.

6 MS. MUNDUS: Yeah.

7 MS. WINGATE: I will ask if he could be
8 here next Thursday.

9 MS. MUNDUS: Because it should be uniformly
10 applied and not, you know -- I mean, just think
11 of what happened with Layyah? I mean, we went
12 through weeks, and weeks, and weeks of
13 handicapped parking, and garbage, and where does
14 the taxi park, here, not there, the trash behind
15 the building.

16 ACTING CHAIRMAN DOWLING: And Deborah
17 Schade over the color of her bikes.

18 MS. MUNDUS: Exactly.

19 ACTING CHAIRMAN DOWLING: And at the end of
20 the day, we have people that are showing up
21 without doing anything.

22 MS. MUNDUS: And these are two -- this is a
23 giant piece of property right in the center of
24 the Village, which, you know, needs uniform
25 enforcement. So, anyway, I'm still looking

1 backwards instead of forward. I'm sorry.

2 ACTING CHAIRMAN DOWLING: Well, sometimes
3 you have to do that. Anybody else have any
4 comment on Item 3?

5 (No response.)

6 ACTING CHAIRMAN DOWLING: Item 4.

7 MS. WINGATE: I think having a procedure in
8 place in writing would be really helpful.

9 ACTING CHAIRMAN DOWLING: Yeah.

10 MR. MC MAHON: I find it hard believe there
11 isn't one there.

12 MS. MUNDUS: And it doesn't matter whether
13 it's a taxi service, or a convenience store, or a
14 fishing boat, you know. I mean, what's for the
15 greater common good of Greenport is the important
16 thing.

17 MR. MC MAHON: I think maybe next week,
18 when we meet with the Code Enforcement Officer
19 and speak with Joe, we'll have a more productive
20 conversation.

21 MS. MUNDUS: Yeah, exactly.

22 MS. MC ENTEE: Are we talking -- I was
23 under the impression that Item #3 had to do with
24 talking about the use evaluation approval that
25 had to do with Item #1; is that not correct, or

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1 are we off track here?

2 MS. MUNDUS: This is a general discussion
3 on enforcement.

4 ACTING CHAIRMAN DOWLING: This is general,
5 so anything in the Village.

6 MS. MUNDUS: Right.

7 MS. MC ENTEE: Oh, okay.

8 ACTING CHAIRMAN DOWLING: Anything that,
9 you know, has, you know, something to do with
10 site plan and use evaluations that we have to --
11 basically, all the stuff that comes in front of us.

12 MS. MC ENTEE: Okay.

13 ACTING CHAIRMAN DOWLING: But if you have a
14 comment about that --

15 MS. MC ENTEE: No. I'm actually listening
16 to what you have to say about it.

17 ACTING CHAIRMAN DOWLING: Okay.

18 MS. MUNDUS: Because that's the problem, is
19 the Planning Board hears plans, but we have
20 nothing to do with execution. So when people say
21 they're planning on doing something, and then
22 leave here and go do something else, we feel like
23 they're not doing what they said they were going
24 to do.

25 ACTING CHAIRMAN DOWLING: And we start

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1 feeling like a puppet, we just sit up here.

2 MS. MUNDUS: So we wonder what all the
3 wasted time and effort is all about if they just
4 go out and do whatever they want to do anyway.
5 So that's why we're trying to grapple with how
6 can one branch work with the other branch. So
7 that what we try to effect with our planning and
8 our discussion, and we do a lot of discussion
9 about it, you know, actually comes to fruition,
10 rather than just a piece of paper.

11 MS. MC ENTEE: Well, I do see -- I'm Joanne
12 Mc Entee, by the way, 242 Fifth Avenue. I do see
13 a lot of problems with the parking all throughout

14 the Village. You know, I understand that Karlin
15 has parking areas, and which is -- I don't
16 particularly see that there is an issue. I do
17 see parking on our street is an issue. I don't
18 see where on Carpenter Street there is going to
19 be parking when you have so many people there.
20 I'd also like to find out when was the last time
21 someone was in there? Has it been over a year?

22 ACTING CHAIRMAN DOWLING: Oh, yeah, well
23 over a year.

24 MS. MUNDUS: Yeah.

25 MS. MC ENTEE: Well over a year.

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1 ACTING CHAIRMAN DOWLING: That's why it's
2 now back to Commercial/Retail, or
3 Commercial/Residential, not --

4 MS. WINGATE: Commercial/Retail.

5 ACTING CHAIRMAN DOWLING: Commercial/Retail,
6 not -- it can't be a home anymore, it's got to be
7 commercial. Part of it has to be, the first
8 floor.

9 MS. MC ENTEE: And so, therefore, there can

10 be an apartment upstairs?

11 ACTING CHAIRMAN DOWLING: Yup. Any other --

12 MS. MUNDUS: No. I just would like to, you
13 know, say what I said before.

14 ACTING CHAIRMAN DOWLING: Yeah.

15 Absolutely, yeah.

16 MS. MUNDUS: We should meet with Code
17 Enforcement and find out how does the Planning
18 Board and Code Enforcement actually, you know --

19 ACTING CHAIRMAN DOWLING: Work.

20 MS. MUNDUS: -- work effectively together.

21 ACTING CHAIRMAN DOWLING: Yup.

22 MS. MUNDUS: Because that would help guide
23 us into doing the right thing. And, you know, we
24 have been trying to do this by giving conditional
25 approval for things to see how people perform,

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1 and if they don't perform, their approval gets
2 pulled. And, you know, that's sort of a new
3 thing that we've been doing recently. But we
4 still have people coming to us after they've
5 already started their business. This is the

6 second one we've had in two months where they
7 come to us. They just open and then they come to
8 the Planning Board after the fact, so it's not
9 exactly planning.

10 ACTING CHAIRMAN DOWLING: Asking for
11 forgiveness, instead of permission.

12 MS. WINGATE: Well, at the same time, these
13 two that came to you in the past two months have
14 been the only two all summer. So you're way
15 ahead of last year. It's uphill, but it really
16 seems to be working. The two that you have right
17 now are just really rough clients.

18 MS. MUNDUS: Yeah.

19 MS. WINGATE: Look at -- you know, Julie
20 is -- Julie is Julie.

21 MS. MUNDUS: Yeah.

22 MS. MC ENTEE: I think that's very unfair
23 to say.

24 MS. WINGATE: I think that's very true, and
25 until you've been in court with them, I think --

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1 MS. MC ENTEE: I just think that that's

2 very unfair to say in front of the public here.
3 If you want to keep it to your private self or
4 your work sessions, your working Executive
5 Sessions, I believe that that is the place for
6 that.

7 MS. WINGATE: We are in litigation.

8 MS. MC ENTEE: That's fine.

9 ACTING CHAIRMAN DOWLING: You mind if I
10 move --

11 MS. MUNDUS: I have nothing else to say.

12 ACTING CHAIRMAN DOWLING: All right. We'll
13 move on to Item #4. Motion to approve the
14 minutes for the following: July 3rd, 2014
15 regular meeting.

16 MS. MUNDUS: Second.

17 ACTING CHAIRMAN DOWLING: All in favor?

18 MS. MUNDUS: Aye.

19 MR. MC MAHON: Aye.

20 ACTING CHAIRMAN DOWLING: Aye.

21 Item 5, motion to accept the minutes for
22 the following: August 7th, 2014 regular meeting.

23 MS. MUNDUS: Second.

24 ACTING CHAIRMAN DOWLING: All in favor?

25 MS. MUNDUS: Aye.

1 MR. MC MAHON: Aye.

2 ACTING CHAIRMAN DOWLING: Aye.

3 Item 6, motion to schedule the next regular
4 session on October 2nd, 2014, and the next work
5 session for October 30th, 2014.

6 MS. MUNDUS: Second.

7 ACTING CHAIRMAN DOWLING: All in favor?

8 MS. MUNDUS: Aye.

9 MR. MC MAHON: Aye.

10 ACTING CHAIRMAN DOWLING: Aye.

11 Item 7, motion to adjourn.

12 MS. MUNDUS: Second.

13 ACTING CHAIRMAN DOWLING: All in favor?

14 MS. MUNDUS: Aye.

15 MR. MC MAHON: Aye.

16 ACTING CHAIRMAN DOWLING: Aye. Adjourned.

17 Thank you, everybody.

18 (Whereupon, the meeting was adjourned at
19 6:10 p.m.)
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C E R T I F I C A T I O N

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STATE OF NEW YORK)

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) SS:

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COUNTY OF SUFFOLK)

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7

I, LUCIA BRAATEN, a Court Reporter and

8

Notary Public for and within the State of New

9

York, do hereby certify:

10

THAT, the above and foregoing contains a

11

true and correct transcription of the

12

proceedings taken on September 25, 2014.

13

I further certify that I am not

14

related to any of the parties to this action by

15

blood or marriage, and that I am in no way

16

interested in the outcome of this matter.

17

IN WITNESS WHEREOF, I have hereunto

18

set my hand this 9th day of October, 2014.

19

20

21

22

Lucia Braaten

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