VILLAGE OF GREENPORT  
COUNTY OF SUFFOLK  
STATE OF NEW YORK  

PLANNING BOARD  
REGULAR SESSION/WORK SESSION  

Third Street Fire Station  
Greenport, New York  

October 3, 2019  
4:00 p.m.  

BEFORE:  
WALTER FOOTE - CHAIRMAN  
JOHN COTUGNO - MEMBER  
LILY DOUGHERTY-JOHNSON - MEMBER  
PATRICIA HAMMES - MEMBER (Absent)  
REED KYRK - MEMBER (Absent)  

ROBERT CONNOLLY - PLANNING BOARD ATTORNEY  
PAUL PALLAS - VILLAGE ADMINISTRATOR  
KRISTINA LINGG - CLERK TO THE BOARD  

Flynn Stenography & Transcription Service  
(631) 727-1107
The meeting was called to order at 4:00 p.m.)

CHAIRMAN FOOTE: Good afternoon. This is the Village of Greenport Planning Board meeting. This is a work and regular session. It's October the 3rd, Thursday, at 4 p.m., and we're going to start off with the work session.

Item No. 1, we've been presented with a motion to accept and approve the minutes of the September 5th, 2019 Planning Board meeting. May I have a second?

MEMBER COTUGNO: Second.

CHAIRMAN FOOTE: All those in favor?

MEMBER COTUGNO: Aye.

MEMBER DOUGHERTY-JOHNSON: Aye.

CHAIRMAN FOOTE: Aye.

The motion carries.

The next item is a motion to schedule the combined Planning Board work and regular session for 4 p.m. on Thursday, November 7th, 2019. May I have a second for that motion?

MEMBER COTUGNO: Second.

CHAIRMAN FOOTE: All those in favor?

MEMBER COTUGNO: Aye.

MEMBER DOUGHERTY-JOHNSON: Aye.

CHAIRMAN FOOTE: Aye.
That motion carries as well.
The next item is for 27 Front Street. This is a motion to accept the findings and determinations for the application of Frisky Oyster, located at 27 Front Street. It's Suffolk County Tax Map #1001-5.-4-27.
And, Board Members, we've all reviewed the determination. We're in agreement with the terms?
MEMBER COTUGNO: Yes.
CHAIRMAN FOOTE: Okay. At this time, I'd like a second to accept that motion. Do I have a second?
MEMBER COTUGNO: Second.
CHAIRMAN FOOTE: All those in favor of the motion?
MEMBER DOUGHERTY-JOHNSON: Aye.
CHAIRMAN FOOTE: Aye. Aye?
MEMBER COTUGNO: Aye.
The motion carries.
The next item is -- I'm going to combine both of these, because it involves the same property. There's two motions. One is called 110 South Street, the other is 112 South Street.
This is a motion to accept the findings and determinations for the application of 110 South
1. Street, Greenport Inc., located at 110 South Street, as well as a motion to accept the findings and determinations for the application of 622 Front Street Greenport Inc., located at 112 South Street. The first property is located at Suffolk County Tax Map 1001-4.-6-34.6. The second property is Suffolk County Tax Map 1001-4.-6-32.

   We've been presented with the findings and determinations and we're -- subject to the following modification, which we've discussed and, I think, agreed upon. We want to have a right to have this revisited within six months, following the six-month period of our approving it now. So subject to that amendment, all those in -- can I get a second on this motion to accept the findings and determinations?

   MEMBER COTUGNO: Second.
   CHAIRMAN FOOTE: All those in favor?
   MEMBER COTUGNO: Aye.
   MEMBER DOUGHERTY-JOHNSON: Aye.
   CHAIRMAN FOOTE: Aye.

The motion as amended carries.

Okay. The next item is 48 Front Street.

This is a Discussion regarding the previously approved site plan for 48 Front Street LLC,
which--known as Greenhill Kitchen. The application was approved to have a live performance space on the second floor, with the condition that the applicant come back before the Planning Board to review how the season went. The property is located in the Commercial Retail District. This property is not located in the Historic District. It's located at Suffolk County Tax Map 1001-4.-10-32.

So, at this time, I'd like the owner or the representative for 48 Front Street to come up and give us their thoughts of how they felt the season went.

MR. MUELLER: So I'm Christoph Mueller. I'm the owner of 48 Front Street Restaurant, only doing business as Green Hill Kitchen.

First, I would like to thank you for giving us the opportunity to operate under this music license. We had music usually Friday, Saturday, I mean, rock and roll music, loud music, and every Sunday we had a jazz jam. We also had on Tuesday's and recently on Thursdays, we had an open mic to give young musicians an opportunity to come forward and present themselves. We also had comedy on those nights. And I think overall, we
had a good reception. We had like people came commenting very positively about our space, and about our music and what we were offering.

Things went pretty much flawless for the whole summer. We had limited crowds, not huge crowds, but the business is building slowly. We only had two noise violations. They came on Labor Day weekend, but it is my understanding that everybody else in the Village also got noise violations on that -- on those days. We're --

CHAIRMAN FOOTE: Both violations were on Labor Day weekend?

MR. MUELLER: Yes, they were both.

MS. DOUGHERTY-JOHNSON: Different days of Labor Day weekend?

MR. MUELLER: Friday and Saturday. And, again, it is my understanding that everybody else in the Village got noise violation, because --

CHAIRMAN FOOTE: What was the nature of the violation? What were they complaining about besides just noise in general?

MR. MUELLER: Just noise. We are still in Court in Southold. I don't know exactly, it was just noise, it's nothing else.

MEMBER COTUGNO: What did you do different
MR. MUELLER: Nothing. And I guess nobody in the Village did anything different from what they usually do. It was just that night somebody went around and checked whose doors are open. And I have to say, like I think even we -- usually, we keep our door to the front, we keep it open until 10 o'clock upstairs, because it helps a little bit sound, send sound to the street. It helps to bring people up, but now we close it usually. And this weekend I think one of the musicians opened the door, so the door was open. But I would say that our noise is less than what other people usually do on the street.

CHAIRMAN FOOTE: So you think the door was accidentally left open beyond 10 o'clock that particular time or times?

MR. MUELLER: I think we closed it and it was reopened again.

CHAIRMAN FOOTE: Okay.

MR. MUELLER: But, generally speaking, we had no complaints during the whole summer.

CHAIRMAN FOOTE: Paul, what was the Village reaction? What was -- were you getting -- is it true that you were getting other complaints from
other venues?

ADMINISTRATOR PALLAS: No. I mean, no secret that there's been complaints about noise downtown, coming from downtown from a variety of locations.

CHAIRMAN FOOTE: Uh-huh.

ADMINISTRATOR PALLAS: This was part of a routine review, after-hours review of operations of businesses, and they were one of the folks that ended up getting a violation.

CHAIRMAN FOOTE: And did there -- was there the number of notices disproportionate to the other venues, less, less or about the same?

ADMINISTRATOR PALLAS: I'm not sure what you mean by the question.

CHAIRMAN FOOTE: Well, they got two violations. How did the others compare, the other music venues compare?

ADMINISTRATOR PALLAS: They had more both nights than they would have gotten complaint -- I didn't review that, but there were multiple locations that had violations.

CHAIRMAN FOOTE: On that particular weekend or --

ADMINISTRATOR PALLAS: Correct, that
particular weekend.

CHAIRMAN FOOTE: Okay. Were there other violations on other weekends from the other venues?

ADMINISTRATOR PALLAS: There were other, there were other noise violations on other weekends.

CHAIRMAN FOOTE: So the violation that you were --

MR. MUELLER: Not from our place.

ADMINISTRATOR PALLAS: I didn't -- no, not from Greenhill.

CHAIRMAN FOOTE: Yeah.

ADMINISTRATOR PALLAS: Just, right, from other locations.

CHAIRMAN FOOTE: So -- and your violation, was it for -- was it -- besides it being that weekend where it seems that people are out complaining, was it a -- what time of night, do you recall, that they were complaining about?

MR. MUELLER: 10:30 was one.

CHAIRMAN FOOTE: 10:30.

MR. MUELLER: And the other one I don't remember, probably before 10:30.

CHAIRMAN FOOTE: It was before 10:30.
MR. MUELLER: I think so, before 10:30.
CHAIRMAN FOOTE: So even if you -- so your normal practice, maybe, is to keep the door open before 10:30, right, before 10? So maybe that --
MR. MUELLER: Yes.
CHAIRMAN FOOTE: So you -- okay.
MR. MUELLER: I mean, we can close the door now, because, you know, in the beginning, I have to say, we were really interested in bringing as many people --
CHAIRMAN FOOTE: Right.
MR. MUELLER: -- up as possible. But now we have like a very positive trend.
CHAIRMAN FOOTE: Yeah.
MR. MUELLER: So people come anyway, because they know we're there, they know we have a good place, it's fun to be there.
CHAIRMAN FOOTE: So would you be willing to, just starting from when you start the live music, to close the door --
MR. MUELLER: To close the door? Yeah.
CHAIRMAN FOOTE: -- and just keep it closed, so that it will minimize this --
MR. MUELLER: At least the front door. We'd like to keep one of the doors to the side open,
but there is minimum noise coming down to the side.

CHAIRMAN FOOTE: Which side is that?

MR. MUELLER: The side by the -- onto First Street. We keep usually one door --

MEMBER DOUGHERTY-JOHNSON: You mean, the upstairs?

MR. MUELLER: The upstairs, yeah.

MEMBER DOUGHERTY-JOHNSON: You're talking about upstairs.

MR. MUELLER: Because the noise doesn't really penetrate to the street.

CHAIRMAN FOOTE: So this is the back door you're talking about?

MR. MUELLER: Yes, yeah.

MEMBER DOUGHERTY-JOHNSON: Well, I think he's talking about the balcony, right?

MR. MUELLER: The balcony. The balcony.

MEMBER DOUGHERTY-JOHNSON: You're talking about -- there's a second floor with a balcony and those doors.

MR. MUELLER: We keep -- the last door on the balcony we keep open, people go out there. We have service going there to do the food service.

CHAIRMAN FOOTE: And you're saying that
that, the noise emanating from that, because it's
away from the music, so it's --
   MR. MUELLER: It's away from the music, and
it's also away from the street in a way, you know.
   CHAIRMAN FOOTE: Is there any Fire Code
issue with requiring that the doors be shut during
the music, as long as it -- they're easily opened
and --
   ADMINISTRATOR PALLAS: No. No, I don't
believe these are access doors. This is just to a
balcony; am I correct?
   MR. MUELLER: Yeah.
   ADMINISTRATOR PALLAS: It's just to a
balcony, so I don't -- there's no Fire Code issue.
   CHAIRMAN FOOTE: Okay. So do you all want
to kind of agree that going forward they would
agree to keep the doors shut?
   MEMBER COTUGNO: Keep the doors closed,
yeah.
   MR. MUELLER: Yeah.
   MEMBER COTUGNO: I'll vote to --
   CHAIRMAN FOOTE: So maybe that will be a
solution to kind of minimize or eliminate --
   MR. MUELLER: Yeah.
   CHAIRMAN FOOTE: -- objections.
MR. MUELLER: Yeah.

CHAIRMAN FOOTE: And --

MR. MUELLER: No, I'd be happy to do this. I don't think we need now to keep the door open anymore. I think we -- we have reached a level of -- you know, people know we're there, and they know it, they like it, they come up, and so we're all good, I think.

CHAIRMAN FOOTE: Okay, good.

MEMBER COTUGNO: So that would be 9 o'clock, 9 o'clock, close the doors at 9 o'clock?

MR. MUELLER: Yeah, we can close it at 9.

CHAIRMAN FOOTE: Well, I think the idea is keep -- just keep them closed once the music starts.

MEMBER COTUGNO: Yeah.

CHAIRMAN FOOTE: Yeah.

MR. MUELLER: Once the music starts, we close that door.

CHAIRMAN FOOTE: Once the music starts.

MEMBER COTUGNO: Which is not --

MR. MUELLER: And then this door is like -- the real problem is the door right behind the drums, you know. So if you keep that open, the drums penetrate down to the street very strongly.
So you keep that -- as soon as the music starts, we'll keep that door closed from now on.

CHAIRMAN FOOTE: So -- and we're also just -- this is an ongoing issue with the Village, and it's not, you know, directed at you in particular, but just in general, the whole noise issue has become --

MR. MUELLER: Yeah.

CHAIRMAN FOOTE: And we would like to revisit this again in another six months, just to kind of keep track of it.

MR. MUELLER: Yeah.

CHAIRMAN FOOTE: But we appreciate your cooperation. And I don't -- I don't think we have anything further to ask you at this time.

MR. MUELLER: Okay.

CHAIRMAN FOOTE: Okay? Thank you

MR. MUELLER: Thank you very much.

CHAIRMAN FOOTE: Okay.

MEMBER COTUGNO: We have vote on it?

CHAIRMAN FOOTE: Huh?

MEMBER COTUGNO: We have to vote on it?

MR. CONNOLLY: No, it's just a discussion.

CHAIRMAN FOOTE: Yeah. Now does this have to go into a public hearing?
MR. CONNOLLY: No.

CHAIRMAN FOOTE: No. Well, can we take a vote on it now, or do we -- what do we do? I'd like to just kind of move it along.

MEMBER COTUGNO: Yes.

CHAIRMAN FOOTE: So if we can take a vote on it --

MR. CONNOLLY: You want to take a vote on the -- for them to come back?

CHAIRMAN FOOTE: To what we just agreed to, which is to allow them to continue.

MR. CONNOLLY: Yeah.

MEMBER COTUGNO: There's no point in coming back.

CHAIRMAN FOOTE: Okay. So based upon everything we discussed and agreed upon, I'd like to move at this time to approve their continued site plan, with the caveat that they'll shut the front door (laughter) when they play the music. And do I have a second on that?

MEMBER COTUGNO: Second.

CHAIRMAN FOOTE: All those in favor?

MEMBER COTUGNO: Aye.

MEMBER DOUGHERTY-JOHNSON: Aye.

CHAIRMAN FOOTE: Aye.
That motion carries. When I said front --
"shut the front door", that was a figure of
speech, meaning keep the door shut, except for
that back door, which we agreed upon, so long as
that doesn't contribute to the noise level, if
that's accepted. Very good.
The next item is 300 Main Street. This is a
Continued pre-submission conference regarding a
site plan approval for Stirling Square LLC.,
represented by Architect, Robert I. Brown. The
applicant is proposing interior and exterior
renovations to accommodate the conversion of the
first floor from retail to assembly and the second
and third floors from residential apartments to
commercial hotel units. The property is located
in the Commercial Retail District. The property
is located in the Historic District. This is
Suffolk County Tax Map 1001-4.-7-29.1.

Good afternoon.

MR. BROWN: Good afternoon. Robert Brown,
Architect.

CHAIRMAN FOOTE: Yes.

MR. BROWN: I believe the reason that we're
still in the pre-submission is we were waiting for
approval from the Historic Preservation
Planning Board 10/3/19

1 Commission, which we have received.

2 CHAIRMAN FOOTE: Okay. You got -- you got
3 the approval from the Historic Commission?

4 MR. BROWN: Yes.

5 CHAIRMAN FOOTE: Did we have any -- anybody
6 have any further comments?

7 MEMBER COTUGNO: I can't -- I can't
8 remember. I thought we did.

9 MEMBER DOUGHERTY-JOHNSON: I think the only
10 thing -- the thing Tricia brought up was --

11 CHAIRMAN FOOTE: Yeah.

12 MEMBER DOUGHERTY-JOHNSON: -- keeping the
13 old lobby space approved only for retail, and that
14 if --

15 CHAIRMAN FOOTE: Right.

16 MEMBER DOUGHERTY-JOHNSON: If they in the
17 future, they wanted to do something else with it,
18 they'd have to ask to change it.

19 CHAIRMAN FOOTE: Can't be -- can't be used
20 for assembly.

21 MEMBER DOUGHERTY-JOHNSON: Right.

22 CHAIRMAN FOOTE: You can only have one
23 assembly space, which will be the new hotel lobby.

24 MR. BROWN: Mr. Pelton would have no problem
25 with that.
MEMBER DOUGHERTY-JOHNSON: Yeah, I think that was the only issue.

CHAIRMAN FOOTE: And I was -- the Building Department's going to check in on the sprinkler system on the third floor?

ADMINISTRATOR PALLAS: Yeah. We believe that there -- we'll reconfirm it in advance of the hearing. I'm assuming you will schedule it at some point.

CHAIRMAN FOOTE: Okay.

MR. BROWN: I mean, the sprinkler system was installed in what's now the attic.

CHAIRMAN FOOTE: Okay. Well, at this time, can we schedule a public hearing? Can we do it for the next month?

ADMINISTRATOR PALLAS: (Nodded yes)

CHAIRMAN FOOTE: Okay. So was that November 7th?

MS. LINGG: Yes.

CHAIRMAN FOOTE: Okay. So we're going to schedule the public hearing for November 7th.

MR. BROWN: Thank you.

CHAIRMAN FOOTE: You're welcome.

The next item is 331 Front Street. A pre-submission conference regarding a site plan

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approval for Layyah, represented by Owner, Imram Qasim Khan. The applicant is proposing interior renovations to accommodate the addition of a commercial kitchen, as well as outdoor seating. The property is located in the Commercial Retail District. The property is not located in the Historic District. It's Suffolk County Tax Map 1001-6.-2-17. Is there anybody here to speak on behalf of the applicant at this time --

MEMBER COTUGNO: The Architect, the same Architect.

CHAIRMAN FOOTE: Okay.


CHAIRMAN FOOTE: Okay.

MR. BROWN: I thought Mr. Khan was going to be here, obviously, he is not. Very simply, it's my understanding that he had installed a kitchen and needed to get permits. And we documented the existing conditions, and here we are.

MEMBER DOUGHERTY-JOHNSON: Meaning he already has a kitchen?

MR. BROWN: The kitchen is installed, yes.

MEMBER COTUGNO: It was installed without a permit, you're saying?

MR. BROWN: I believe so.
MEMBER COTUGNO: And not to the Board of Health either?

MR. BROWN: We prepared the drawings for, and assisted him in preparing his Board of Health application as well.

CHAIRMAN FOOTE: Okay. Also, there's -- it seems to be he wants to propose some outdoor seating area; is that right?

MR. BROWN: Yes.

MEMBER COTUGNO: That's already there, too.

MR. BROWN: Just some picnic tables.

CHAIRMAN FOOTE: Yeah.

MR. BROWN: There's only so much I can do.

CHAIRMAN FOOTE: Does anybody have anything, any questions?

MEMBER COTUGNO: No.

MR. BROWN: I just want to add, I think that part of the issue with him having gone ahead and done these things is partly cultural and partly language. I found that, you know, in helping him prepare his applications, there was a lot of misunderstanding of what the questions actually were, we had to explain.

CHAIRMAN FOOTE: Do you happen to know how long -- has the outdoor seating always been there?
I can't remember.

MR. BROWN: No, no.

CHAIRMAN FOOTE: This is just --

MR. BROWN: Not to my knowledge.

CHAIRMAN FOOTE: Was it -- to our knowledge, did we discover it being --

MEMBER DOUGHERTY-JOHNSON: I feel like those have been there for a little while. They look familiar to me --

CHAIRMAN FOOTE: Yeah.

MEMBER DOUGHERTY-JOHNSON: -- sort of, although those look very new. But I think -- it looks like from the drawing is what -- he's going to add more in a different spot; is that correct? Because in here they're like -- it just looks like they're in a different, I guess -- I guess that is the same spot, but it does look like more in the -- in your drawing.

MR. BROWN: Well, the drawing is --

MEMBER DOUGHERTY-JOHNSON: Or maybe it just doesn't show.

MR. BROWN: -- specifically what he has to represent.

MEMBER DOUGHERTY-JOHNSON: Okay.

MR. BROWN: And I had no idea there were
benches there before.

CHAIRMAN FOOTE:   Okay.

MEMBER COTUGNO:  Why did he go through this process now?

MR. BROWN: I believe he was cited for --

MEMBER COTUGNO: Like a violation?

MR. BROWN: For a permit. Yeah, for doing the work without the permit.

MEMBER COTUGNO: Does this Village have a penalty for that?

ADMINISTRATOR PALLAS: I'm not going to discuss ongoing litigation.

MEMBER COTUGNO: Oh, no. I mean, in general, a lot of municipalities I'm familiar with, they have a fixed penalty.

ADMINISTRATOR PALLAS: There is a fine structure in our code.

MR. BROWN: I believe he had a court appearance.

CHAIRMAN FOOTE: So he's in the process of getting his stuff legalized.

MR. BROWN: Making it all right, that's right.

MEMBER DOUGHERTY-JOHNSON: Is there an issue with changing it from just like strictly retail to
like more of a -- they call like a wet use, right, if it's a kitchen, or is that --

MR. BROWN: Yes. So it was not a commercial kitchen before, because any food prep was only done with electric heat.

MEMBER DOUGHERTY-JOHNSON: Okay.

MR. BROWN: He had to provide an exhaust fan, and put in, I believe, a fryer, an oven, a stove.

CHAIRMAN FOOTE: Okay. Anybody else?

MEMBER COTUGNO: (Shook head no.)

CHAIRMAN FOOTE: Shall we schedule this for a public hearing, too?

MEMBER COTUGNO: Sure.

CHAIRMAN FOOTE: Okay. Do we have -- are we having the reviewer review this at all?

ADMINISTRATOR PALLAS: It's been sent to him. We haven't gotten a response.

CHAIRMAN FOOTE: Okay.

ADMINISTRATOR PALLAS: We'll have it in time for the hearing.

CHAIRMAN FOOTE: Okay. All right. So let's schedule this for a public hearing for November 7th, and that's it. Thank you very much.

MR. BROWN: Thank you.
CHAIRMAN FOOTE: Okay. This is the final item, I believe, 604 First Street. Continued Public Hearing for the application of Beachy Blonde LLC, represented by Architect Frank Uellendahl. The applicant proposes new construction of a residential dwelling for the property located at 604 First Street. This property is located in the Historic District, and was granted a Certificate of Appropriateness by the Historic Preservation Commission of the Village of Greenport on August 22nd, 2019. Its location is Suffolk County Tax Map 1001-2.-6-45.2

ADMINISTRATOR PALLAS: Mr. Chairman, before you continue, I just want to clarify something that's in the agenda item. It states that it was granted a Certificate of Appropriateness. It was, but then we need -- due to a procedural -- procedural error on our part, the -- that had to be rescinded, and it has to be -- go through a hearing. It's purely a procedural error, not anything to do with the -- any flaw with the application.

CHAIRMAN FOOTE: Okay. Thank you for clarifying that.

So, at this time, we're continuing the
public hearing on this matter. Would anybody from
the public like to speak about it at this time?

MR. NULAND: Yeah.
CHAIRMAN FOOTE: Okay.

MR. NULAND: Hi. I'm Tony Nuland. And on
the addition to the application, I'm half of the
property across the street, which is listed as
Alexandra Simmonds.

I was initially puzzled, because the
application didn't specify the height of the
structure, and it now does, which is helpful. A
question, though, I continue to have is how this
height relates to the height of the surrounding
buildings, particularly the building next door,
the so-called original structure, and then the
building on the other side, Colin Vantuyl's house.
And I raise it only because another house, new
construction, was completed on the block, which
was as high as any house on the block. And it
sort of dominates that side of the street, so it's
unusually high. This is the building at 620.

And my question is how will the height of
this new construction relate to the existing
structures on the block? I mean, it seems to me
that it's going to be substantially higher than
the house next to it, the so-called existing
dwelling. I think it would probably be as high as
our house, maybe not, though. I dare to say maybe
higher than our house. I haven't had a chance to
go out and measure it to see.

But is part of the review process that is
involved in determining whether the scale of the
structure is appropriate, given the scale of the
other buildings on the block, both on that side of
the street, which is, what, the east side of the
street, and on the west side of the street?

CHAIRMAN FOOTE: Is that a question?

MR. NULAND: Yeah, that's a question.

MR. CONNOLLY: That's really a question for
the HPC, not for the Planning Board. The Planning
Board is just looking at the -- this property to
make sure that access is appropriate, and that,
you know, the flow of what's being constructed
fits in with the lot.

MR. NULAND: Right.

MR. CONNOLLY: So that -- the questions that
you're posing are really more for the HPC, which I
believe already considered those concerns.

MR. NULAND: Based on an application that
didn't provide the height.
CHAIRMAN FOOTE: Did the HPC have a public hearing on this? No, they don't?

ADMINISTRATOR PALLAS: No. They -- it was considered at a public meeting, as I mentioned. They did initially grant the Certificate of Appropriateness. A hearing should have been scheduled. There were -- there were public at the meeting, but they did now schedule a hearing, the next HPC meeting, which is the 17th.

CHAIRMAN FOOTE: Okay.

ADMINISTRATOR PALLAS: Again, it was purely a -- you know --

MR. NULAND: Right.

ADMINISTRATOR PALLAS: -- I must reiterate, it was a procedural error, not anything to do with a flaw on the application.

MR. NULAND: So that's the forum at which the size of the structure in relation to the rest of the neighborhood --

CHAIRMAN FOOTE: Yeah.

MR. NULAND: -- would have been considered?

CHAIRMAN FOOTE: When you said 620 First Street, is that the new build that you're referring to, the cedar shake one?

MR. NULAND: Yeah, yeah. And I --
CHAIRMAN FOOTE: Do we happen to know what the height of that one is? Do we know?

MR. NULAND: I don't. It is, however, the tallest building on the block at this point.

CHAIRMAN FOOTE: Okay. And do the -- I assume, and, Mr. Uellendahl, you can confirm this, that the specs comply with the resolution on this lot in terms of what the ZBA required in terms of the setbacks and the -- did the total square footage allow this?

MR. UELLENDAHL: Yes. There were restrictions put on about 10 years ago when the ZBA decided or gave permission to subdivide the lots. And the overall coverage -- you know my name, Lucia, right?

MS. BRAATEN: Yes.

(Laughter)

MR. UELLENDAHL: The overall coverage, which is in the Village, 30% was reduced to 22%, so -- and going into this project, I knew that we could not ask for an additional variance. So I made sure that the side yards, the setbacks are okay.

The one thing that the Zoning Code allows us to do is averaging front yards, and I did this. I submitted this to the Village, and this put the
front yard setback to 11 feet, which is in line
with most of the structures.

CHAIRMAN FOOTE: Right. But he's talking
about the height, not the setback.

MR. UELLENDAHL: The height of the building
is --

MR. NULAND: Do you know off hand what the
height --

MR. UELLENDAHL: Yes.

MR. NULAND: -- the relative heights are?

MR. UELLENDAHL: Yes. I did some research
based on -- I read the minutes, and I know, Tony,
the drawings, and I was working on
Walter Foote's project, both on First Street, I
have the drawings, and both the heights of your two
buildings are higher than what I'm proposing.

MR. NULAND: Than this one. How does this
relate --

MR. UELLENDAHL: And what's more important,
though, architecturally and visually is the actual
soffit line. You know, both the existing
dwellings, the Eckerle house and yours have flat
roofs.

MR. NULAND: Right.
MR. UELLENDHAHL: Or considered flat roofs.
But what's important is really the soffit, and the
soffit of our proposed building is around 21 feet,
whereas the Eckerle house is very close, 22 feet,
and yours is a little bit higher. So as far as --

MR. NULAND: Oh, so it's similar. Okay.

MR. UELLENDHAHL: -- that visual line is
concerned, it fits into the Historic District.

CHAIRMAN FOOTE: So is the height because
the -- your -- probably because your lot is
narrower, so you have to pitch your roof --

MR. UELLENDHAHL: Well --

CHAIRMAN FOOTE: -- line steeper and so it
goes up higher, is that it?

MR. UELLENDHAHL: Well, I think the Eckerle
house used to have a widow's walk or a cupola at
one point, like Tony's house does, and that's
why -- that's the reason for the flat roof.

I can tell that there is some, well,
inaccuracy as far as the roof line is concerned.
But the building code allows us to go up to 35
feet, 35 feet with a two-story residential
structure. This is a two-story dwelling. And I
need the attic on the front portion in order to
house the mechanical equipment and the air
handlers, because we have AC. So that's why I'm using the attic, which will have a fold-down ladder, for mechanical use and for additional storage, if that is required.

The rear portion of the building, which is a little bit lower, will have a cathedral ceiling, so there is no attic included in that.

MR. NULAND: Okay. Well, that actually is very helpful for me to understand that, the relationship between the proposed structure and the existing structures.

MR. UELLENDHAL: And, also, on your side of the street, First Street, the next three homes --

MR. NULAND: Are tall.

MR. UELLENDHAL: -- one of them is for sale now, they're all around 30 feet in height.

MR. NULAND: Right. So that -- so it fits.

MR. UELLENDHAL: There is -- yes.

MR. NULAND: Okay, okay.

MR. UELLENDHAL: There are a couple of old homes that are lower, but, I mean, that's what --

MR. NULAND: No, no, no, that's --

MR. UELLENDHAL: -- the Village is all about, right.

MR. NULAND: -- what I was interested in
knowing. I realized after seeing this --

MR. UELLENDAH: Yeah.

MR. NULAND: -- that this was great, and now
have the measurements. But I had no idea what the
surrounding houses were, what those measurements
were. So that answers my question anyway.

CHAIRMAN FOOTE: Great.

MR. NULAND: Thank you.

CHAIRMAN FOOTE: Okay. Thank you, Tony.

Would anybody else like to speak at this public
hearing on this matter?

(No Response)

CHAIRMAN FOOTE: Okay. I just wanted to
add, you know, looking at your revised plans, I
noticed that you seem to address the landscaping
issues, including adding a buffered space between
the driveway and the property line, and also
having some planting in front of the porch, which
I think is good.

And, otherwise, I have no further comment on
this application.

MEMBER COTUGNO: Right. No, it's fine, it's
actually what we asked.

CHAIRMAN FOOTE: Okay. So, at this time,
I'd like to close the public hearing. And I'd
like to put this to a vote. Are we ready to vote on this?

MEMBER COTUGNO: Yes

CHAIRMAN FOOTE: Okay. So I move to have this application approved. Do I have a second on that?

MEMBER COTUGNO: Second.

CHAIRMAN FOOTE: All those in favor?

MEMBER COTUGNO: Aye.

MEMBER DOUGHERTY-JOHNSON: Aye.

CHAIRMAN FOOTE: Aye.

The application is approved. Thank you.

MR. UELLENDahl: Thank you very much.

CHAIRMAN FOOTE: And are we done? Okay.

This is now a motion to adjourn. Do I have a second?

MEMBER COTUGNO: Second.

CHAIRMAN FOOTE: All those in favor?

MEMBER COTUGNO: Aye.

MEMBER DOUGHERTY-JOHNSON: Aye.

CHAIRMAN FOOTE: We're hereby adjourned.

(Time Noted: 4:35 p.m.)
CERTIFICATION

STATE OF NEW YORK )

) SS:

COUNTY OF SUFFOLK )

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

THAT, the above and foregoing contains a true and correct transcription of the proceedings taken on October 3, 2019.

I further certify that I am not related to any of the parties to this action by blood or marriage, and that I am in no way interested in the outcome of this matter.

IN WITNESS WHEREOF, I have hereunto set my hand this 14th day of October, 2019.

________________________________________
Lucia Braaten

Lucia Braaten
Planning Board 10/3/19

35

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(631) 727-1107
put [a] - 23:8, 28:12, 28:25, 33:1
puzzled [a] - 25:9

Q
Qasim [a] - 19:2
questions [a] - 20:15, 20:22, 26:21

R
raise [a] - 25:17
reached [a] - 13:5
reaction [a] - 7:24
read [a] - 29:12
real [a] - 13:23
realized [a] - 32:1
really [a] - 10:9, 11:12, 26:14, 26:22, 30:2
rear [a] - 31:5
reason [a] - 16:23, 30:18
received [a] - 17:1
recently [a] - 5:22
reception [a] - 6:1
reconfirm [a] - 18:7
reduced [a] - 28:19
REED [a] - 1:18
referring [a] - 27:24
regarding [a] - 4:24, 16:8, 18:25
REGULAR [a] - 1:5
regular [a] - 2:4, 2:18
reiterate [a] - 27:14
relate [a] - 25:23, 29:19
related [a] - 34:13
relates [a] - 25:13
relation [a] - 27:18
relationship [a] - 31:10
relative [a] - 29:10
remember [a] - 9:24, 17:8, 21:1
renovations [a] - 16:12, 19:3
reopened [a] - 7:19
Reporter [a] - 34:7
represent [a] - 21:23
representative [a] - 5:11
represented [a] - 16:10, 19:1, 24:4
required [a] - 28:8, 31:4
requiring [a] - 12:6
rescinded [a] - 24:19
research [a] - 29:11
residential [a] - 16:14, 24:6, 30:22
resolution [a] - 28:7
Response [a] - 32:12
response [a] - 23:18
rest [a] - 27:18
Restaurant [a] - 5:15
restrictions [a] - 28:12
retail [a] - 16:13, 17:13, 22:25
Retail [a] - 5:6, 16:16, 19:5
review [a] - 5:5, 8:8, 8:21, 23:16, 26:6
reviewed [a] - 3:7
reviewer [a] - 23:16
revised [a] - 32:14
revisit [a] - 14:10
revisited [a] - 4:12
ROBERT [a] - 1:21
Robert [a] - 16:10, 16:20, 19:13
rock [a] - 5:20
roll [a] - 5:20
roof [a] - 30:11, 30:18, 30:20
roofs [a] - 29:24, 30:1
routine [a] - 8:8

S
sale [a] - 31:15
Saturday [a] - 5:19, 6:16
scale [a] - 26:7, 26:8
scheduled [a] - 27:7
season [a] - 5:5, 5:12
second [a] - 2:10, 2:11, 2:20, 2:21, 3:11, 3:12, 3:13, 4:6, 4:15, 4:17, 5:3,
secret [a] - 8:3
see [a] - 26:5
seeing [a] - 32:1
seem [a] - 32:15
send [a] - 7:9
sent [a] - 23:17
September [a] - 2:9
service [a] - 11:24
SESSION [a] - 1:5
session [a] - 2:4, 2:6, 2:18
SESSION/WORK [a] - 1:5
set [a] - 34:17
setback [a] - 29:1, 29:4
setbacks [a] - 28:9, 28:22
shake [a] - 27:24
shall [a] - 23:12
Shook [a] - 23:11
show [a] - 21:21
shut [a] - 12:6, 12:17, 15:18, 16:2, 16:3
similar [a] - 30:6
Simmonds [a] - 25:8
simply [a] - 19:16
site [a] - 4:25, 15:18, 16:9, 18:25
six [a] - 4:12, 4:13, 14:10
six-month [a] - 4:13
size [a] - 27:18
slowly [a] - 6:6
so-called [a] - 25:15, 26:1
softil [a] - 29:22, 30:2, 30:3
solution [a] - 12:23
soon [a] - 14:1
sort [a] - 21:11, 25:20
sound [a] - 7:9
South [a] - 3:23, 3:25, 4:1, 4:5
Southold [a] - 6:23
space [a] - 5:3, 6:2, 17:13, 17:23, 32:16
speaking [a] - 7:21
specifically [a] - 21:22
specify [a] - 25:10
specs [a] - 28:7
speech [a] - 16:3
spot [a] - 21:14, 21:17
spinkler [a] - 18:4, 18:11
square [a] - 28:9
Square [a] - 16:9
SS [a] - 34:4
start [a] - 2:6, 10:19
starting [a] - 10:19
starts [a] - 13:15, 13:18, 13:20, 14:1
STATE [a] - 1:2, 34:3
State [a] - 34:8
states [a] - 24:15
Station [a] - 1:7
steeper [a] - 30:13
still [a] - 6:22, 16:24
Stirling [a] - 16:9
storage [a] - 31:4
story [a] - 30:22, 30:23
stove [a] - 23:9
strictly [a] - 22:25
strongly [a] - 13:25
structures [a] - 25:24, 29:2, 31:11
stuff [a] - 22:21
subdivide [a] - 28:13
subject [a] - 4:9, 4:14
submission [a] - 16:8, 16:24, 18:25
submitted [a] - 28:25
substantially [a] - 25:25

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<table>
<thead>
<tr>
<th>Suffolk</th>
<th>3:5, 4:6, 4:7, 5:8, 16:18, 19:7, 24:12</th>
</tr>
</thead>
<tbody>
<tr>
<td>SUF[] FOLK</td>
<td>1:2, 34:5</td>
</tr>
<tr>
<td>summer</td>
<td>6:5, 7:22</td>
</tr>
<tr>
<td>Sunday</td>
<td>5:21</td>
</tr>
<tr>
<td>surrounding</td>
<td>25:13, 32:5</td>
</tr>
<tr>
<td>system</td>
<td>18:5, 18:11</td>
</tr>
<tr>
<td>T</td>
<td></td>
</tr>
<tr>
<td>tables</td>
<td>20:11</td>
</tr>
<tr>
<td>tall</td>
<td>31:14</td>
</tr>
<tr>
<td>tallest</td>
<td>28:4</td>
</tr>
<tr>
<td>Tax</td>
<td>3:6, 4:6, 4:7, 5:9, 16:18, 19:7, 24:12</td>
</tr>
<tr>
<td>terms</td>
<td>3:8, 28:8</td>
</tr>
<tr>
<td>THAT</td>
<td>34:10</td>
</tr>
<tr>
<td>THE</td>
<td>1:23</td>
</tr>
<tr>
<td>themselves</td>
<td>5:24</td>
</tr>
<tr>
<td>third</td>
<td>16:14, 18:5</td>
</tr>
<tr>
<td>Third</td>
<td>1:7</td>
</tr>
<tr>
<td>thoughts</td>
<td>5:12</td>
</tr>
<tr>
<td>three</td>
<td>31:13</td>
</tr>
<tr>
<td>Thursday</td>
<td>2:5, 2:19</td>
</tr>
<tr>
<td>Thursdays</td>
<td>5:22</td>
</tr>
<tr>
<td>TO</td>
<td>1:23</td>
</tr>
<tr>
<td>Tony</td>
<td>25:5, 29:12, 32:9</td>
</tr>
<tr>
<td>Tony's</td>
<td>30:17</td>
</tr>
<tr>
<td>total</td>
<td>28:9</td>
</tr>
<tr>
<td>track</td>
<td>14:11</td>
</tr>
<tr>
<td>transcription</td>
<td>34:11</td>
</tr>
<tr>
<td>trend</td>
<td>10:13</td>
</tr>
<tr>
<td>Tricia</td>
<td>17:10</td>
</tr>
<tr>
<td>true</td>
<td>7:25, 34:11</td>
</tr>
<tr>
<td>Tuesday's</td>
<td>5:22</td>
</tr>
<tr>
<td>two-story</td>
<td>30:22, 30:23</td>
</tr>
<tr>
<td>U</td>
<td></td>
</tr>
<tr>
<td>Uellendahl</td>
<td>24:5, 28:6</td>
</tr>
<tr>
<td>under</td>
<td>5:18</td>
</tr>
<tr>
<td>units</td>
<td>16:15</td>
</tr>
<tr>
<td>unusually</td>
<td>25:21</td>
</tr>
<tr>
<td>up</td>
<td>5:11, 7:10, 8:10, 10:12, 13:7, 17:10, 30:14, 30:21</td>
</tr>
<tr>
<td>upstairs</td>
<td>7:8, 11:7, 11:8, 11:10</td>
</tr>
<tr>
<td>V</td>
<td></td>
</tr>
<tr>
<td>Vantuyl's</td>
<td>25:16</td>
</tr>
<tr>
<td>variance</td>
<td>28:21</td>
</tr>
<tr>
<td>variety</td>
<td>8:4</td>
</tr>
<tr>
<td>venues</td>
<td>8:1, 8:13, 8:18, 9:4</td>
</tr>
<tr>
<td>VILLAGE</td>
<td>1:1, 1:22</td>
</tr>
<tr>
<td>violation</td>
<td>6:18, 6:20, 8:10, 9:8, 9:16, 22:6</td>
</tr>
<tr>
<td>violations</td>
<td>6:7, 6:10, 6:11, 8:17, 8:22, 9:3, 9:6</td>
</tr>
<tr>
<td>visual</td>
<td>30:7</td>
</tr>
<tr>
<td>visually</td>
<td>29:21</td>
</tr>
<tr>
<td>vote</td>
<td>12:21, 14:20, 14:22, 15:3, 15:6, 15:8, 33:1</td>
</tr>
<tr>
<td>W</td>
<td></td>
</tr>
<tr>
<td>waiting</td>
<td>16:24</td>
</tr>
<tr>
<td>walk</td>
<td>30:16</td>
</tr>
<tr>
<td>WALTER</td>
<td>1:14</td>
</tr>
<tr>
<td>Walter</td>
<td>29:15</td>
</tr>
<tr>
<td>wants</td>
<td>20:7</td>
</tr>
<tr>
<td>weekend</td>
<td>6:8, 6:12, 6:15, 7:11, 8:23, 9:1, 9:18</td>
</tr>
<tr>
<td>weekends</td>
<td>9:3, 9:7</td>
</tr>
</tbody>
</table>

Welcome | 18:23 |
West | 26:11 |
Wet | 23:1 |
Whereas | 30:4 |
WHEREOF | 34:17 |
Whole | 6:5, 7:22, 14:6 |
Widow's | 30:16 |
Willing | 10:18 |
WITNESS | 34:17 |

Y |  |
| yard | 29:1 |
| yards | 28:22, 28:24 |
| years | 28:12 |
| YORK | 1:2, 34:3 |
| York | 1:8, 34:9 |
| young | 5:23 |

Z |  |
| ZBA | 28:8, 28:13 |
| Zoning | 28:23 |

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