

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.)  
20  
21  
22  
23  
24  
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C E R T I F I C A T I O N

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2

3 STATE OF NEW YORK )

4 ) SS:

5 COUNTY OF SUFFOLK )

6

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

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

12 proceedings taken on 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

20

21

22

\_\_\_\_\_  
Lucia Braaten

23

24

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