

1 VILLAGE OF GREENPORT
2 PLANNING BOARD
3 REGULAR SESSION
4 October 2, 2014
5 5:00 p.m.

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8 Meeting held at the Greenport Firehouse
9 236 Third Street, Greenport, New York 11944

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- 12 Appearances:
13 Peter Jauquet – Chairman
14 Chris Dowling
15 Bradley Burns
16 Devin McMahon
17 Pat Mundus

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- 19 Joseph Prokop, Village Attorney
20 Eileen Wingate, Village Building Inspector

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1 (Whereupon, the meeting was called to order
2 at 5:18 p.m.)

3 CHAIRMAN JAUQUET: This is the October 2nd,
4 2014, Third Street Firehouse Planning Board
5 meeting. This is a regular session. And Item #1
6 is -- our regular session is one where we vote on
7 things, but tonight we're not sure we're going to
8 do that, because we're going to still have
9 discussion on some of the issues that are before
10 the Board.

11 So Item #1 is a discussion and possible
12 motion on an application for a use evaluation
13 approval. The applicant, Jim Olinkiewicz, has
14 proposed to remodel a nonconforming multi-unit
15 dwelling building into a mixed use
16 residential-professional use building. It's
17 located at 211 Carpenter Street. It's zoned CR,

18 Commercial/Retail, and it's Section 4, Block 10,
19 Lot 11.

20 And we're going to start by asking anybody
21 if they want to continue any discussion at the
22 podium on this.

23 MR. OLINKIEWICZ: Good evening. I'm James
24 Olinkiewicz, the owner of 211 Carpenter Street,
25 the property that we're discussing. 211

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1 Carpenter Street has a long history in the
2 Village. For many, many years, it was a boarding
3 house, a single-person boarding house that was
4 owned -- I don't know prior to when North Fork
5 Housing Alliance had it, what it was used for,
6 but it's my understanding that it was a boarding
7 house for a long period of time. It's in the
8 Commercial/Retail District of the zoning for the
9 Village. And I've applied to make the downstairs
10 part of the house to be commercial for a
11 professional use.

12 CHAIRMAN JAUQUET: So you're going to do an
13 office?

14 MR. OLINKIEWICZ: Office, yes.

15 CHAIRMAN JAUQUET: Okay.

16 MR. OLINKIEWICZ: For either an architect,
17 or an attorney, or an artist, something like
18 that. And also in the plan it has for the second
19 floor to become a two-bedroom apartment.

20 It was brought up at the work session about
21 the potential parking issues that have to deal
22 with the property as it is. I mean, the property
23 has been there since the 1890s, so those problems
24 are not caused by me, they've been there forever.
25 And I put a package into the Board Members. I

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1 only put it in yesterday, so I don't know if
2 everybody got a chance to see it, but I
3 highlighted in Section 150-12, Item C, the use,
4 adaptation or change of use of any building
5 within the CR and WC Districts in existence
6 before January 1st, 1991, shall be totally,
7 entirely exempt from any off-street parking
8 requirements.

9 So I understand that parking can be an

10 issue. There are many, many, many other retail
11 or professional buildings down there that use the
12 municipal lots, that use the off-street -- the
13 on-street parking that's existing. I understand
14 that a couple of my neighbors that get deliveries
15 across my property are a little concerned about
16 their use of the right-of-way on the driveway.
17 They have their purveyors or providers just stop
18 in the middle of the road and unload and block
19 traffic for everybody. There is a driveway there
20 that they can back into and use that's provided
21 on my property that they're more than welcome to
22 use that we don't even park in yet, or I won't
23 allow anybody to park in.

24 CHAIRMAN JAUQUET: Well, the parking,
25 parking trucks in the middle of the street is

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1 common on Front and Main anyway.

2 MR. OLINKIEWICZ: Right. Well --

3 CHAIRMAN JAUQUET: Throughout the day.

4 MR. OLINKIEWICZ: But that was an issue
5 brought up at the last --

6 CHAIRMAN JAUQUET: Yeah, okay.

7 MR. OLINKIEWICZ: -- at the last meeting,
8 that there may be more people there, so -- but
9 the parking, the off-street parking requirements
10 are not to be used on this, I guess, the
11 Village's Code, the Village's Code or zoning
12 code, because this was prior to 1991 this
13 building was built.

14 And then it was also discussed, because of
15 the apartment upstairs, the potential of parking
16 for the tenants. So I, again, printed Section
17 150-9 of the Village Code that talks about
18 accessory apartment dwellings over retail stores
19 and businesses, professional and government
20 offices existing as of July 1st, 2002, and
21 accessory buildings, therefore, also existing on
22 July 1st, 2002 are subject to the following
23 standards:

24 One of the standards is apartments shall
25 not be located on the first floor, which I do not

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1 have in my plan, of the principal building and

2 residential units in accessory buildings. We
3 don't have accessory buildings, so that is
4 nonapplicable to us. But Item C says
5 notwithstanding anything in Chapter 150 to the
6 contrary, accessory apartment dwelling units are
7 permitted by this subsection, and shall not be
8 subject to any site plan approval.

9 So, in the Village Code, you're allowed to
10 have apartments above the area, and that it's not
11 a site plan issue for the Board to even have to
12 consider.

13 So, really, the consideration that all I'm
14 asking for is the use to be able to put an office
15 downstairs in an existing building that's been
16 there prior to 1991, and the apartment upstairs,
17 and the people that rent from me will have to use
18 municipal parking or street parking, if
19 available.

20 The issue of the truck for the deliveries,
21 I mean, we can -- I can talk to the other people
22 that use my driveway about getting their trucks
23 to back in there, but I really have no control
24 over their deliveries, and that really shouldn't
25 have any issue with my application for what they

do.

1 CHAIRMAN JAUQUET: So you -- are you ready
2 to put in the leases of your tenants that they
3 are to park, specifically park in the municipal
4 lot and not to park --

5 MR. OLINKIEWICZ: In the driveway.

6 CHAIRMAN JAUQUET: Yeah.

7 MR. OLINKIEWICZ: Yes.

8 CHAIRMAN JAUQUET: And that they can't park
9 on that street?

10 MR. OLINKIEWICZ: I'll be more than willing
11 to put that, sure. I mean, across the street
12 from my driveway, there's three parking spots,
13 and then there's the fire hydrant, then there's
14 one more parking spot, and then the access to the
15 boat basin or the boat shipyard, so --

16 CHAIRMAN JAUQUET: But those aren't street
17 parking.

18 MR. OLINKIEWICZ: What was that?

19 CHAIRMAN JAUQUET: Are those on the street?

20 CHAIRMAN JAUQUET: Those are three or four
21 street parkings. And the workers for the --

22 CHAIRMAN JAUQUET: STIDD?

23 MR. OLINKIEWICZ: STIDD manufacturer,
24 right, they usually park there when they come in
25 in the morning. Okay? That's mostly the people

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1 that park there. They have their own parking
2 spots in front of their building, but they park
3 there because it's easier in and out, I guess.

4 CHAIRMAN JAUQUET: Were those -- are those
5 to the --

6 MR. OLINKIEWICZ: There's --

7 CHAIRMAN JAUQUET: Toward Clark's or
8 towards north of you.

9 MR. OLINKIEWICZ: If you go straight out my
10 -- if you go straight out the driveway, there's
11 two to the north and two to the south.

12 CHAIRMAN JAUQUET: On which side of the
13 street?

14 MR. OLINKIEWICZ: On the opposite side.

15 CHAIRMAN JAUQUET: East.

16 MR. OLINKIEWICZ: Yes.

17 MR. DOWLING: Directly across, there's
18 maybe one, and then you've got STIDD's building

19 right there. Yeah, there's actually a parking
20 spot.

21 MR. OLINKIEWICZ: I was -- I should have
22 taken a picture today of the four cars that were
23 there.

24 CHAIRMAN JAUQUET: The parking is legal
25 along that, except for the --

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1 MR. OLINKIEWICZ: On that side of the
2 street, yes.

3 MR. DOWLING: Except for the firehouse.

4 CHAIRMAN JAUQUET: Okay.

5 MR. OLINKIEWICZ: And they can go down the
6 block past the Capital One Bank municipal lot
7 that the brewery uses for all their workers and
8 all their visitors.

9 CHAIRMAN JAUQUET: So what happens right
10 now is those -- are those street -- are they used
11 much? You say that STIDD's uses them. Do they
12 get used up when there's a festival in town and
13 stuff on the weekend?

14 MR. OLINKIEWICZ: Do people park there?

15 CHAIRMAN JAUQUET: Yeah.

16 MR. OLINKIEWICZ: I would imagine that
17 people do. I mean, I wasn't there for the
18 Maritime Festival this year, I was away.

19 CHAIRMAN JAUQUET: But STIDD's uses them.

20 MR. OLINKIEWICZ: Right. They --

21 CHAIRMAN JAUQUET: So it's common that
22 there are cars there narrowing --

23 MR. OLINKIEWICZ: Yes, yes.

24 CHAIRMAN JAUQUET: -- the street itself
25 already.

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1 MR. OLINKIEWICZ: And what happens, when
2 the delivery truck stops to delivery, rather than
3 park -- backing into the parking on the
4 driveway --

5 CHAIRMAN JAUQUET: They can't.

6 MR. OLINKIEWICZ: -- they need to pull over
7 and then they block traffic.

8 CHAIRMAN JAUQUET: Yeah, because they don't
9 have enough turn-around space there, probably.

10 MR. OLINKIEWICZ: Right. They probably --

11 CHAIRMAN JAUQUET: With a car there.

12 MR. OLINKIEWICZ: Right. Probably if they
13 made those spots opposite my driveway no parking,
14 then trucks would be able to back in very easily.
15 But it's when that driveway goes down 10 or 12
16 feet --

17 CHAIRMAN JAUQUET: Is that an issue for the
18 other owner? Does the owner -- have they brought
19 that up? Who uses the -- whose trucks are they?
20 Is it the D'Latte delivery?

21 MR. OLINKIEWICZ: D'Latte, yes. Yup,
22 D'Latte for that.

23 CHAIRMAN JAUQUET: Is he here?

24 MR. OLINKIEWICZ: No. He wrote a letter
25 last week about -- just his concerns about the

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1 traffic and the use of the property.

2 CHAIRMAN JAUQUET: It sounds like there's
3 already uses and traffic there already.

4 MR. OLINKIEWICZ: Right.

5 CHAIRMAN JAUQUET: According to your
6 report.

7 MR. OLINKIEWICZ: Right. The so the only
8 thing is, is that my tenants and whoever rents it
9 and -- or rents the apartments would have to use
10 the municipal lots, the same as that -- now that
11 Stirling Square is sold and all of those
12 buildings are going to have to come up for use
13 evaluations, all the people that work there are
14 going to have to park in the municipal lot. It's
15 the same aspect as my property at Stirling
16 Square.

17 CHAIRMAN JAUQUET: Well, it's the same as
18 any mixed use on Front Street.

19 MR. OLINKIEWICZ: Right. And that's why
20 the code was written this way for the Village and
21 for the Commercial/Retail or Retail/Commercial.

22 CHAIRMAN JAUQUET: So -- go ahead.

23 MR. DOWLING: And your point there, though,
24 Section 18, about not needing site plan approval,
25 you said that anything -- structures that were

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1 existing as of July 1st, 2002.

2 MR. OLINKIEWICZ: Correct.

3 MR. DOWLING: That's if there was a retail
4 store, business, professional or government
5 office. This was a housing unit until 2005, per
6 your application.

7 MR. OLINKIEWICZ: Right, right. That's --

8 MR. DOWLING: So it was -- so you do have
9 to have site plan approval for that.

10 MR. OLINKIEWICZ: Even if the building was
11 prior to -- because --

12 MR. DOWLING: It wasn't -- you was not
13 zoned --

14 MR. OLINKIEWICZ: Oh, I'm not talking about
15 site plan approval for the office, I'm talking
16 about site plan approval for the apartment
17 upstairs.

18 MR. DOWLING: Right. But it says here that
19 units over retail stores and businesses,
20 professional and government offices existing as
21 of July 1st, 2002, and this was not any of those.

22 MR. PROKOP: I agree with that. I was
23 going to bring that up. That was the question I
24 was waiting -- that was the question I was going
25 to ask.

1 I think the existing -- the existing
2 applies to the accessory apartment dwelling unit,
3 not the building, basically, so that's the
4 question I was going to ask him.

5 There was a prior application two months
6 ago where we looked at this clause and there was
7 a question about what was existing or
8 preexisting, and we said that -- but in that
9 case, the building was new, so it wasn't -- you
10 know, there was no question that it didn't exist.
11 In this case --

12 MR. DOWLING: Right.

13 MR. PROKOP: In this case, it's a
14 preexisting building, but the apartment didn't
15 exist. And then reading this language, there's
16 no mention in Paragraph 18 about the building.
17 The description is whether or not the accessory
18 apartment dwelling unit over the retail store
19 existed as of that time.

20 The interpretation of the Village -- I
21 advised the Board, but the interpretation really
22 comes from either the Building Inspector or the
23 ZBA, the Zoning Board of Appeals. But that was

24 my question, since he brought it up. Thank you
25 for asking it.

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1 MR. OLINKIEWICZ: So would the -- would the
2 individual rental units that were the rooms that
3 were rented by the North Fork Housing Alliance as
4 individual rooms, wouldn't that categorize it as
5 a rental, because they rented rooms on the second
6 floor and rented individual rooms up there
7 through the Housing Alliance?

8 MR. DOWLING: But they weren't over retail
9 stores, businesses and professional or government
10 offices, as written in the code.

11 MR. OLINKIEWICZ: Okay. I'm not sure on
12 that one, but that's --

13 MR. PROKOP: I think the intention was
14 to -- the intention was to promote mixed use
15 buildings to -- but you had to have a mixed use
16 building to begin with, I think is what we're
17 talking about, is the way that it's written. I
18 mean, whether it was written correctly or not, I
19 don't know. That was before my time, that

20 language, but that's the way -- that's the way it
21 reads.

22 MR. OLINKIEWICZ: Okay. So, well, I'm
23 applying to put a commercial downstairs and then
24 an apartment upstairs.

25 CHAIRMAN JAUQUET: So how do you see the

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1 easement working?

2 MR. OLINKIEWICZ: How do I see the easement
3 working? Well, I spoke to Frank at D'Latte, I
4 said, "I have no intentions of having anybody
5 park in your easement." He has a ten-foot
6 easement running through there. So that, you
7 know, we're at a moot point on people going to be
8 able to park there.

9 So he has his garbage truck come, they roll
10 the dumpsters out through there and dump it, and
11 then they get rolled back. And, I mean, we'll
12 have our garbage behind the back of the building
13 also, and so that will have to be another garbage
14 truck either backing in or stopping. But it's
15 the same as if you have a sidewalk right next to

16 your property, it just can't be used.

17 CHAIRMAN JAUQUET: Right. So in the end,
18 you're going to -- you would work that out?

19 MR. OLINKIEWICZ: Correct.

20 CHAIRMAN JAUQUET: You have to.

21 MR. OLINKIEWICZ: Right, we have to.

22 CHAIRMAN JAUQUET: The two people, the
23 two --

24 MR. OLINKIEWICZ: Right, exactly.

25 CHAIRMAN JAUQUET: There's only two owners

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1 that --

2 MR. OLINKIEWICZ: Right.

3 CHAIRMAN JAUQUET: -- control that.

4 MR. OLINKIEWICZ: Just the same as like
5 Frank and I talked about him not parking back
6 there unless he goes all the way back on the
7 property. I'm not going to have everybody that
8 lives in my apartment or that works there park in
9 the driveway. You know, his parking in the
10 driveway shouldn't happen either, so -- because
11 we need ingress and egress to the apartment and

12 to our garbage cans, and he was all amenable to
13 that.

14 CHAIRMAN JAUQUET: Oh, so you're in
15 agreement with --

16 MR. OLINKIEWICZ: We talked about that,
17 that he can park all the way in the back, if he
18 wants to and stuff. I mean, he's concerned about
19 traffic, and he's concerned -- there was a letter
20 last week that came in that was read to the
21 Board. And I understand there's a couple of
22 businesses that are concerned, because there's
23 going to be more people and more business there.

24 CHAIRMAN JAUQUET: I thought that's what we
25 wanted, more business.

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1 MR. OLINKIEWICZ: Right, well. So
2 that's --

3 CHAIRMAN JAUQUET: What about --

4 MR. BURNS: As I recall, the intention of
5 that multiple-use apartment above a business was
6 intended to increase the available apartments in
7 the Village. So it makes sense to me to have

8 what Mr. Olinkiewicz wants, since I voted for
9 that at the time.

10 MR. OLINKIEWICZ: I don't know if anybody
11 else wants to speak.

12 CHAIRMAN JAUQUET: Yeah, okay, let's try
13 that.

14 MS. MC ENTEE: Good evening. Joanne
15 McEntee, 242 Fifth Avenue, Greenport.

16 I do have issues, obviously. One of the
17 issues is that we do not know what type of
18 professional or artist business is going to be in
19 the bottom half of the home. Therefore, we can't
20 -- we don't know how much traffic or how many
21 cars are going to be coming and going in the
22 course of a day. If a physician's office is
23 there and they have 10 minutes, every 15 minutes,
24 maybe every half hour, they're going to have
25 people coming up and down that road.

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1 So I think it's very important that we all
2 find out what type of business that he does have
3 on that first floor. It's different if you put

4 an artist there. Sure, you're not going to have
5 as much traffic there, and that will cut down
6 some of the parking issues.

7 Secondly, I'd like to find out where the --
8 how far is the nearest public -- how many feet
9 away is the nearest public parking, being as
10 there is no parking at this home, retail,
11 Commercial/Retail home? Does anybody know? Is
12 it the bank? Because the bank --

13 CHAIRMAN JAUQUET: Well, that bank isn't
14 public.

15 MS. MC ENTEE: Right, exactly. How far --

16 CHAIRMAN JAUQUET: Well, there -- we noted
17 that there's public parking right across the
18 street, there's about four spaces.

19 MS. MC ENTEE: Four spaces that are used by
20 other people. So where do we fit in? In the
21 wintertime, where --

22 CHAIRMAN JAUQUET: Well, it's used -- it's
23 available to the tenants at the potential
24 Olinkiewicz facility.

25 MS. MC ENTEE: And so in the wintertime,

1 where do they park? Because they're not supposed
2 to be parking on the road when we do have the
3 snow.

4 Let me just bring a small example, and this
5 is back to what Mr. Olinkiewicz has stated in his
6 previous homes. I have -- on Fifth Avenue, there
7 was 221 Fifth Avenue, and he had brought in
8 people there, tenants. And when Ms. Wingate went
9 to inspect, there were five people living in this
10 two-family. I understand I'm talking two-family
11 at this moment, but I'm talking about character
12 at this time. And what happens is that when he's
13 gone and these tenants are in there, there
14 becomes seven, eight cars in the driveway. This
15 is a normal thing for his -- all of his, or a
16 good majority of his properties. So when
17 Mr. Olinkiewicz comes up here to tell you that
18 there's only going to be one family upstairs and
19 it's going to be a two-bedroom, it's -- I don't
20 believe everything of what he says, because I see
21 what he has done.

22 When we had a parking issue over on -- we
23 had a right-of-way on Madison to the Kaplan
24 Market, and when Kaplan Market came along, they

25 gave him a temporary CO, which I just totally was

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1 taken aback by. So the tenants moved in and the
2 tenants decided not to move and to use the
3 right-of-way; they decided to park on Kaplan
4 Avenue. So now, when we go to a meeting, a Board
5 meeting, excuse me, there is -- we were told that
6 we -- there's nothing that can be done. So it
7 needs to be done and fixed beforehand, because
8 Mr. Olinkiewicz even said himself, and so did the
9 Board say they have no control over what and
10 where people park. So if there's no control
11 after someone has moved in, then where do we go
12 from here?

13 I do believe that parking is a very
14 important issue at that home. If he has to take
15 part of the home down, make some parking spaces
16 there -- he's the one that chose to actually buy
17 this home.

18 You don't also have to approve that he has
19 to have an upstairs apartment. Being as we know
20 there's going to be a professional or some type

21 of business downstairs, it doesn't have to go
22 through. You don't have to approve it. The
23 Zoning Board does not have to approve the
24 upstairs apartment.

25 When Mr. Olinkiewicz says and states that

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1 he has a family moving in, it's more than just
2 that few people that are moving in. We witnessed
3 it quite a bit in our Village.

4 I believe that's just about all I have to
5 say. But, please, take it into consideration.
6 Thank you.

7 CHAIRMAN JAUQUET: Thank you. Is there
8 anyone else that wants to speak on this matter?

9 (No response.)

10 CHAIRMAN JAUQUET: Okay.

11 MR. DOWLING: The Attorney, he had
12 mentioned something last week about looking into
13 the possible -- some litigation that's at the
14 property.

15 MR. PROKOP: Yes, there was litigation on
16 this property. And as far as I could tell, what

17 the litigation was, is that the Village Building
18 Inspector at the time issued a Certificate of
19 Existing Use for a boarding house. And another
20 person in the Village challenged to first the
21 ZBA, and then to Supreme Court, and I believe
22 that the Certificate of Existing Use was upheld,
23 so -- but it was -- it was a Certificate of
24 Existing Use as a prior nonconforming use as a
25 boarding house. If that prior nonconforming use

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1 has terminated for more than one year, then
2 the -- it's not a valid use of the property
3 anymore, and the use of the property would revert
4 back to the permitted uses under the
5 Commercial/Retail District; the CR District.

6 MR. BURNS: And the CR District allows what
7 Mr. Olinkiewicz is asking?

8 MR. PROKOP: I don't -- I can't tell --
9 see, the problem is the paragraph says accessory
10 apartment dwelling units over retail stores and
11 businesses, professional and governmental uses,
12 or governmental offices. It should have -- and I

13 don't doubt it's important what you're saying,
14 because you were there at the time and voted, but
15 it would say then, "In buildings existing as of
16 July 1st, 2002," because it then continues to say
17 "in accessory buildings thereof." So, in the
18 first half of the sentence, it refers to the
19 uses; in the second half, it refers to the
20 building, so it's just not clear. But it's
21 significant that you're mentioning that. And,
22 as I said before, in the end, I think it's really
23 up to either the Building Inspector or the ZBA if
24 there's a question about it.

25 CHAIRMAN JAUQUET: Right. It's up to us to

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1 interpret that vagueness, if you call it that.

2 MR. PROKOP: Pardon me?

3 CHAIRMAN JAUQUET: It's up to us to
4 interpret that.

5 MR. PROKOP: No. I think it's up to the
6 Building Inspector or the Zoning Board of
7 Appeals.

8 CHAIRMAN JAUQUET: Okay. So that's not us.

9 MR. DOWLING: Correct.

10 MR. PROKOP: Right. I think that you --
11 you wouldn't issue a determination. A
12 determination would come from either the Building
13 Inspector or the Zoning Board of Appeals.

14 MR. BURNS: So this should go before the
15 ZBA?

16 MR. PROKOP: That's one of the options you
17 have, if that's what you think. You could also
18 ask the -- do a -- not relevant to this
19 application, but you could also do a referral to
20 the Code Committee, you know, to ask them to look
21 at this, and possibly, you know, resolve this for
22 the future, so this isn't a continuing question.

23 MR. BURNS: I suggest we do both.

24 CHAIRMAN JAUQUET: Well, we were going to
25 table this anyway for further discussion, so

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1 let's have that be the main inquiry, you know,
2 before we put this back on the agenda for the
3 vote. And I think that -- so we're going to
4 table this until next time, and we're going to

5 probably have a statement from the ZBA, and then
6 we'll -- does that sound okay with you?

7 MR. DOWLING: Yeah, definitely.

8 CHAIRMAN JAUQUET: Okay. Any other
9 discussion on this?

10 (No response.)

11 CHAIRMAN JAUQUET: Okay. Item #2 on the
12 agenda is discussion and possible --

13 MR. PROKOP: Did you vote on that? I'm
14 sorry, I apologize.

15 CHAIRMAN JAUQUET: What's that.

16 MR. PROKOP: I would vote on that, unless
17 you just --

18 MS. MUNDUS: Vote to table it.

19 CHAIRMAN JAUQUET: We have to vote to table
it?

20 MR. PROKOP: You vote -- or you could also
21 refer it to the ZBA, so you have to vote.

22 MR. BURNS: I move we refer it to the ZBA
23 and to the Code Committee, and table it.

24 CHAIRMAN JAUQUET: Okay. I'll second that
25 motion. All in favor?

1 MR. BURNS: Aye.

2 MR. DOWLING: Aye.

3 MR. MC MAHON: Aye.

4 MS. MUNDUS: Aye.

5 CHAIRMAN JAUQUET: Aye.

6 Okay. Item #2 is a discussion and possible
7 motion on an application for a use evaluation
8 approval. Applicant, Phillip Karlin, has
9 proposed to reconfigure an existing store to
10 accommodate a new business. The proposed use is
11 a smoked fish wholesale production, processing
12 and packaging facility. The property is located
13 at 414 First Street; Section 4, Block 7, Lot 5.

14 And we'll start this with anybody in the
15 room who would like to get up and talk about it.
16 This is continued discussion.

17 MS. PHILLIPS: Good evening. My name is
18 Mary Bess Phillips, 210 Atlantic Avenue,
19 Greenport, New York.

20 I tried very hard not to be here tonight,
21 but our Attorney, Charles Cuddy, was unable to
22 attend, and Phillip Karlin is not here, he was
23 unable to, so I'm here.

24 First, I need to disclose that I am a

25 Village Trustee in the Village of Greenport.

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1 At the last work session -- first of all, I
2 would like to say thank you, because in reviewing
3 all of our paperwork, there is not just the issue
4 of the tax map number, there is an issue of some
5 properties that were exchanged between the other
6 property owners that has not been recorded with
7 Suffolk County, so we will be in the next couple
8 of months straightening that out. But we, as the
9 corporation, K & M Properties, would hope that
10 you would approve his application, Phillip
11 Karlin's application, without -- as I said, he's
12 the tenant. We discovered quite a few errors.
13 The deed was not correctly recorded with the
14 County of Suffolk.

15 Some of our exchanges that Yvonne Jones
16 (phonetic) had done over the years that are
17 included in our deed that are not on the Suffolk
18 County map, and I need to ensure that all the
19 right-of-ways are recorded. Even though we have
20 the paperwork and it was done legally, Suffolk

21 County has not been given that information.

22 So, at this point, you will be hearing from
23 our Attorney, Mr. Cuddy, over the next couple of
24 months upon correcting this with the tax map
25 numbers, along with making sure that is clear.

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1 It's an old property. It's been in existence for
2 long year -- many years.

3 I will have to say I'm disappointed that
4 when we closed in 1997, I wasn't involved in the
5 closing. So our previous partners and my husband
6 went. So I will be correcting it over the next
7 couple of months.

8 MS. MUNDUS: Great.

9 CHAIRMAN JAUQUET: Okay.

10 MS. PHILLIPS: Okay? Thank you. I just
11 needed to have that recorded for Mr. Cuddy.
12 Thanks.

13 MS. MUNDUS: Thank you.

14 CHAIRMAN JAUQUET: All right

15 MR. MC MAHON: Now those issues she
16 mentioned pertain to Lot 13, which is not

17 actually the lot that's relevant here anyway,
18 so --

19 MS. MUNDUS: Lot -- and Lot 5.

20 MR. MC MAHON: Well, the issues she was
21 referring to about the exchange were not on --
22 were not adjacent to Lot 5.

23 MS. MUNDUS: Well --

24 CHAIRMAN JAUQUET: Lot 5 contains the
25 smoked, the smoked fish operation; is that right?

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1 MR. MC MAHON: Yes.

2 CHAIRMAN JAUQUET: Okay.

3 MR. MC MAHON: That, the ice house, and
4 parking lot in between, that's all Lot 5.

5 CHAIRMAN JAUQUET: Right, okay. So that's
6 what we're concerned with here.

7 MR. MC MAHON: Yeah.

8 CHAIRMAN JAUQUET: Did any of the Board
9 members have anything they'd like to, you know,
10 start off with, or comment from last time?

11 (No response.)

12 CHAIRMAN JAUQUET: My concern, I have two.

13 I wasn't here last week, but my concern with the
14 approval process is that the -- I believe the
15 application is in order as best as possible. And
16 what we're requesting is that the Building
17 Inspector walk through the property to be able to
18 know what's in there, like we've done with all
19 the other properties that we've come before the
20 Board while we've been here.

21 And secondly, the -- we'd like the parking
22 lot and the premises cleaned up, as we have done
23 with other applicants in the past. It was just
24 in the past that we've been on board.

25 And, you know, there's a huge pothole as

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1 you first drive in from First Street, and you see
2 that from First Street. And if that were fixed
3 up, that would go a long way, I think, in keeping
4 -- getting this property up to the standards, or
5 at least getting it cleaned up like some of the
6 other ones have been, as the applications for new
7 uses have come through.

8 Those are my comments. I don't know if

9 anybody else has --

10 MS. MUNDUS: That's what we pretty much
11 said at the work session.

12 CHAIRMAN JAUQUET: Is that what you did?

13 MS. MUNDUS: Uh-huh.

14 CHAIRMAN JAUQUET: Okay.

15 MR. BURNS: I don't know very much about a
16 commercial smoke house, and I've seen, you
17 know --

18 CHAIRMAN JAUQUET: Are they actually
19 smoking fish and selling it, and the whole
20 operation is going? I mean, how is it going with
21 your tenant?

22 MR. BURNS: I'm just wondering if maybe the
23 Fire Department ought to walk through.

24 CHAIRMAN JAUQUET: Well, I mean, that's
25 what the Building Inspector --

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1 MS. PHILLIPS: Okay. First of all, this
2 application has been here for a couple of months
3 because there was no Planning Board meeting one
4 or two months.

5 Eileen had mentioned to me that she wanted
6 to go through the building. Mr. Karlin has been
7 around for quite a while, so I'm not quite sure
8 what communication took place between the two of
9 them. As far as the smoking --

10 CHAIRMAN JAUQUET: Do you have his phone
11 number?

12 MS. WINGATE: I do.

13 CHAIRMAN JAUQUET: Okay.

14 MS. WINGATE: I was waiting until you're
15 through.

16 CHAIRMAN JAUQUET: Okay. She's waiting, I
17 guess, for us. Okay, anyway.

18 MS. PHILLIPS: As far as the smoking
19 operation, number one, it's all electric. There
20 is no -- smoking is not done in the traditional
21 way that some of the old-timers did it here,
22 where it was actually fire-based. These are all
23 electric smokers. Inside is --

24 CHAIRMAN JAUQUET: How many smokers?

25 MS. PHILLIPS: There's only two smokers.

1 CHAIRMAN JAUQUET: Two units? Okay.

2 MS. PHILLIPS: Two units. They're not very
3 big. They're about --

4 CHAIRMAN JAUQUET: And how many days a week
5 does he --

6 MS. PHILLIPS: They're about like this
7 (indicating).

8 CHAIRMAN JAUQUET: Yeah. Yeah, I know.

9 MS. PHILLIPS: He smokes seven days a week.

10 CHAIRMAN JAUQUET: Oh.

11 MS. PHILLIPS: We did a couple of test
12 runs, because that property in years past, I have
13 had major complaints from the previous tenants.

14 CHAIRMAN JAUQUET: From -- excuse me, from
15 what?

16 MS. PHILLIPS: The previous --

17 CHAIRMAN JAUQUET: Factors were under
18 complaint?

19 MS. PHILLIPS: No, the neighbors were under
20 complaint. I received plenty of complaints from
21 the previous tenant that was there for the odors
22 that were emanating out from the --

23 CHAIRMAN JAUQUET: Odors. Odors, okay.

24 MS. PHILLIPS: The odors. No one even
25 knows that they're there. This is a wholesale

1 operation.

2 CHAIRMAN JAUQUET: Right.

3 MS. PHILLIPS: The corporation decided to
4 deal with the tenant, that they wanted someone
5 that was low --

6 CHAIRMAN JAUQUET: Impact.

7 MS. PHILLIPS: Low key impact, very low
8 traffic. The other part of it is that in the
9 next couple of months, once I straighten out the
10 property boundary lines and whatever, the
11 original intent was to come in and we were going
12 to apply to widen First Street, so that the
13 trucks can back in and go back out onto First
14 Street again.

15 CHAIRMAN JAUQUET: Widen what street?

16 MS. PHILLIPS: First Street. Trying to go
17 out onto South Street with --

18 CHAIRMAN JAUQUET: You're going to widen
19 your apron?

20 MS. PHILLIPS: We're going to widen --
21 we're going to widen -- yes, we're going to widen

22 the apron --

23 CHAIRMAN JAUQUET: The driveway apron.

24 MS. PHILLIPS: -- so that people can go
25 back in and come back out onto First Street. So

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1 that was the plan --

2 CHAIRMAN JAUQUET: Oh, okay.

3 MS. PHILLIPS: -- for the next couple of
4 months. So I have to straighten out the --

5 CHAIRMAN JAUQUET: Oh, so that's coming.

6 MS. PHILLIPS: It will be coming. I have
7 to -- Mr. Cuddy and I have to straighten out the
8 boundary lines before we do anything. We've had
9 some issues in the past where we had to go back
10 and get things straightened out. I discovered
11 that. So even though we have it recorded and
12 everybody knows what's going on, it's not
13 recorded in Suffolk County Tax Map, so I have to
14 straighten that out first, okay?

15 CHAIRMAN JAUQUET: So where does he get the
16 fish?

17 MS. PHILLIPS: He purchases the fish from us.

18 CHAIRMAN JAUQUET: You?

19 MS. PHILLIPS: He purchases --

20 CHAIRMAN JAUQUET: And what kind does he
21 smoke?

22 MS. PHILLIPS: He smokes bluefish, black
23 sea bass. You know, he has a wholesale business
24 that he does.

25 CHAIRMAN JAUQUET: And to the restaurant

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1 trade or the supermarket?

2 MS. PHILLIPS: No. Actually, it's more to
3 grocery stores and to fish markets, yeah.

4 CHAIRMAN JAUQUET: And where do they travel
5 to, Long Island, or they go to the City, too?

6 MS. PHILLIPS: His smoked fish has been
7 going all over Long Island. He's also involved
8 with some new marketing that will be taken
9 outside of Long Island.

10 CHAIRMAN JAUQUET: Right.

11 MS. PHILLIPS: But right now, he's
12 concentrating on Long Island. He also does a
13 fair amount of green markets. But there is --

14 his use of that building is only dealing with
15 smoked fish.

16 CHAIRMAN JAUQUET: Okay. Does he have a
17 brand?

18 MS. PHILLIPS: It's North Fork Smoked Fish.

19 CHAIRMAN JAUQUET: Okay.

20 MS. PHILLIPS: But, as I said, the plan has
21 been for a while, but Mr. Cuddy slowed me up once
22 I discovered at the last meeting that the tax map
23 numbers are confusing, okay?

24 CHAIRMAN JAUQUET: Okay.

25 MS. PHILLIPS: Any other questions while

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1 I'm here?

2 MS. MUNDUS: I have a question. Did you
3 see what we were talking about with the garbage
4 in the back? And, I mean, because it is in
5 Commercial/Retail District, people do walk by
6 there and we have been asking everybody to clean
7 up their back door.

8 MS. PHILLIPS: Okay. There's two things.

9 MS. MUNDUS: Yeah.

10 MS. PHILLIPS: There's two things. First
11 of all, I discovered -- when I mentioned
12 Hommel's, that they had an issue with some of the
13 apartment houses around there with people putting
14 garbage into their dumpster, I assume that
15 they're going to be locking it. ClearingHouse at
16 times puts stuff out waiting for the garbage man
17 to come to take it. They don't know what to do
18 about that at the moment, we're working on it.

19 MS. MUNDUS: Okay.

20 MS. PHILLIPS: The fishing nets have been
21 removed, because we had to move 25 years of my
22 husband's fishing gear from Atlantic Avenue. So
23 there is storage bins on the inside, but it's a
24 matter of having to have forklifts and some other
25 equipment to lift that stuff. It just can't be

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1 done manually anymore.

2 MS. MUNDUS: Okay. It's --

3 MS. PHILLIPS: The other issue --

4 MS. MUNDUS: Commercial waterfront property
5 is the appropriate place for that kind of gear.

6 Commercial/Retail is not the place for a giant
7 pile of fishing gear and stuff that's been
8 warehoused outside. That's what --

9 MS. PHILLIPS: But that was Corby Jones and
10 Jones Marine, which was all fishing gear, okay?

11 MS. MUNDUS: It's Commercial/Retail, and
12 storing fishing gear in the middle of the
13 Commercial/Retail District just doesn't make
14 sense in this day and age.

15 MS. PHILLIPS: Okay. At this point --

16 MS. MUNDUS: Okay.

17 MS. PHILLIPS: -- I'm a little confused,
18 because I was under the impression it was General
19 Commercial. So I will have to take a look at
20 that, okay?

21 MS. MUNDUS: Okay. It's Commercial/Retail,
22 yeah.

23 MS. PHILLIPS: Well, I ask because previous
24 Village Administrators told me it was General
25 Commercial, okay? So we're --

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1 MS. MUNDUS: Okay. Well, it's really great

2 that this is all coming to light now, because the
3 worms are falling out of the bottom of the flower
4 pot. And it's really great that it's all going
5 to be worked out and resolved, and legally, you
6 know, made right, so.

7 MS. PHILLIPS: But, as I said, it was a net
8 company and an ice company before, so I'm not
9 quite sure where Commercial/Retail is coming
10 from, but that is something that I'll have
11 Mr. Cuddy look into.

12 MS. MUNDUS: Thank you.

13 MS. PHILLIPS: Any other questions about
14 the smoke facility?

15 MS. MUNDUS: What about the drainage and
16 how it drops right straight onto the sidewalk
17 there from the --

18 MS. PHILLIPS: Well, that's not on our
19 building.

20 MS. MUNDUS: Well, I know that you said
21 that when you bought the building, it sort of
22 came that way, that you dropped it onto Joe's
23 building, but --

24 MS. PHILLIPS: I said that I didn't know
25 how it got there, and I have been asking

1 everybody. I'm not sure how -- where those
2 gutters came from. I'm not sure why they're
3 going into that particular gutter --

4 MS. MUNDUS: Right.

5 MS. PHILLIPS: -- on the house -- on the
6 building next door.

7 MS. MUNDUS: Yeah.

8 MS. PHILLIPS: I have not caught up with
9 Joe Henry to find out, but that --

10 MS. MUNDUS: Because it -- I'm just
11 wondering if it is a possibility that you could
12 put a dry well back there, so that -- I mean, the
13 whole purpose of these reviews is so that it gets
14 bettered as the process moves along and --

15 MS. PHILLIPS: Then I will have to talk to
16 Joe Henry about taking the fence down and the
17 trees that are along there, if he would be
18 willing to any fencing.

19 MS. MUNDUS: Well, the corner that's
20 inboard where the dumpster and the shed is in the
21 back, all the gutter has to do is pitch that way
22 instead of this way (indicating) on your building

23 and a dry well could go back there, right?

24 MS. PHILLIPS: Okay. The property lines
25 there are tight, okay, that's why I'm saying.

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1 I'm not -- I can't do anything until I clear up
2 all of the property numbers, property numbers
3 on --

4 CHAIRMAN JAUQUET: But that's the process
5 that we want you to take, a clean --

6 MS. PHILLIPS: That's what we're doing.

7 CHAIRMAN JAUQUET: -- presentable park lot,
8 and, you know, the drainage. And that's really
9 what our role is. And with the change of use,
10 those things start kicking in, you know.

11 MS. PHILLIPS: I know it does.

12 CHAIRMAN JAUQUET: So that's the process.

13 MS. PHILLIPS: As I said, there are plans
14 to do things, it's just that we have --

15 CHAIRMAN JAUQUET: Right.

16 MS. PHILLIPS: There are items that have to
17 have certain persons to put into it, and that has
18 to be when he can get home, because it has to be

19 lifted with some of his gear that he has that I
20 don't have.

21 CHAIRMAN JAUQUET: I understand.

22 MS. PHILLIPS: But, in the meantime, there
23 has been plans on doing things, but it's just a
24 matter of now I need to get this straightened
25 out.

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1 MS. MUNDUS: Okay.

2 MS. PHILLIPS: Because I'll be -- I have
3 the neighbors who are on First Street that are
4 going down towards the library, they have
5 completely encroached upon all of my property, so
6 I need to deal with that also, okay?

7 MS. MUNDUS: Okay. Well, just so that
8 we're fair, evenly asking everyone to bear the
9 same burden, we've been consistently asking every
10 applicant who comes before the Planning Board to
11 clean up the garbage that's stored around,
12 because there's a general disgrace amongst the
13 Village retail places with a lot of old pallets,
14 and weedy junk piles all over; that one by one,

15 if every applicant cleaned up that stuff, it
16 wouldn't just be a matter of time before they all
17 got cleaned up.

18 MS. PHILLIPS: As I said, I talked to
19 Hommel about the pallets.

20 MS. MUNDUS: Okay.

21 MS. PHILLIPS: That he will be dealing with
22 stuff.

23 MS. MUNDUS: Okay.

24 MS. PHILLIPS: There are issues with
25 parking, because everyone feels that that's a

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1 public parking spot and it's not.

2 MS. MUNDUS: Right.

3 MS. PHILLIPS: And the other issue is the
4 fact that I have tenants who are now getting
5 along with each other. We had issues before,
6 that's all I'm going to say on that.

7 MS. MUNDUS: Yeah. Well, it's great that,
8 you know, you're willing to work through these
9 things and try to make the improvements, because
10 it makes Greenport better all the way around, so

11 thank you very much.

12 MS. PHILLIPS: Pat, there was never any
13 intention on not, it's just that the confusion
14 over the tax map numbers has had everybody up in
15 arms, okay?

16 MS. MUNDUS: Okay. Thank you.

17 MR. BURNS: Thank you, Mary Bess.

18 MS. PHILLIPS: You're welcome.

19 CHAIRMAN JAUQUET: So this one is going to
20 be discussed further.

21 MR. PROKOP: I just have one comment.

22 CHAIRMAN JAUQUET: Okay.

23 MR. PROKOP: Before us is CR -- mine says
24 CR, Commercial/Residential. I meant to say
25 Commercial/Retail. I don't know which I said. I

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1 would guess it will be in the minutes, but
2 anyway, so we're at Retail/Commercial.

3 So my comment is on some of these
4 applications, I think it's important that we know
5 that this -- the permitted uses in this section,
6 and there's about 18 or 20 different uses, and I

7 think it's important that we know which of the
8 uses are going -- is the one that's selected for
9 the new use.

10 In this application, it seems it could be
11 either business or manufacturing, and they have
12 different requirements. I think under the New
13 York State Law, the New York State Code, it might
14 be considered processing or manufacturing. But
15 under our code, it might be considered business,
16 which I think is #4.

17 So I just think we need to clarify the use
18 on this application, you know, moving forward for
19 future Boards. And I think, in general, probably
20 we should do that, instead of -- on these
21 applications, there's a line where you check off
22 the zoning district that it's in. But if it's in
23 CR, Retail/Commercial District, I think the
24 applicant should specify which of the uses it is,
25 you know, because --

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1 CHAIRMAN JAUQUET: From one to 18, take
2 it --

3 MS. MUNDUS: Well, he did say during the
4 work session that he was just going to have
5 himself and maybe his son, so it would be two
6 employees or less, that's what he said.

7 MR. PROKOP: Right, okay.

8 MR. BURNS: Does this need to go before the
9 ZBA?

10 MR. PROKOP: I don't think so, not for that
11 reason.

12 CHAIRMAN JAUQUET: So you're suggesting --

13 MR. DOWLING: So what he's saying is
14 Commercial District, the permitted uses.

15 MS. MUNDUS: That was my question, too.

16 MR. PROKOP: Yeah, it's only common -- I
17 mean, it becomes more apparent in this
18 application. But I think in the future, you
19 know, we're talking about uses, and changes in
20 uses, and things like that. I think the
21 applicant or, you know, the Building Department,
22 after reviewing the application, should just note
23 which of the sections it is or what the use is.

24 MR. BURNS: So, before we take action --

25 CHAIRMAN JAUQUET: So we should add that to

1 this.

2 MR. PROKOP: I think you should figure that
3 out, we should figure that out.

4 CHAIRMAN JAUQUET: Which one is it, then?
5 We'd select one number.

6 MS. MUNDUS: Well, he has to select it.

7 CHAIRMAN JAUQUET: Yeah, who --

8 MS. MUNDUS: He has to, the applicant has
9 to tell us what exactly --

10 CHAIRMAN JAUQUET: Have you seen this,
11 Mary?

12 MS. WINGATE: Well, he has.

13 MS. PHILLIPS: He has.

14 CHAIRMAN JAUQUET: Oh, he has, okay.

15 MS. PHILLIPS: He has. He's only -- he's
16 only doing wholesale.

17 MR. DOWLING: Wholesale smoked fish.

18 CHAIRMAN JAUQUET: But he wants the code
19 number --

20 MS. MUNDUS: I have it right here.

21 CHAIRMAN JAUQUET: -- noted, which would
22 be --

23 MR. BURNS: Can't be retail, because he

24 said it's not.

25 MS. PHILLIPS: It's not retail, he's

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1 wholesale.

2 MR. PROKOP: So it says -- we have a letter
3 from Phillip Karlin saying it's a wholesale
4 production. It's a production, wholesale
5 facility.

6 MS. MUNDUS: And he says he will not
7 participate in retail sales.

8 MR. PROKOP: Not participate in retail
9 sales, yeah.

10 MS. PHILLIPS: That's part of his lease
11 agreement.

12 MR. PROKOP: I mean, it looks like four is
13 sort of a catchall, it's just business, you know,
14 business and other offices.

15 CHAIRMAN JAUQUET: Four? We have letters
16 here. Oh, four.

17 MR. PROKOP: Business, professional or
18 government offices.

19 CHAIRMAN JAUQUET: Yeah, four. Yeah, I

20 mean --

21 MR. PROKOP: So maybe that's supposed to be
22 an office. It's a business.

23 CHAIRMAN JAUQUET: Yeah, it's a business,
24 because the other one on 9 --

25 MR. DOWLING: For manufacturing.

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1 MS. MUNDUS: It's not, it's not
2 manufacturing.

3 CHAIRMAN JAUQUET: Specifically on --

4 MS. MUNDUS: It's not manufacturing.

5 MR. DOWLING: Well, it says manufacturing,
6 assembling, converting, altering, finishing,
7 cleaning or any other processing of products
8 where goods so produced or processed, but
9 that's -- but it tends to be a retail spot, so.

10 CHAIRMAN JAUQUET: It's sold at retail on
11 the premises, so that gets away from -- so it's
12 just simply business.

13 MR. PROKOP: Yeah, well it's not what --

14 CHAIRMAN JAUQUET: Excuse me?

15 MR. PROKOP: It's not what's proposed.

16 What's proposed is wholesale to be --

17 CHAIRMAN JAUQUET: Yeah, but it's a
18 wholesale business.

19 MR. PROKOP: Processing to be sold
20 wholesale.

21 MR. DOWLING: So 4.

22 CHAIRMAN JAUQUET: So we'll just use 4 for
23 now?

24 MR. PROKOP: Yeah, that's --

25 CHAIRMAN JAUQUET: Yeah, like you said,

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1 okay. So are we going to -- I think we should
2 table this and just vote on it at the next
3 meeting, I mean, with -- you know, we've got
4 the -- your assurances that you're going to
5 gradually work out the problems with the site
6 condition and --

7 MS. PHILLIPS: That's always been the plan,
8 Peter.

9 CHAIRMAN JAUQUET: Yeah. And then Eileen,
10 we're going to request that Eileen walks through
11 there. Now that was the next thing you wanted to

12 ask. That's what we want to happen before we do
13 the approvals. And, you know, conditionally,
14 we'll do the cleanup, but we're going to revisit
15 it, you know, in so many months down the road to
16 make sure it's been started, or that some things
17 have been done, okay?

18 MS. PHILLIPS: Are you trying -- okay.

19 CHAIRMAN JAUQUET: But then before we vote
20 on it, we'd like Eileen to go through it, go
21 through and see the operation, someone -- we want
22 someone to see the operation. So if that can be
23 done, and then we can be -- get that report, then
24 we can go ahead with the conditional approval,
25 just so that he has a conditional approval,

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1 because he's already started his business there.

2 Is that --

3 MS. WINGATE: Sure.

4 MS. MUNDUS: Do you need to speak, Mary

5 Bess?

6 MS. PHILLIPS: Peter, part of the confusion
7 is that Yvonne Jones separated off that small

8 building from the other lot, the fish --

9 CHAIRMAN JAUQUET: Well, then --

10 MS. PHILLIPS: Okay. Let me finish, okay?

11 CHAIRMAN JAUQUET: Okay.

12 MS. PHILLIPS: So part of the confusion is
13 the tax map -- I mean, deeds have got numbers
14 reversed that I have to straighten out.

15 CHAIRMAN JAUQUET: Right.

16 MS. PHILLIPS: I -- Phil Karlin is a good
17 tenant. He has fixed that building up from the
18 damage from the previous tenant. There is going
19 to be continuous work going on, but there are
20 one, two -- there's one -- there's one, two,
21 three other buildings that are on that property
22 that I'm not going to get all cleaned up in order
23 -- in a matter of a month or two, if that's what
24 you're asking.

25 CHAIRMAN JAUQUET: Well, you know I'm not

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1 really -- you know, just speaking for myself, I'm
2 not really suggesting that everything get done in
3 three months. What I'm suggesting is that Eileen

4 goes through the building to see what's inside,
5 and then --

6 MS. PHILLIPS: She's more than welcome to.

7 CHAIRMAN JAUQUET: And then -- you know,
8 because we always have that kind of walk.

9 MS. PHILLIPS: That's fine.

10 CHAIRMAN JAUQUET: And then we give you --
11 the idea is to give you a conditional approval
12 with -- and then work with you during whatever
13 time frame you need to at least get what -- you
14 know, fix the pothole in the front, and then, you
15 know, some of the garbage. If you're refusing to
16 clean up the site that doesn't include the
17 building that the smoke house is in, then, you
18 know, that, I guess, is another issue. But we'd
19 like to get the thing approved and then the
20 conditional agreements to come afterwards.

21 MS. PHILLIPS: First of all, I'm not
22 fighting on getting it done, okay? I've been --
23 we've been working on it for the last eight
24 months, not that anybody would recognize it, but
25 in the last eight months, okay? `

1 CHAIRMAN JAUQUET: Well, okay.

2 MS. PHILLIPS: But my concern is I do not
3 want Mr. Karlin held up because of the other
4 tenants issues that I have to straighten out.

5 CHAIRMAN JAUQUET: Well, Karlin is the
6 smoke guy.

7 MS. PHILLIPS: Correct.

8 CHAIRMAN JAUQUET: Isn't he already --

9 MS. PHILLIPS: I have ClearingHouse, I have
10 Hommel's.

11 CHAIRMAN JAUQUET: But he's already
12 operating, isn't he?

13 MS. PHILLIPS: Hommel's is in two separate
14 spots on the property.

15 MR. PROKOP: How would he be held up? I
16 don't understand. Is any --

17 MS. PHILLIPS: No. I'm just -- I'm asking
18 that --you know, I just want to make sure that
19 he's not going to get held up.

20 MR. PROKOP: No. But isn't he there
21 operating already?

22 MS. PHILLIPS: Who, Phil?

23 MR. PROKOP: Yes.

24 MS. PHILLIPS: Well, he -- when he first

25 came in and started cleaning things out, he

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1 called up and he didn't need permits for many of
2 the things, for whatever he was doing. He
3 cleaned up and used what was existing there, so
4 he was under the impression -- until I came back
5 from Virginia is when I discovered that he needed
6 to have the use evaluation, okay? That was part
7 of the problem, okay, which that's a glitch that
8 I think other people run into and that's
9 something with my other hat, not this hat, okay?

10 CHAIRMAN JAUQUET: Yeah. So then what did
11 he do, did he start working there?

12 MS. PHILLIPS: Well, what he did is he
13 started cleaning up there, okay? So he --

14 CHAIRMAN JAUQUET: So is there smoked fish
15 operation going in that building right now or no?

16 MS. PHILLIPS: There has been.

17 CHAIRMAN JAUQUET: Okay. Is it now?

18 MS. PHILLIPS: That's where the
19 confusion -- yeah. That's where the confusion
20 came in, is that he was, in his discussions with

21 whoever he discussed stuff at Village Hall, I'm
22 not sure, can't answer, can't verify, don't know,
23 he started cleaning things out. And when he was
24 looking at the code himself, he didn't think he
25 needed anything else, other than to make sure

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1 that things were cleaned up, and broken pipes
2 fixed, leaks coming through the ceiling that was
3 from a broken water pipe that hasn't been
4 repaired from the previous tenant. There was --

5 CHAIRMAN JAUQUET: What we want to do is we
6 want to approve his operation, but we want to see
7 it first.

8 MS. PHILLIPS: Oh, okay.

9 CHAIRMAN JAUQUET: And get him going, I
10 mean, get him --

11 MS. PHILLIPS: Okay. I'm sorry. I
12 misunderstood you.

13 CHAIRMAN JAUQUET: No. Get him on board
14 with -- I mean, other people have done this, too,
15 and we've -- you know, we've admonished them for
16 opening before they had our approval.

17 MS. PHILLIPS: No, I don't --

18 CHAIRMAN JAUQUET: And even though he did
19 that, you know, we still want to do the -- get
20 the paperwork right and get him going. You know,
21 we're not going to shut him down. We need to get
22 the walk-through, and that will give us --

23 MS. PHILLIPS: Okay, misunderstood.

24 CHAIRMAN JAUQUET: -- the confidence to
25 approve it with the conditions that you --

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1 MS. PHILLIPS: Okay, misunderstood.

2 MR. DOWLING: And you, as a landlord, did
3 you know that a change of use should have to come
4 in front of us?

5 MS. PHILLIPS: Chris, in all honesty, I've
6 been trying to not be involved in it because I'm
7 a Village Trustee, and I --

8 MR. DOWLING: But you're the landlord, so
9 you are involved.

10 MS. PHILLIPS: I'm part of a corporation
11 that's the landlord. There are other people that
12 are involved in this corporation. I took a step

13 back from it because I'm a Village Trustee. So
14 when I discovered it, I did go in to Mr. Pallas
15 and Ms. Wingate and I had a meeting, which is
16 where I said that there was some things I needed
17 to get involved in, even though I was trying not
18 to, okay? We had other people involved in that
19 property just other than us, okay?

20 CHAIRMAN JAUQUET: And that's one of the
21 changes that we have, as this Board, this new
22 assembly of Board Members, is to get landlords
23 involved, so --

24 MS. PHILLIPS: Okay, but --

25 CHAIRMAN JAUQUET: That's new, too, for

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1 you, and who's to know? And, you know, a lot --

2 MS. PHILLIPS: What I'm trying to say is --

3 CHAIRMAN JAUQUET: A lot of people have
4 opened their stores up in the past without the
5 paperwork and now we want the paperwork. And
6 you're coming at a time when we're trying to
7 edify tenants and landlords, and not everybody
8 is, and so that's all this is. It's not your

9 fault, it's not your tenant's fault, but, you
10 know, we're going to -- you know, we're going to
11 know about this stuff. And Eileen is, and the
12 Building Department is, going to ask the tenants,
13 and that's how this stuff gets before the Board.

14 MS. PHILLIPS: Peter, I don't -- okay.

15 CHAIRMAN JAUQUET: That's all it amounts to.

16 MS. PHILLIPS: All I'm trying -- to answer
17 Chris, is that I have been trying very
18 desperately to -- on this corporation and other
19 corporations that my family are involved in, I
20 have been trying to have other people come and
21 represent. As I stated earlier before, I didn't
22 want to be here tonight, I really wanted
23 Mr. Cuddy or Phil to be here, okay?

24 CHAIRMAN JAUQUET: Yeah, all right. Maybe
25 you should --

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1 MS. PHILLIPS: But I felt that they should
2 -- there should be some representation for them
3 here tonight, okay?

4 CHAIRMAN JAUQUET: How come he's not doing

5 retail?

6 MS. PHILLIPS: Because that's the
7 landlord/tenant agreement.

8 CHAIRMAN JAUQUET: Oh. All right. Do you
9 smoke fish yourself?

10 MS. PHILLIPS: No, but that building will
11 not be a fish market unless we move into it to be
12 a fish market.

13 CHAIRMAN JAUQUET: Oh, I see.

14 MS. PHILLIPS: Okay? I don't know how else
15 to bluntly put that.

16 CHAIRMAN JAUQUET: Yeah, no. The only
17 reason I ask is because, you know, a Greenport,
18 North Fork branded fish is an artisanal food and,
19 you know, that's sort of what the North Fork
20 places are all about these days.

21 MS. PHILLIPS: We have certain agreements
22 between --

23 CHAIRMAN JAUQUET: I see, okay. Okay.

24 MS. PHILLIPS: -- North Fork Smoked Fish
25 and us.

1 MR. BURNS: Mr. Chairman, may I float a
2 motion that we approve his request provisionally,
3 until we get a report from the Building
4 Department?

5 CHAIRMAN JAUQUET: We could do that. I
6 mean, how long do you think it would take for you
7 to go through that? I mean, I think we should
8 wait until someone goes through there. No one's
9 been in that building from the Village for ages.

10 MR. BURNS: Then you want to stop his
11 business?

12 CHAIRMAN JAUQUET: No, I don't want to stop
13 his business. I mean --

14 MS. MUNDUS: I'm happy that he's here
15 applying for a permit, because he's been
16 operating for a month-and-a-half or two months
17 anyway, right? I mean, he's doing the right
18 thing by coming to the Planning Board and getting
19 the proper permit.

20 MS. PHILLIPS: As said, when I was able to
21 oversee what was going on, I discovered that
22 there was a glitch. I don't know how else to put
23 that, okay?

24 MS. MUNDUS: Yeah.

25 CHAIRMAN JAUQUET: I don't know. What do

1 you think?

2 MS. MUNDUS: I think it should be
3 conditional on the Building Inspector, because of
4 the -- primarily because of its absolute close
5 proximity to the building right next door, if
6 there was some kind of a hazard, particularly a
7 fire hazard of some sort. It should be
8 straightened out now.

9 CHAIRMAN JAUQUET: Yeah.

10 MS. MUNDUS: And his operation should be
11 conditional upon the building being properly
12 inspected, and so that we know that's it's up to
13 code. Otherwise, we're going to give approval
14 for something that may or may not even be real,
15 because we don't know.

16 MS. PHILLIPS: As I said, you know, Eileen
17 was invited to come through it back when I spoke
18 to her and Mr. Pallas.

19 CHAIRMAN JAUQUET: So you guys feel that we
20 should approve it conditionally, and I'm thinking
21 we should at least wait another week before a

22 legal action, just to get someone in there.

23 MR. BURNS: You want to call a special
24 meeting?

25 CHAIRMAN JAUQUET: No, I just -- you know,

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1 it's only -- when's the next meeting?

2 MS. WINGATE: The 30th.

3 CHAIRMAN JAUQUET: He's already operating,
4 I mean.

5 MS. WINGATE: Today is the 2nd.

6 CHAIRMAN JAUQUET: It's not like we're
7 going to -- I don't want to stop. I don't want
8 to stop.

9 MR. BURNS: By this motion, I'm just
10 allowing this Board to observe that that's going
11 on, and that we really can't approve it until we --

12 CHAIRMAN JAUQUET: Okay.

13 MS. MUNDUS: Right.

14 CHAIRMAN JAUQUET: That I'm more
15 comfortable with.

16 MS. MUNDUS: Because what we said we were
17 doing is we're giving a measurable platform of

18 expectations that we can compare their
19 performance to, so.

20 MR. MC MAHON: I'm not going to give
21 approval to anything blind. I mean, if we're not

22 CHAIRMAN JAUQUET: I know, because that's
23 not really approving anything, it's approving a
24 concept.

25 MR. MC MAHON: We're not approving -- we're

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1 not stopping it. I don't want to --

2 MR. PROKOP: You have a --

3 CHAIRMAN JAUQUET: I mean, the question is,
4 do we have an obligation to have some sort of
5 legal statement about this operation that doesn't
6 have an approved plan at this point, or do we
7 just let it slide?

8 MR. PROKOP: You have 60 days. You have 60
9 days from last week when you accepted the
10 application, you have 60 days to do anything.
11 What I was going to say is that --

12 CHAIRMAN JAUQUET: What day are we on?

13 MR. PROKOP: Seven days.

14 MS. MUNDUS: We have six.

15 CHAIRMAN JAUQUET: Only six days are used up?

16 MS. MUNDUS: It was only last week.

17 MS. WINGATE: Sixty days, 6-0.

18 MS. MUNDUS: We accepted his application at
19 the work session last week.

20 CHAIRMAN JAUQUET: Okay. So we're only
21 into it for 10 days.

22 MR. PROKOP: I'm not commenting on the
23 motion, but I just wanted to encourage you that
24 there's a number of issues that have come up that
25 you've spoken about. So if you're going to do

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1 something, whether you do it today or, you know,
2 two or three months from now, all of those issues
3 have to be addressed. It's not just a matter of
4 the Building Inspector going through the
5 premises, there's other issues that you spoke
6 about, you know, that I heard that are -- that
7 should be incorporated in whatever you do. And
8 my suggestion is going to be that -- apparently,
9 the property was split with the building next --

10 I don't have any idea if this is the case or not,
11 but if the property was split with the building
12 next door, that ended up with the drainage from
13 this building going into the building next door,
14 there has to be some kind of agreement in place
15 for that to continue. And the other things that
16 you mentioned have to be addressed as conditions,
17 that's all.

18 MR. BURNS: I would expect that would all
19 come from Eileen's report, you know, in Eileen's
20 report.

21 CHAIRMAN JAUQUET: Yeah, and that's why I
22 think we should wait for Eileen to have her
23 report, and then we can do the conditions based
24 on that.

25 MR. MC MAHON: I believe there might be

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1 some other people who want to add something else
2 as well. Anyone else? I see a lot of --

3 CHAIRMAN JAUQUET: Is there anybody else in
4 the audience that wants to talk about this?

5 (No response.)

6 CHAIRMAN JAUQUET: Thanks, Mary Bess.
7 MS. PHILLIPS: You're welcome. Thank you.
8 CHAIRMAN JAUQUET: Okay. So that one we're
9 just going to wait.
10 MS. MUNDUS: So we're going to table it
11 until we get --
12 CHAIRMAN JAUQUET: That one's tabled.
13 MS. MUNDUS: -- the report from the
14 Building Inspector.
15 CHAIRMAN JAUQUET: Okay. Make a motion to
16 table, then.
17 MR. MC MAHON: I think he would like to --
18 CHAIRMAN JAUQUET: Okay.
19 MR. REED: Mike Reed, 430 Front Street. I
20 just have a couple of questions, Mary Bess.
21 Yes or no, does he need to have Health Code
22 for that?
23 MS. PHILLIPS: It's Department of Ag and
24 Markets.
25 MR. REED: All right. So that's done.

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1 MS. PHILLIPS: That's already done.

2 MR. REED: My other thing is, is that I
3 know what I went through when you were on the
4 Board when I bought my place, you had to have
5 steps A, B, C. If you didn't do that, you
6 shouldn't be opening. No disrespect, but you're
7 working there without, you know, approval. You
8 have steps to meet your qualifications to be
9 opened up. If you're not in compliance, you're
10 not in compliance. You know, that's your job and
11 Mr. Prokop's, but make sure he puts A, B, C in
12 place, and then it's yes, he may be complying.
13 But right now, he's working in noncompliance
14 without a CO, correct?

15 MR. BURNS: Thanks, Mike, because that's
16 one of the issues that we --

17 MR. REED: That's what we know.

18 MR. BURNS: -- continually come back.

19 CHAIRMAN JAUQUET: What business is yours?

20 MR. REED: I sold mine.

21 CHAIRMAN JAUQUET: Oh. Which one was it?

22 MR. REED: It was Reed's Automotive.

23 Israel bought it.

24 CHAIRMAN JAUQUET: Oh.

25 MR. REED: Right across from the pizzeria.

1 CHAIRMAN JAUQUET: Oh, that one, yeah.

2 Okay. So do we have to have a motion to
3 table this?

4 MR. PROKOP: Well, we're going to be
5 putting it over with instructions. If what
6 you're talking about is putting it over -- you're
7 talking about putting it over to the next
8 meeting?

9 CHAIRMAN JAUQUET: Yeah.

10 MR. PROKOP: So you're putting it over with
11 instructions, so that would be part -- I would do
12 that in the same motion. It's not a simple table
13 motion, it's -- it would be a motion to put it
14 over until the next meeting with requesting a
15 report from the Building Inspector, you know,
16 whatever else you want.

17 CHAIRMAN JAUQUET: Okay. So I'm going to
18 make a motion to put this over to the next
19 meeting.

20 MR. MC MAHON: That 60-day window you
21 talked about, so some action needs to be taken
22 within that 60-day window.

23 MR. PROKOP: Yes. I'm not saying there's a
24 break. I think there's a motion and a second
25 now, so that has to be dealt with. There was a

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1 motion by Mr. Burns, and it was more or less
2 seconded, so --

3 CHAIRMAN JAUQUET: So we have to rescind
4 that.

5 MR. PROKOP: So it either has to be voted
6 on or it has to be rescinded.

7 MR. BURNS: I just floated it out --

8 CHAIRMAN JAUQUET: Right. Well --

9 MR. BURNS: -- to get something moving.

10 CHAIRMAN JAUQUET: Okay. So we're going to
11 rescind. What, do we have to have a motion to
12 rescind it?

13 MS. MUNDUS: No one seconded it. No one
14 seconded it.

15 MR. BURNS: No one seconded it.

16 MR. PROKOP: Okay.

17 MS. MUNDUS: No one seconded it.

18 CHAIRMAN JAUQUET: Okay. All right. So

19 I'm going to motion to forward this discussion to
20 the next meeting, and at that point we can --
21 because we're going to be looking at a building
22 inspection report.

23 MS. MUNDUS: And we're also requesting a
24 report from the Building Inspector.

25 CHAIRMAN JAUQUET: Okay.

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1 MS. MUNDUS: Complete report.

2 CHAIRMAN JAUQUET: Along with the Building
3 Inspector's report. And do I have a second on
4 that?

5 MR. BURNS: Second.

6 CHAIRMAN JAUQUET: All in favor?

7 MR. BURNS: Aye.

8 MR. DOWLING: Aye.

9 MR. MC MAHON: Aye.

10 MS. MUNDUS: Aye.

11 CHAIRMAN JAUQUET: Aye.

12 All right. Number 3, we have a general
13 discussion on enforcement of site plan and use
14 evaluation approvals. Does anybody want to speak

15 about that? Do you want to say anything?

16 MR. SALADINO: Can I say something about
17 that?

18 CHAIRMAN JAUQUET: Sure.

19 MR. SALADINO: About the general discussion
20 about site plan.

21 MR. DOWLING: Absolutely.

22 CHAIRMAN JAUQUET: Sure, sure. I mean, I
23 have something to say, but go ahead.

24 MR. SALADINO: John Saladino, Sixth Street.
25 There's a general perception in the Village of

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1 selective enforcement, and from what I just saw
2 just now, this was a prime example of it. You
3 want to discuss use evaluation, and the truth of
4 the matter is there is no -- use evaluation seems
5 to be after the fact with this Board. I'm not
6 sure I understand. Shouldn't --

7 CHAIRMAN JAUQUET: Well, let me tell you.
8 Wait. Yeah, okay

9 MR. SALADINO: Shouldn't you decide if it's
10 an appropriate use before?

11 MR. BURNS: Here--here.

12 CHAIRMAN JAUQUET: Yeah, I agree with you.

13 MR. BURNS: That's our problem. These
14 things get started and then we --

15 MS. MUNDUS: We're talking about
16 enforcement. We have no control over whether
17 someone comes before us or not comes before us.
18 This has happened over and over and over again.

19 MR. SALADINO: No, I understand that.

20 CHAIRMAN JAUQUET: And that's why --

21 MR. SALADINO: It's just that you have no
22 enforcement power.

23 CHAIRMAN JAUQUET: Yeah. Well, that was
24 the --

25 MR. SALADINO: What you do is --

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1 CHAIRMAN JAUQUET: That's the idea. Now,
2 about three months ago, Amy Martin got up here
3 and suggested that the Planning Board go petition
4 the Trustees for enforcement powers, and that's
5 pretty much where we are, you know. And I don't
6 know what that entails, but we -- you know,

7 there's --

8 MR. SALADINO: I was out of that loop, so I
9 don't know about that.

10 CHAIRMAN JAUQUET: Well, she came up, you
11 know, as a former --

12 MR. SALADINO: But I do know I just heard
13 just now this Board say, "Well, we'll let him
14 keep operating, we don't want to shut him down,
15 we don't want to do this."

16 CHAIRMAN JAUQUET: Yeah, true.

17 MR. SALADINO: I'm not sure I understand
18 that. I'm not sure I understand that concept.

19 CHAIRMAN JAUQUET: Well, that's what we
20 did. That's what we did. We did not shut him
21 down. You know, should we have?

22 MR. BURNS: We don't have the enforcement
23 powers that you're suggesting we ought to have.

24 MR. SALADINO: I'm not suggesting anything,
25 I'm suggesting that there's a perception in town

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1 that some people are required to abide by the
2 code and some people don't.

3 CHAIRMAN JAUQUET: Right.

4 MR. SALADINO: I'm suggesting that
5 sometimes by listening to these Boards, and I'm
6 not sure if guys you know me, you know --

7 CHAIRMAN JAUQUET: I know you. I know you,
8 but the thing with this one is that we could --
9 you know, we could have chose to shut him down, I
10 guess, but, you know, we've never done that.
11 There's been a couple of incidents over the
12 summer where people have opened up before we've
13 approved them, like a week before and two weeks
14 before.

15 MR. SALADINO: And what happened?

16 CHAIRMAN JAUQUET: And we called them on
17 the carpet about it. Now that's where we are in
18 the stage of the kind of enforcement steps.

19 MR. SALADINO: I have to ask you guys. I
20 would appreciate an honest answer. Is there
21 anybody in this room, is there anybody in this
22 room that didn't know that business was up and
23 running before it came to this Board?

24 MR. MC MAHON: I didn't, I had no idea.

25 CHAIRMAN JAUQUET: I didn't either.

24 never drove down Front Street and you never
25 walked past the business, then perhaps you didn't

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1 know. But the overwhelming majority of the
2 people in this room, I would say, knew that
3 business was open. And the five members of this
4 Board had to know, if that business was open,
5 there was no application in front of them.

6 There's a question about lot lines, if it's
7 even -- if it's even a legal piece of property.
8 There's questions about tax map numbers, there's
9 questions about lot lines. I don't understand.
10 I just don't understand how after that just
11 happened with that application, that -- I don't
12 even understand how it's allowed to go forward,
13 how there's not a whole new process.

14 Everything that could be wrong with that
15 application seemed like there was something wrong
16 with it, and now -- and I wasn't going to say
17 anything, because I didn't want to sound like I
18 was -- because of Trustee Phillips and myself, I
19 didn't want to make it sound like I was starting

20 with her. But just now, you said, "Well, we're
21 going to talk about use evaluation." Well, if
22 you're allowed to open up and do what you want,
23 what's to talk about?

24 MS. MUNDUS: Well, that's not our job. Our
25 job is to deal with things when they come before

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1 the Board. Our job is not to be Joe Citizen and
2 walk down the street and say, "Oh, that didn't
3 come" --

4 MR. SALADINO: I'm not saying you should do
5 that, but you are a resident of the Village. By
6 statutory law, you're required to be a resident.
7 And I assume that where we live, in a one square
8 mile Village --

9 MS. MUNDUS: Well, we had this whole
10 lengthy discussion during the work session last
11 week. So it may appear that we're not discussing
12 it now, but we discussed it at great length last
13 week.

14 MR. MC MAHON: We did.

15 MS. MUNDUS: And we asked Mary Bess

16 Phillips to explain a lot of the lot line
17 problems. And, you know, we knew then that it
18 was fraught with issues.

19 MR. SALADINO: But the bottom line is the
20 business is up and running, is in operation.

21 MR. BURNS: We stopped somebody. We
22 stopped somebody from operating after they had
23 started a month ago, two months ago.

24 CHAIRMAN JAUQUET: The surf shop we
25 stopped.

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1 MR. WINKLER: How come you stopped him and
2 not this guy?

3 MR. BURNS: We'd like to do that.

4 CHAIRMAN JAUQUET: Yeah, I know, you're
5 right.

6 MR. SALADINO: So isn't there like
7 selective enforcement here?

8 MR. BURNS: We'd like to do what you're
9 talking about.

10 MS. WINGATE: I could say that it is my job
11 to stop people and get them in here and --

12 MR. REED: So why aren't you doing
13 anything?

14 MS. WINGATE: Well, she's here now, isn't
15 she? There is no confusion for me reading the
16 application about lot lines. I have documents
17 from Suffolk County. That's what we're working
18 with until some magic survey shows up, okay?

19 MR. PROKOP: I don't think that -- we
20 started discussion about use evaluation process,
21 and when you -- when the Chairman asked if there
22 was any comments specific to this application,
23 there were none. And then we started a different
24 discussion, and now we're going back to specific
25 comments on that application.

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1 MR. SALADINO: I apologize.

2 MR. PROKOP: And I -- No, no, I'm not
3 criticizing you. I'm just saying that in
4 fairness to the applicant, I think that if we're
5 going to start a specific -- continue --

6 MR. SALADINO: Then I'll change it, Joe.
7 Then I'll change it. I'll change my opinion

8 about the process for use evaluation by the
9 Planning Board, forget that applicant. How does
10 an application progress to this point without --
11 how does it progress? How does a merchant open
12 up a business circumventing this process?

13 MR. DOWLING: So we just got this
14 application the last meeting, and I knew about
15 this place being open. I kept going to the
16 Building Department and saying, "Have we gotten
17 an application from this person yet? Have we
18 gotten an application from the bakery on South
19 Street right over here? Have we got an
20 application here?" And we haven't. But that's
21 why we're having a discussion.

22 MR. SALADINO: I don't have with any
23 individual business, I have a problem with the
24 process.

25 MR. DOWLING: No, no. But why I asked for

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1 this to be put on the agenda was because, you
2 know, I know about these things. We know about
3 these things being open, but this is the power

4 that we have. We have no power. That's why we
5 want to know what is our enforcement. What can
6 we do to stop this stuff? And we asked Eileen,
7 and she asks them, and they don't do anything,
8 so -- and then so that's it. We have no --
9 that's what we want to know, what can we do about
10 that after they say, "Eh."

11 MS. WINGATE: And I go to a business that
12 hasn't done their paperwork and say, "Here's a
13 copy of your application. Please fill it out and
14 bring it to the Building Department." You do it
15 once, you do it twice, you write letters, and
16 eventually you get to the point that you get some
17 cooperation.

18 MR. REED: After 10 days, you shut them
19 down.

20 MR. SALADINO: I kind of think you guys
21 know the point I'm trying to make. I'm sure
22 Eileen knows the point I'm trying to make.

23 MR. DOWLING: But, no. As I said, we have
24 when this happens, we're sitting here tied. We
25 just sit here. And as far as the way the code is

1 written, we basically just have to sit here until
2 we get that application. And we'd like to know
3 if we could do something else so we can actually
4 make sure we get that application, or it doesn't,
5 we can do something about it.

6 MS. MUNDUS: And what we have been doing is
7 we've been giving conditional approvals, so that
8 if somebody comes -- if they do come in front of
9 us and we know that they're not up to snuff, we
10 ask them to improve, and if they don't improve,
11 they lose their approval in 60 days, or in six
12 months. We've done different approval levels for
13 different people. We have no enforcement powers
14 at all, no matter how we feel about it, that's
15 the problem.

16 MR. SALADINO: Well, I don't feel one way
17 or the other about it. I feel there's a
18 perception that some businesses are allowed to
19 operate and some businesses aren't. And from
20 what I heard here tonight, you guys promulgate
21 that by saying, "Well, we don't really want him
22 to close. It's okay, he doesn't have to close."
23 And again, we're getting back to a specific
24 application. I'd rather not do that, because I

25 don't want to be the guy that -- I don't want to

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1 be that guy. If it was a different applicant,
2 maybe, but I don't want to be that guy with that
3 particular applicant.

4 So I hear, "Well, fix a pothole, clean up
5 the garbage." And how about the whole process?
6 How about the process that the business opened
7 illegally?

8 MR. PROKOP: So the Village has a Code
9 Enforcement Officer now, and we -- I mean, there
10 should be -- the process isn't really -- it's
11 really we're talking -- we're not the enforcement
12 mechanism for the Village. However, we could
13 make referrals to the Building -- to the Code
14 Enforcement Officer, now that there's one
15 present. So there could be a communication from
16 the Board to refer -- to do a referral for -- you
17 know, to the Building Department, to the Code
18 Enforcement Official. I mean, from my
19 standpoint, I mean, I'm also the Village
20 Prosecutor, we never had -- I mean, once or twice

21 in 10 years we've had a ticket for something like
22 that. The tickets should be written all the
23 time. I mean, it's my -- and I'm not talking
24 about any particular application. I mean, I'm
25 just -- you know, we should have the Code

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1 Enforcement -- I don't want -- excuse me. I
2 don't want to get into procedure, because it's
3 not my -- I'm not a Supervisor, but there's no
4 reason why a violation could not be issued. And
5 there's also no reason why we couldn't do a
6 referral from this Board, you know, just a
7 one-sentence memo saying -- you know, referring
8 it to the Village -- the Mayor or Village
9 Administrator, the Building Inspector and the
10 Code Enforcement Officer, "We've been made aware
11 of this situation and we want to refer it to you
12 for review and possible enforcement," just that.

13 MS. MUNDUS: Well, since we have a new Code
14 Enforcement Officer and a brand new Village
15 Administrator, I think that this Board should
16 have a meeting with those two individuals, so

17 that we can clarify what the policy is and we
18 know what the expectations are. That's what I'd
19 like to see happen.

20 MR. MC MAHON: Wasn't he going to be coming
21 tonight?

22 MS. WINGATE: He couldn't tonight, but he
23 could be there on the 30th for your next work
24 session.

25 MR. PROKOP: Yeah, that would be a good

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1 idea, requesting they come to the meeting and
2 discuss that.

3 MS. MUNDUS: Yeah.

4 MR. DOWLING: Absolutely.

5 MR. PROKOP: You can put that first on the
6 agenda so they can --

7 MS. MUNDUS: Because I don't like the idea
8 that the public has a perception that we're
9 willingly being lenient with some people and not
10 enforcing others, because that's not the way --
11 believe me, bringing Greenport up together,
12 equally enforcing all these things for everybody,

13 we've struggled really hard with that. But when
14 a landlord, or landlady in this case, comes up
15 and says, "Hey, I can't do anything about that
16 because I have," blah, blah, that's completely a
17 separate issue from the poor applicant who wants
18 to come in and do the right thing. So where do
19 we enforce that part? You know, that's the
20 struggle that we have.

21 MR. REED: The applicant didn't do that.
22 He opened up prior, and nonconforming. Like I
23 said, no disrespect.

24 MS. MUNDUS: But when he was here last
25 week, he said he didn't know that he had to have

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1 a change of use permit, so --

2 MR. REED: Stick to the letter.

3 MS. MUNDUS: Yeah.

4 MR. REED: Find out. You guys are almost
5 like figureheads, a mouth with no teeth and no
6 bite. I don't begrudge any of you. Thank God
7 you guys are doing this, but your hands are tied,
8 you're frustrated. You know what, somebody's got

9 to be accountable. Somebody's job should be on
10 the line to do the right thing, not there you go,
11 because too many times I've seen this over and
12 over and over again, you do it, and like I said
13 before, they beg forgiveness afterwards. It's
14 not how the letter of the law is written,
15 correct, Mr. Prokop?

16 MR. PROKOP: Yes.

17 MR. REED: Right. So --

18 MS. MUNDUS: Well, and it's about the
19 way --

20 MR. REED: To be fair to you guys, you're
21 between a rock and a hard place.

22 MS. MUNDUS: Yeah.

23 MR. REED: Because you'd like to do, but
24 there's no sanctions or anything from --

25 MS. MUNDUS: Well, the key word is

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1 planning. So an applicant can come before us and
2 say, "I'm going to do this," and "I'm going to do
3 that," and then walk out and do the other thing,
4 and there's nothing that we can do about it,

5 because the key wording is planning. That's what
6 they plan to do and we try to encourage that.

7 MR. SALADINO: I have a question for the
8 Planning Board. Again, I apologize. I have a
9 question for the Planning Board. If you make a
10 recommendation, which is what you do, right, is
11 make recommendations, if the Planning Board was
12 to make a -- I'm on the CAC and we make
13 recommendations all the time, and we word them as
14 such where somebody in authority -- we have no
15 enforcement power either. We word them in such a
16 way that someone in authority has to make a
17 decision, a yes or no decision. No compromise,
18 yes or no. Are you going to allow it, if you do
19 this, if you do this. I'm not sure why this
20 Board doesn't have that same power to say, "We'll
21 allow you to open if you do this."

22 MS. MUNDUS: Well, that's what we have been
23 doing with the conditional approval, so that we
24 have something to measure their performance
25 against. And if they don't do what they said

1 they were going to do in their planning process,
2 we pull the approval, and then they are out and
3 they can't operate.

4 MR. SALADINO: So to open without your
5 approval is okay, and you can't do anything about
6 that, but if they open with -- after they're open
7 and you give them conditional approval, and among
8 the two or 60 days, like the Attorney said, down
9 the road, they don't follow your approval, and
10 you have no enforcement power, they continue to
11 operate anyway?

12 CHAIRMAN JAUQUET: Well, we don't know
13 about that.

14 MS. MUNDUS: We don't know about that.
15 What -- this is what we're struggling for.

16 CHAIRMAN JAUQUET: We shut one guy down.

17 MR. PROKOP: You know what I recommend you
18 do, is -- you know what I recommend you do, is
19 there's a protocol that most municipalities have
20 as far as existing, like -- I'm sorry. People
21 that build additions and decks, and things like
22 that, without approvals, and you feel like you
23 want a deck in the backyard, so you put it on,
24 and then 20 years later, when you sell the house,
25 you get the building permit and you see -- well,

1 what you can do with this is if somebody -- right
2 now your fee for a use evaluation application is
3 \$150. So what I would recommend you do is that
4 you request that the Board change that, and if
5 somebody starts the use with -- prior to getting
6 the approval, make it \$2,500, you know,
7 something, \$1,000, \$2,500.

8 CHAIRMAN JAUQUET: Yeah. I mean, it's a
9 fine.

10 MR. PROKOP: Yeah. So that way it's
11 something, and then they could come in we'd just
12 say, "Well, I'm sorry, but we're not going to
13 process your application until you pay that
14 fine." Excuse me, that fee.

15 CHAIRMAN JAUQUET: And then can't we get
16 that power from the Board of Trustees of the
17 Village?

18 MR. PROKOP: They have to change the code.
19 They could do that --

20 MS. MUNDUS: Yeah, this is the problem,
21 it's a code issue.

22 CHAIRMAN JAUQUET: That's what I'm
23 suggesting.

24 MS. MUNDUS: It's just exactly like when we
25 complain that the skateboarders are running over

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1 pedestrians on the boardwalk. Well, we know it's
2 wrong, but the cops can't do anything about it
3 because there is no explicit code that says no
4 skateboarding. So it has to be there before we
5 can work within it, and that's why we need to
6 have a set procedure, and it's going to involve
7 the Board of Trustees changing the code, so --

8 MS. MC ENTEE: And you can have the
9 landlords who are working on homes, that there --
10 they just recently purchased to have rentals in
11 and make them two-family homes and they don't
12 have building permits. And what is the
13 difference? I mean, they're still --

14 CHAIRMAN JAUQUET: There is no difference.

15 MS. MC ENTEE: They're still making --
16 they're going against the law and it is illegal.
17 But when we make complaints, complaints don't

18 follow through in the Village, and they will go
19 for a couple of weeks, when I have made many
20 complaints, and it has to do with the Building
21 Department. So, if those things aren't followed
22 through, then how come those people are not being
23 fined? And I've had several issues with that.

24 MS. MUNDUS: Well, that's not a question
25 for the Planning Board.

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1 MS. MC ENTEE: But it is along the same
2 line, because if you're going to fine someone for
3 these issues, it also ultimately goes down to the
4 Building Department to fine those people as well.
5 It all trickles down. I believe what you're
6 intent to do as the Planning Board, what they
7 have -- what you have to do, I get that, but it
8 all trickles down to one person.

9 MR. BURNS: That may be the problem, it all
10 goes down to one person.

11 MS. MC ENTEE: Right.

12 MR. BURNS: Who has really no -- nothing
13 but two hands and fingers.

14 MS. MC ENTEE: But it's not fair to us.

15 MR. BURNS: I'd say, you know, address the
16 Village Board.

17 MR. KEHL: Address the Village Board to --

18 MS. MUNDUS: Could you come to the
19 microphone so that your comments are in the
20 record? I don't think she can hear who you are.
21 Excuse me.

22 MR. KEHL: Robert Kehl, 242 Fifth Avenue.

23 MS. MUNDUS: Thank you.

24 MR. KEHL: Like you just said, is you don't
25 have the power to have to change a thing, change

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1 the code. Can't you put a request into the
2 Village Trustees to change the code?

3 MS. MUNDUS: Uh-huh.

4 CHAIRMAN JAUQUET: Well, that's what we're
5 saying.

6 MR. PROKOP: It goes to the Code Committee.
7 So the Code Committee meets next week, in a
8 week-and-a-half.

9 MS. MUNDUS: And that's what we just did in

10 one of our previous things, we put it in -- we
11 made a motion that it would go to the Code
12 Committee.

13 MR. KEHL: Okay.

14 MS. MUNDUS: So we are already doing that.

15 MR. KEHL: Okay. So once they made the
16 change, then you'd be all set, right?

17 MS. MUNDUS: Right. It's a process here
18 we're talking about.

19 MR. BURNS: We really appreciate --

20 MS. MUNDUS: Yeah, yeah.

21 MR. BURNS: We really appreciate your
22 input, because this is exactly the thing that
23 we've been struggling with recently and trying to
24 figure out, well, what do we do, where do we go.

25 MR. KEHL: Okay. Thank you.

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1 CHAIRMAN JAUQUET: Thanks.

2 MS. MUNDUS: Thank you.

3 CHAIRMAN JAUQUET: So, to take -- to take
4 the necessary steps, what do you suggest we do
5 first, as the Planning Board looking for

6 enforcement, an enforcement tool; meet with the
7 enforcement person as a thing to get some facts,
8 and then meet with the Trustees to outline a
9 proposed code?

10 MS. WINGATE: It's always smart to start
11 with investigation.

12 CHAIRMAN JAUQUET: Okay.

13 MS. WINGATE: Because much of what you hear
14 is not always the fact.

15 CHAIRMAN JAUQUET: Right.

16 MS. WINGATE: So investigation is where you
17 start a report, and --

18 CHAIRMAN JAUQUET: I see, okay. All right.
19 Let's see. We're going to --

20 MS. MUNDUS: I'd just like to reiterate
21 what I said before, that I would like to have a
22 meeting with the new Code Enforcement Officer and
23 the new Village Administrator, so that we can
24 have this joint discussion together, so that it's
25 not taken out of context, and so that we all have

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1 a common goal that we're all hopefully traveling

2 towards together.

3 And I really think that it's important that
4 the code enforcement is shared by more than one
5 person, because if code enforcement is -- comes
6 from one person in the Village, that is a
7 potential for -- you know, for a problem. But to
8 take the load and spread it more equally among
9 other agencies I think spreads the fairness,
10 rather than coming from one person, and that is
11 the change that we're trying to effect here. I
12 mean, it may not look like it, but we really are
13 trying to, you know, do the right thing for the
14 Village.

15 MR. BURNS: Who do we ask to set up this
16 meeting?

17 MS. WINGATE: I'll be glad to take notes.
18 You want our new Code Enforcement Officer, Paul
19 Pallas, the whole Board? So you want to do it at
20 a Planning Board work session?

21 MS. MUNDUS: At the work session.

22 MR. BURNS: Yes.

23 MS. WINGATE: Okay.

24 MS. MUNDUS: That would be the appropriate
25 public forum for us all to meet together, so that

1 our discussion is a public discussion and there's
2 complete transparency.

3 MR. HOLLID: May I approach?

4 MS. MUNDUS: Uh-huh.

5 MR. HOLLID: Good evening. Joe Hollid, 415
6 South Street.

7 When the person that started the wholesale
8 business over here, did he have to know that he
9 had to do an application? And why didn't he
10 know?

11 MR. PROKOP: It's in the code. It's in the
12 code and it's a law, so everybody is deemed --
13 everybody is deemed to have notice. Nobody can
14 say that they didn't know, it's in a public law.

15 MR. HOLLID: Well, why did the landlord
16 allow him to do that without even having an
17 application in, or starting a business in the
18 first place? She's --

19 MS. MUNDUS: Yeah, that's what we're
20 saying, is that the landlord has culpability here
21 also. And you heard her say at the podium that
22 she has some kind of deal with -- about fish

23 marketing and fish market and --

24 MR. HOLLID: Right.

25 MS. MUNDUS: We have no idea what that is.

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1 MR. HOLLID: So who's culpable if it's --
2 if there is an accident or a fire? Is the
3 owner --

4 MS. MUNDUS: Well, that's why -- that's why
5 we just demanded that the Building Inspector have
6 access there. At the work session they said they
7 didn't have to have anyone come in and inspect,
8 because they already got their permit from the Ag
9 permit, and that -- you know, that did not fly at
10 all either.

11 MR. HOLLID: I hear you, yeah. And also,
12 if you have no cohesion as far as with the
13 Village Board itself, the Mayor or anybody, who
14 answers, and how do you go about associating with
15 the Mayor? Does any -- since you're the primary
16 on the Planning Board, do you report or have
17 anything to do with the Mayor or the Trustees?

18 MR. BURNS: I think that's the kind of

19 question that needs to come up with this --

20 MR. HOLLID: Well, I thought we were --
21 that's what kind of came up during the process.

22 MR. BURNS: What's the process, how do we
23 move, whatever.

24 MR. HOLLID: Yeah. It doesn't seem like
25 there's any cohesion between the Planning Board

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1 and the Village itself. The primaries in the
2 Village should -- you got to have some kind of
3 association, be it meetings, meetings or somebody
4 has to report to someone and say, "Hey, this is
5 what's going on, and that's what's going on?"
6 And if there's --

7 MS. WINGATE: There's a lot of reporting
8 that goes on. I am the representative for the
9 Village at this meeting, Joe, as well. We take
10 all this information with the minutes, the
11 minutes are distributed to all the Board members.
12 I report to my supervisor. Everybody is in the
13 loop on these meetings. They don't have to be
14 here to read minutes and know what's -- they read

15 agendas, they read minutes. I would say all the
16 way up the food chain, people do read this stuff.

17 MR. HOLLID: All right. Well, how come the
18 Planning Board has a problem not knowing what's
19 going on? Or that's what it seems to me.

20 MS. WINGATE: I didn't sense that.

21 MR. HOLLID: And as far as different --
22 there should be some meetings interconnecting
23 here with the different people in the Village,
24 not only people. And how do you figure out if
25 the commercial property is -- I had thought here,

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1 I lost it.

2 MR. SALADINO: Join the club.

3 MS. MUNDUS: Well, we have a new Village
4 Administrator. And I don't know if you have been
5 coming to these meetings for a long time, but the
6 previous Village Administrator used to attend
7 this meeting, and it is a new change that the
8 present Village Administrator does not.

9 MR. HOLLID: I understand.

10 MS. MUNDUS: And I would like for him at

11 least to come to the -- to the public hearings,
12 anyway, not maybe the work sessions, but at
13 least, you know, the regular meeting.

14 MR. HOLLID: Yeah. Last time we went to --
15 we came to the Planning Board for a working
16 session, there were only three people there. And
17 I think you did a very good job on that issue
18 with the -- and my thought came back as far as
19 business. When it's a -- let's see. When it's a
20 working business, how do you go about figuring
21 out wholesale and retail as far as the gentleman
22 has come into the business, come in with no
23 application, but he starts working on the end
24 where he wants to put in -- instead of the place
25 that was there, he changes the venue of the

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1 business. Now that should be something -- again,
2 it's probably the initial part, where you set the
3 code, has to be there, and people should know the
4 code. But how do we get those people to
5 recognize that? Is that something that should be
6 done initially, where everybody that's a landlord

7 has to know? Like the landlady didn't seem know
8 that that was a prerequisite as far as having an
9 application.

10 CHAIRMAN JAUQUET: Well, that's one of
11 the -- that has come up before where the landlord
12 might be a weak link in informing their tenant
13 that they need to do this, and this, and this,
14 but they're just not thinking that way.

15 MR. HOLLID: Well, maybe there has to be a
16 letter that has to go out to these landlords --

17 CHAIRMAN JAUQUET: Right, you got to do
18 this to open up.

19 MR. HOLLID: -- and it has to be known.

20 CHAIRMAN JAUQUET: And we're thinking that
21 maybe it should be contingent upon signing the
22 lease, so that it's done at the same time.

23 MR. HOLLID: There you go.

24 CHAIRMAN JAUQUET: To write it into the
25 lease.

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1 MR. HOLLID: Definitely.

2 MS. MUNDUS: And there was a gray area with

3 that building, because they had brown paper over
4 all the windows. So we didn't -- I mean, I walk
5 by there all the time, but was he operating, was
6 it in business, was it construction, was it --
7 you know, no one -- I didn't know, so --

8 MR. HOLLID: Again, with the issue of the
9 garbage and stuff, that drives me crazy, because,
10 like you said -- and she said that she had to
11 wait for her husband to come back from sea to
12 make a decision on what he should keep and what
13 he had to throw out.

14 MS. MUNDUS: Yeah, yeah.

15 MR. HOLLID: And there should be some kind
16 of -- again, code enforcement has to be involved.

17 MS. MUNDUS: Exactly.

18 CHAIRMAN JAUQUET: But if there were --

19 MR. HOLLID: And that should have been done
20 at the last meeting that you guys had.

21 CHAIRMAN JAUQUET: And all the other
22 villages in town, South Fork especially, they've
23 got someone going up and down the sidewalks on a
24 weekly or daily basis looking for -- looking
25 specifically for violations, and putting fines in

1 that get paid, or businesses do shut down.

2 MR. HOLLID: We don't have that here?

3 CHAIRMAN JAUQUET: And, you know, that
4 hasn't been done here, but, you know, we've been
5 struggling with that, using baby steps over the
6 past summer, especially in June, May, April, when
7 new businesses were turning over on Main Street.
8 So, you know, it's a -- basically it's a work in
9 progress.

10 MR. HOLLID: Right.

11 CHAIRMAN JAUQUET: But, you know, the
12 meeting with the Board, enforcement, a code
13 change to get a fine put in place retroactively,
14 or you shut down, you know, if those are going to
15 be our new marching rules, you know, we're going
16 to try to get those going.

17 MR. DOWLING: Yeah, we're trying to be
18 proactive to make --

19 CHAIRMAN JAUQUET: Clear up.

20 MR. HOLLID: I know you guys are
21 volunteers, and I appreciate you doing what you
22 do. And I'm new to the Village. I've lived in
23 Southold for many, many years before this.

24 MS. MUNDUS: Yeah.

25 CHAIRMAN JAUQUET: Yeah.

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1 MR. HOLLID: And it's a different
2 situation.

3 MS. MUNDUS: Well, I don't think it's fair
4 to compare Southold with Greenport, because
5 Greenport is extremely underresourced compared to
6 Southold.

7 MR. HOLLID: Truly.

8 MS. MUNDUS: And I think what we're seeing,
9 this is a very important time to have this
10 dialogue, that we're seeing Greenport growing
11 faster than the resources are actually able to
12 cope with it, and it's far greater than a group
13 of well-meaning resident volunteers.

14 MR. HOLLID: I think that's true.

15 MS. MUNDUS: Yes.

16 MR. HOLLID: Eileen, I have a question with
17 you. Are you the person that the Code
18 Enforcement Officer reports to?

19 MS. WINGATE: No. He actually -- I'm a

20 Code Enforcement Officer as well, but he reports
21 -- well, we work together.

22 MR. HOLLID: Does he have qualifications
23 like the Building Department, like you have?

24 MS. WINGATE: No.

25 MR. HOLLID: No? He's just of the -- kind

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1 of off the street?

2 MS. WINGATE: He's a retired police
3 officer, so he has his own set of skills.

4 MR. HOLLID: They don't relate to code
5 enforcement as far as the Village goes? I don't
6 know, maybe he does, maybe he knows his stuff.

7 MS. WINGATE: He's really pretty good, you
8 know. He's been on the job a month. He's
9 planning.

10 MR. HOLLID: And he's only part-time, so
11 how much --

12 MS. WINGATE: He's only part-time. He is
13 planning to get all of his certifications in
14 order as they offer them. They only offer
15 certifications once a year. Well, for -- the

16 State offers certification training once a year.

17 MR. HOLLID: Okay. So he has the State
18 training.

19 MS. WINGATE: It's in front of him.

20 MR. HOLLID: Or because he's police
21 officer, a retired police officer.

22 MS. WINGATE: Yeah.

23 MR. HOLLID: Okay.

24 MS. MUNDUS: And I think that to be fair to
25 the Building Department, the entire structure of

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1 the Building Department is this one person here.

2 MR. HOLLID: Exactly.

3 MS. MUNDUS: She has no clerk, no filer,
4 nobody to make Xerox copies, no one to do
5 research. It's a one-woman band, and there's
6 only so much that one person can accomplish.

7 MS. WINGATE: Can I record that?

8 MS. MUNDUS: And I think, you know, to be
9 very fair about it, I think she does an amazing
10 job with the resources that she has.

11 MR. BURNS: Here-here.

12 MS. MUNDUS: You know, we're still in the
13 oak cubbyhole sort of level of technology over
14 there, and her office is in a trailer. We're
15 talking about doing a huge job with a small
16 amount of resources. So we have to be fair in --
17 you know, that's why we're trying to get
18 enforcement on a greater level than just one
19 person.

20 MR. HOLLID: Okay.

21 MS. MUNDUS: It's very difficult.

22 MR. HOLLID: The only -- okay. It has
23 nothing to do with you, it has to do with the
24 fact that have illegals all over the place.

25 MS. MUNDUS: We have what?

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1 MR. HOLLID: I know illegal people --

2 MS. MUNDUS: Oh, yeah.

3 MR. HOLLID: -- living in apartments,
4 houses, etcetera, and we have no control,
5 seemingly, over that, because Eileen is bogged
6 down. Code Enforcement Officer is only a
7 short-timer, as far as time goes, during the

8 week. We're -- we don't know how many people are
9 living in the houses, what kind of safety issues
10 are there or not. And then that has nothing to
11 do with it, so I'm babbling where I shouldn't.

12 MS. MUNDUS: Well, no. We really
13 appreciate it.

14 MR. HOLLID: I'm still concerned.

15 MS. MUNDUS: But your comments really
16 should go to the Board of Trustees, because --

17 MR. HOLLID: Your right, you're right.

18 MS. MUNDUS: -- we're all trying to work
19 within a framework, and that they're going to
20 change it, not us.

21 MR. HOLLID: And also, the one thing with
22 the fishing nets, now if it's in commercial -- I
23 know it doesn't look good, fishing nets in the
24 back. This guy's got huge nets being a trawler.
25 Now he's got them out of there now, from

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1 what Mary Bess said?

2 MS. MUNDUS: Well, it wasn't just the
3 fishing nets that we were complaining about.

4 There's like outboard motors, and just general
5 junk, appliances, pallets. It's trash, there's
6 no --

7 MR. HOLLID: Well, with the fishing nets, I
8 mean, were they -- this is like a huge roll.

9 MR. BURNS: We did what you're asking us to
do.

10 MR. HOLLID: What?

11 MR. BURNS: In that case, we did what
12 you're asking us to do.

13 While I've also got the microphone, I think
14 it's worth injecting here that a gentleman who
15 opened a business, now maybe three, four months
16 ago, but has the same business in other
17 locations, complained that he never had so much
18 trouble getting his business going as he did
19 here. We were -- we were on him much more than
20 Southampton and other places, apparently, so
21 we're doing better.

22 MR. HOLLID: I understand.

23 MR. BURNS: And we want to do better.

24 MR. SALADINO: He worked out of his garage.

25 MR. HOLLID: Okay.

1 MR. SALADINO: He didn't open a business in
2 Southold. He didn't open up a storefront, a
3 brick and mortar store, he worked out of his
4 garage.

5 MR. BURNS: No, no.

6 MR. SALADINO: I mean, it's not like he --

7 MR. BURNS: No, no. This is a person who
8 opened a business here in Greenport in one of the
9 stores. He said he had no --

10 MR. SALADINO: I'm sorry. I thought you
11 were talking about smoked fish.

12 MS. MUNDUS: No.

13 MR. DOWLING: We're going all over.

14 MR. BURNS: He said he had no --

15 CHAIRMAN JAUQUET: Okay. Let me -- does
16 anybody have anything else to say about another
17 subject?

18 (No response.)

19 CHAIRMAN JAUQUET: Okay. I'm going to
20 close out the meeting, then, with #4, a motion to
21 approve the minutes for the following:

22 The August 7th, 2014 regular meeting. Is
23 that the right date on that, or should it be the --

24 MS. WINGATE: Oh, did I make a mistake?

25 CHAIRMAN JAUQUET: It should be the --

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1 MS. WINGATE: Where are you?

2 MR. BURNS: Number 4.

3 CHAIRMAN JAUQUET: It should be the --

4 MR. DOWLING: Number 4.

5 CHAIRMAN JAUQUET: Number 4. A motion to

6 approve the minutes from the --

7 MS. WINGATE: No, that's correct.

8 CHAIRMAN JAUQUET: Oh, okay, yeah. Okay, I
9 gotcha. From the August --

10 MS. WINGATE: You accepted the minutes, now
11 you're approving them.

12 CHAIRMAN JAUQUET: Okay. I understand
13 that. August 7th, 2014. Anybody second that
14 motion?

15 MR. DOWLING: Second,

16 MS. MUNDUS: I second.

17 CHAIRMAN JAUQUET: All in favor?

18 MR. BURNS: Aye.

19 MR. DOWLING: Aye.

20 MR. MC MAHON: Aye.
21 MS. MUNDUS: Aye.
22 CHAIRMAN JAUQUET: Aye.
23 Okay. And #5, a motion to schedule the
24 next work session for October 30th, 2014, and to
25 schedule the next regular session for November

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1 6th, 2014.
2 MS. MUNDUS: Second.
3 CHAIRMAN JAUQUET: All in favor?
4 MR. BURNS: Aye.
5 MR. DOWLING: Aye.
6 MR. MC MAHON: Aye.
7 MS. MUNDUS: Aye.
8 CHAIRMAN JAUQUET: Aye.
9 Motion to adjourn.
10 MR. BURNS: Aye.
11 CHAIRMAN JAUQUET: Any seconds?
12 MS. MUNDUS: I second that.
13 CHAIRMAN JAUQUET: All in favor?
14 MR. BURNS: Aye.
15 MR. DOWLING: Aye.

16 MS. MUNDUS: Aye.
17 CHAIRMAN JAUQUET: Aye.
18 (Whereupon, the meeting was adjourned at
19 6:56 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)
) SS:
COUNTY OF SUFFOLK)

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

THAT, the above and foregoing contains a
true and correct transcription of the

12 proceedings taken on October 2, 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 17th day of October, 2014.

19

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22

Lucia Braaten

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