

1 VILLAGE OF GREENPORT
 2 COUNTY OF SUFFOLK STATE OF NEW YORK
 3 -----x
 4 PLANNING BOARD
 5 REGULAR SESSION/WORK SESSION
 6 -----x

7 Third Street Fire Station
 8 Greenport, New York
 9
 10 October 3, 2019
 11 4:00 p.m.

- 12
 13 B E F O R E:
 14 WALTER FOOTE - CHAIRMAN
 15 JOHN COTUGNO - MEMBER
 16 LILY DOUGHERTY-JOHNSON - MEMBER
 17 PATRICIA HAMMES - MEMBER (Absent)
 18 REED KYRK - MEMBER (Absent)
 19
 20
 21 ROBERT CONNOLLY - PLANNING BOARD ATTORNEY
 22 PAUL PALLAS - VILLAGE ADMINISTRATOR
 23 KRISTINA LINGG - CLERK TO THE BOARD

24
 25

1 (The meeting was called to order at 4:00 p.m.)

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

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

11 MEMBER COTUGNO: Second.

12 CHAIRMAN FOOTE: All those in favor?

13 MEMBER COTUGNO: Aye.

14 MEMBER DOUGHERTY-JOHNSON: Aye.

15 CHAIRMAN FOOTE: Aye.

16 The motion carries.

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

21 MEMBER COTUGNO: Second.

22 CHAIRMAN FOOTE: All those in favor?

23 MEMBER COTUGNO: Aye.

24 MEMBER DOUGHERTY-JOHNSON: Aye.

25 CHAIRMAN FOOTE: Aye.

1 That motion carries as well.

2 The next item is for 27 Front Street. This
3 is a motion to accept the findings and
4 determinations for the application of Frisky
5 Oyster, located at 27 Front Street. It's Suffolk
6 County Tax Map #1001-5.-4-27.

7 And, Board Members, we've all reviewed the
8 determination. We're in agreement with the terms?

9 MEMBER COTUGNO: Yes.

10 CHAIRMAN FOOTE: Okay. At this time, I'd
11 like a second to accept that motion. Do I have a
12 second?

13 MEMBER COTUGNO: Second.

14 CHAIRMAN FOOTE: All those in favor of the
15 motion?

16 MEMBER DOUGHERTY-JOHNSON: Aye.

17 CHAIRMAN FOOTE: Aye. Aye?

18 MEMBER COTUGNO: Aye.

19 The motion carries.

20 The next item is -- I'm going to combine
21 both of these, because it involves the same
22 property. There's two motions. One is called
23 110 South Street, the other is 112 South Street.
24 This is a motion to accept the findings and
25 determinations for the application of 110 South

1 Street, Greenport Inc., located at 110 South
2 Street, as well as a motion to accept the findings
3 and determinations for the application of
4 622 Front Street Greenport Inc., located at 112
5 South Street. The first property is located at
6 Suffolk County Tax Map 1001-4.-6-34.6. The second
7 property is Suffolk County Tax Map 1001-4.-6-32.

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

17 MEMBER COTUGNO: Second.

18 CHAIRMAN FOOTE: All those in favor?

19 MEMBER COTUGNO: Aye.

20 MEMBER DOUGHERTY-JOHNSON: Aye.

21 CHAIRMAN FOOTE: Aye.

22 The motion as amended carries.

23 Okay. The next item is 48 Front Street.

24 This is a Discussion regarding the previously
25 approved site plan for 48 Front Street LLC,

1 which -- known as Greenhill Kitchen. The
2 application was approved to have a live
3 performance space on the second floor, with the
4 condition that the applicant come back before the
5 Planning Board to review how the season went. The
6 property is located in the Commercial Retail
7 District. This property is not located in the
8 Historic District. It's located at Suffolk County
9 Tax Map 1001-4.-10-32.

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

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

17 First, I would like to thank you for giving
18 us the opportunity to operate under this music
19 license. We had music usually Friday, Saturday, I
20 mean, rock and roll music, loud music, and every
21 Sunday we had a jazz jam. We also had on
22 Tuesday's and recently on Thursdays, we had an
23 open mic to give young musicians an opportunity to
24 come forward and present themselves. We also had
25 comedy on those nights. And I think overall, we

1 had a good reception. We had like people came
2 commenting very positively about our space, and
3 about our music and what we were offering.

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

11 CHAIRMAN FOOTE: Both violations were on
12 Labor Day weekend?

13 MR. MUELLER: Yes, they were both.

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

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

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

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

25 MEMBER COTUGNO: What did you do different

1 those nights than you did all the other nights?

2 MR. MUELLER: Nothing. And I guess nobody
3 in the Village did anything different from what
4 they usually do. It was just that night somebody
5 went around and checked whose doors are open. And
6 I have to say, like I think even we -- usually, we
7 keep our door to the front, we keep it open until
8 10 o'clock upstairs, because it helps a little bit
9 sound, send sound to the street. It helps to
10 bring people up, but now we close it usually. And
11 this weekend I think one of the musicians opened
12 the door, so the door was open. But I would say
13 that our noise is less than what other people
14 usually do on the street.

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

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

20 CHAIRMAN FOOTE: Okay.

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

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

1 other venues?

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

6 CHAIRMAN FOOTE: Uh-huh.

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

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

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

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

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

23 CHAIRMAN FOOTE: On that particular weekend
24 or --

25 ADMINISTRATOR PALLAS: Correct, that

1 particular weekend.

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

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

8 CHAIRMAN FOOTE: So the violation that you
9 were --

10 MR. MUELLER: Not from our place.

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

13 CHAIRMAN FOOTE: Yeah.

14 ADMINISTRATOR PALLAS: Just, right, from
15 other locations.

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

21 MR. MUELLER: 10:30 was one.

22 CHAIRMAN FOOTE: 10:30.

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

25 CHAIRMAN FOOTE: It was before 10:30.

1 MR. MUELLER: I think so, before 10:30.

2 CHAIRMAN FOOTE: So even if you -- so your
3 normal practice, maybe, is to keep the door open
4 before 10:30, right, before 10? So maybe that --

5 MR. MUELLER: Yes.

6 CHAIRMAN FOOTE: So you -- okay.

7 MR. MUELLER: I mean, we can close the door
8 now, because, you know, in the beginning, I have
9 to say, we were really interested in bringing as
10 many people --

11 CHAIRMAN FOOTE: Right.

12 MR. MUELLER: -- up as possible. But now we
13 have like a very positive trend.

14 CHAIRMAN FOOTE: Yeah.

15 MR. MUELLER: So people come anyway, because
16 they know we're there, they know we have a good
17 place, it's fun to be there.

18 CHAIRMAN FOOTE: So would you be willing to,
19 just starting from when you start the live music,
20 to close the door --

21 MR. MUELLER: To close the door? Yeah.

22 CHAIRMAN FOOTE: -- and just keep it closed,
23 so that it will minimize this --

24 MR. MUELLER: At least the front door. We'd
25 like to keep one of the doors to the side open,

1 but there is minimum noise coming down to the
2 side.

3 CHAIRMAN FOOTE: Which side is that?

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

6 MEMBER DOUGHERTY-JOHNSON: You mean, the
7 upstairs?

8 MR. MUELLER: The upstairs, yeah.

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

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

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

15 MR. MUELLER: Yes, yeah.

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

18 MR. MUELLER: The balcony. The balcony.

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

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

25 CHAIRMAN FOOTE: And you're saying that

1 that, the noise emanating from that, because it's
2 away from the music, so it's --

3 MR. MUELLER: It's away from the music, and
4 it's also away from the street in a way, you know.

5 CHAIRMAN FOOTE: Is there any Fire Code
6 issue with requiring that the doors be shut during
7 the music, as long as it -- they're easily opened
8 and --

9 ADMINISTRATOR PALLAS: No. No, I don't
10 believe these are access doors. This is just to a
11 balcony; am I correct?

12 MR. MUELLER: Yeah.

13 ADMINISTRATOR PALLAS: It's just to a
14 balcony, so I don't -- there's no Fire Code issue.

15 CHAIRMAN FOOTE: Okay. So do you all want
16 to kind of agree that going forward they would
17 agree to keep the doors shut?

18 MEMBER COTUGNO: Keep the doors closed,
19 yeah.

20 MR. MUELLER: Yeah.

21 MEMBER COTUGNO: I'll vote to --

22 CHAIRMAN FOOTE: So maybe that will be a
23 solution to kind of minimize or eliminate --

24 MR. MUELLER: Yeah.

25 CHAIRMAN FOOTE: -- objections.

1 MR. MUELLER: Yeah.

2 CHAIRMAN FOOTE: And --

3 MR. MUELLER: No, I'd be happy to do this.

4 I don't think we need now to keep the door open

5 anymore. I think we -- we have reached a level

6 of -- you know, people know we're there, and they

7 know it, they like it, they come up, and so we're

8 all good, I think.

9 CHAIRMAN FOOTE: Okay, good.

10 MEMBER COTUGNO: So that would be 9 o'clock,

11 9 o'clock, close the doors at 9 o'clock?

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

13 CHAIRMAN FOOTE: Well, I think the idea is

14 keep -- just keep them closed once the music

15 starts.

16 MEMBER COTUGNO: Yeah.

17 CHAIRMAN FOOTE: Yeah.

18 MR. MUELLER: Once the music starts, we

19 close that door.

20 CHAIRMAN FOOTE: Once the music starts.

21 MEMBER COTUGNO: Which is not --

22 MR. MUELLER: And then this door is like --

23 the real problem is the door right behind the

24 drums, you know. So if you keep that open, the

25 drums penetrate down to the street very strongly.

1 So you keep that -- as soon as the music starts,
2 we'll keep that door closed from now on.

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

8 MR. MUELLER: Yeah.

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

12 MR. MUELLER: Yeah.

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

16 MR. MUELLER: Okay.

17 CHAIRMAN FOOTE: Okay? Thank you

18 MR. MUELLER: Thank you very much.

19 CHAIRMAN FOOTE: Okay.

20 MEMBER COTUGNO: We have vote on it?

21 CHAIRMAN FOOTE: Huh?

22 MEMBER COTUGNO: We have to vote on it?

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

24 CHAIRMAN FOOTE: Yeah. Now does this have
25 to go into a public hearing?

1 MR. CONNOLLY: No.

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

5 MEMBER COTUGNO: Yes.

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

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

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

12 MR. CONNOLLY: Yeah.

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

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

21 MEMBER COTUGNO: Second.

22 CHAIRMAN FOOTE: All those in favor?

23 MEMBER COTUGNO: Aye.

24 MEMBER DOUGHERTY-JOHNSON: Aye.

25 CHAIRMAN FOOTE: Aye.

1 That motion carries. When I said front --
2 "shut the front door", that was a figure of
3 speech, meaning keep the door shut, except for
4 that back door, which we agreed upon, so long as
5 that doesn't contribute to the noise level, if
6 that's accepted. Very good.

7 The next item is 300 Main Street. This is a
8 Continued pre-submission conference regarding a
9 site plan approval for Stirling Square LLC.,
10 represented by Architect, Robert I. Brown. The
11 applicant is proposing interior and exterior
12 renovations to accommodate the conversion of the
13 first floor from retail to assembly and the second
14 and third floors from residential apartments to
15 commercial hotel units. The property is located
16 in the Commercial Retail District. The property
17 is located in the Historic District. This is
18 Suffolk County Tax Map 1001-4.-7-29.1.

19 Good afternoon.

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

22 CHAIRMAN FOOTE: Yes.

23 MR. BROWN: I believe the reason that we're
24 still in the pre-submission is we were waiting for
25 approval from the Historic Preservation

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.

1 MEMBER DOUGHERTY-JOHNSON: Yeah, I think
2 that was the only issue.

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

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

10 CHAIRMAN FOOTE: Okay.

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

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

16 ADMINISTRATOR PALLAS: (Nodded yes)

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

19 MS. LINGG: Yes.

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

22 MR. BROWN: Thank you.

23 CHAIRMAN FOOTE: You're welcome.

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

1 approval for Layyah, represented by Owner, Imram
2 Qasim Khan. The applicant is proposing interior
3 renovations to accommodate the addition of a
4 commercial kitchen, as well as outdoor seating.
5 The property is located in the Commercial Retail
6 District. The property is not located in the
7 Historic District. It's Suffolk County Tax Map
8 1001-6.-2-17. Is there anybody here to speak on
9 behalf of the applicant at this time --

10 MEMBER COTUGNO: The Architect, the same
11 Architect.

12 CHAIRMAN FOOTE: Okay.

13 MR. BROWN: Robert Brown, Architect.

14 CHAIRMAN FOOTE: Okay.

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

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

22 MR. BROWN: The kitchen is installed, yes.

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

25 MR. BROWN: I believe so.

1 MEMBER COTUGNO: And not to the Board of
2 Health either?

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

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

9 MR. BROWN: Yes.

10 MEMBER COTUGNO: That's already there, too.

11 MR. BROWN: Just some picnic tables.

12 CHAIRMAN FOOTE: Yeah.

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

14 CHAIRMAN FOOTE: Does anybody have anything,
15 any questions?

16 MEMBER COTUGNO: No.

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

24 CHAIRMAN FOOTE: Do you happen to know how
25 long -- has the outdoor seating always been there?

1 I can't remember.

2 MR. BROWN: No, no.

3 CHAIRMAN FOOTE: This is just --

4 MR. BROWN: Not to my knowledge.

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

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

10 CHAIRMAN FOOTE: Yeah.

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

19 MR. BROWN: Well, the drawing is --

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

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

24 MEMBER DOUGHERTY-JOHNSON: Okay.

25 MR. BROWN: And I had no idea there were

1 benches there before.

2 CHAIRMAN FOOTE: Okay.

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

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

6 MEMBER COTUGNO: Like a violation?

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

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

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

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

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

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

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

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

24 MEMBER DOUGHERTY-JOHNSON: Is there an issue
25 with changing it from just like strictly retail to

1 like more of a -- they call like a wet use, right,
2 if it's a kitchen, or is that --

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

6 MEMBER DOUGHERTY-JOHNSON: Okay.

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

10 CHAIRMAN FOOTE: Okay. Anybody else?

11 MEMBER COTUGNO: (Shook head no.)

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

14 MEMBER COTUGNO: Sure.

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

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

19 CHAIRMAN FOOTE: Okay.

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

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

25 MR. BROWN: Thank you.

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

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

23 CHAIRMAN FOOTE: Okay. Thank you for
24 clarifying that.

25 So, at this time, we're continuing the

1 public hearing on this matter. Would anybody from
2 the public like to speak about it at this time?

3 MR. NULAND: Yeah.

4 CHAIRMAN FOOTE: Okay.

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

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

22 And my question is how will the height of
23 this new construction relate to the existing
24 structures on the block? I mean, it seems to me
25 that it's going to be substantially higher than

1 the house next to it, the so-called existing
2 dwelling. I think it would probably be as high as
3 our house, maybe not, though. I dare to say maybe
4 higher than our house. I haven't had a chance to
5 go out and measure it to see.

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

12 CHAIRMAN FOOTE: Is that a question?

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

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

20 MR. NULAND: Right.

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

24 MR. NULAND: Based on an application that
25 didn't provide the height.

1 CHAIRMAN FOOTE: Did the HPC have a public
2 hearing on this? No, they don't?

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

10 CHAIRMAN FOOTE: Okay.

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

13 MR. NULAND: Right.

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

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

20 CHAIRMAN FOOTE: Yeah.

21 MR. NULAND: -- would have been considered?

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

25 MR. NULAND: Yeah, yeah. And I --

1 front yard setback to 11 feet, which is in line
2 with most of the structures.

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

5 MR. UELLEND AHL: The height of the building
6 is --

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

9 MR. UELLEND AHL: Yes.

10 MR. NULAND: -- the relative heights are?

11 MR. UELLEND AHL: Yes. I did some research
12 based on -- I read the minutes, and I know, Tony,
13 exactly what you were asking. I -- since I was
14 working on your project, and I was working on
15 Walter Foote's project, both on First Street, I
16 have the drawings, and both heights of your two
17 buildings are higher than what I'm proposing.

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

20 MR. UELLEND AHL: And what's more important,
21 though, architecturally and visually is the actual
22 soffit line. You know, both the -- the existing
23 dwelling, the Eckerle house and yours have flat
24 roofs.

25 MR. NULAND: Right.

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

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

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

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

12 MR. UELLENDahl: Well --

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

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

19 I can tell that there is some, well,
20 inaccuracy as far as the roof line is concerned.
21 But the building code allows us to go up to 35
22 feet, 35 feet with a two-story residential
23 structure. This is a two-story dwelling. And I
24 need the attic on the front portion in order to
25 house the mechanical equipment and the air

1 handlers, because we have AC. So that's why I'm
2 using the attic, which will have a fold-down
3 ladder, for mechanical use and for additional
4 storage, if that is required.

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

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

12 MR. UELLEND AHL: And, also, on your side of
13 the street, First Street, the next three homes --

14 MR. NULAND: Are tall.

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

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

18 MR. UELLEND AHL: There is -- yes.

19 MR. NULAND: Okay, okay.

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

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

23 MR. UELLEND AHL: -- the Village is all
24 about, right.

25 MR. NULAND: -- what I was interested in

1 knowing. I realized after seeing this --

2 MR. UELLEND AHL: Yeah.

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

7 CHAIRMAN FOOTE: Great.

8 MR. NULAND: Thank you.

9 CHAIRMAN FOOTE: Okay. Thank you, Tony.
10 Would anybody else like to speak at this public
11 hearing on this matter?

12 (No Response)

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

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

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

24 CHAIRMAN FOOTE: Okay. So, at this time,
25 I'd like to close the public hearing. And I'd

1 like to put this to a vote. Are we ready to vote
2 on this?

3 MEMBER COTUGNO: Yes

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

7 MEMBER COTUGNO: Second.

8 CHAIRMAN FOOTE: All those in favor?

9 MEMBER COTUGNO: Aye.

10 MEMBER DOUGHERTY-JOHNSON: Aye.

11 CHAIRMAN FOOTE: Aye.

12 The application is approved. Thank you.

13 MR. UELLEND AHL: Thank you very much.

14 CHAIRMAN FOOTE: And are we done? Okay.

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

17 MEMBER COTUGNO: Second.

18 CHAIRMAN FOOTE: All those in favor?

19 MEMBER COTUGNO: Aye.

20 MEMBER DOUGHERTY-JOHNSON: Aye.

21 CHAIRMAN FOOTE: We're hereby adjourned.

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

23

24

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#	4:00 [2] - 1:11, 2:1 4:35 [1] - 33:22	27:11, 27:14 advance [1] - 18:7	architecturally [1] - 29:21	brought [1] - 17:10
#1001-5.-4-27 [1] - 3:6	5	after-hours [1] - 8:8	area [1] - 20:8	Brown [3] - 16:10, 16:20, 19:13
1	5th [1] - 2:9	afternoon [3] - 2:2, 16:19, 16:20	assembly [3] - 16:13, 17:20, 17:23	BROWN [27] - 16:20, 16:23, 17:4, 17:24, 18:11, 18:22, 19:13, 19:15, 19:22, 19:25, 20:3, 20:9, 20:11, 20:13, 20:17, 21:2, 21:4, 21:19, 21:22, 21:25, 22:5, 22:7, 22:18, 22:22, 23:3, 23:7, 23:25
1 [1] - 2:7 10 [4] - 7:8, 7:16, 10:4, 28:12	6	agenda [1] - 24:15	assisted [1] - 20:4	buffered [1] - 32:16
1001-2.-6-45.2 [1] - 24:12	604 [2] - 24:2, 24:7	ago [1] - 28:12	assume [1] - 28:6	build [1] - 27:23
1001-4.-10-32 [1] - 5:9	620 [2] - 25:21, 27:22	agree [2] - 12:16, 12:17	assuming [1] - 18:8	building [9] - 6:6, 25:14, 25:16, 25:21, 28:4, 29:5, 30:3, 30:21, 31:5
1001-4.-6-32 [1] - 4:7	622 [1] - 4:4	agreed [4] - 4:11, 15:10, 15:16, 16:4	attic [4] - 18:12, 30:24, 31:2, 31:7	Building [1] - 18:3
1001-4.-6-34.6 [1] - 4:6	7	agreement [1] - 3:8	ATTORNEY [1] - 1:21	buildings [3] - 25:14, 26:9, 29:17
1001-4.-7-29.1 [1] - 16:18	7th [4] - 2:19, 18:18, 18:21, 23:24	ahead [1] - 20:18	August [1] - 24:11	business [2] - 5:16, 6:6
1001-6.-2-17 [1] - 19:8	9	air [1] - 30:25	averaging [1] - 28:24	businesses [1] - 8:9
10:30 [6] - 9:21, 9:22, 9:24, 9:25, 10:1, 10:4	9 [4] - 13:10, 13:11, 13:12	Alexandra [1] - 25:8	Aye [2] [1] - 2:13, 2:14, 2:15, 2:23, 2:24, 2:25, 3:16, 3:17, 3:18, 4:19, 4:20, 4:21, 15:23, 15:24, 15:25, 33:9, 33:10, 33:11, 33:19, 33:20	C
11 [1] - 29:1	A	allow [2] - 15:11, 28:10	B	carries [5] - 2:16, 3:1, 3:19, 4:22, 16:1
110 [3] - 3:23, 3:25, 4:1	Absent [2] - 1:17, 1:18	allows [2] - 28:23, 30:21	balcony [7] - 11:17, 11:18, 11:20, 11:23, 12:11, 12:14	cathedral [1] - 31:6
112 [2] - 3:23, 4:4	AC [1] - 31:1	amended [1] - 4:22	based [3] - 15:15, 26:24, 29:12	caveat [1] - 15:18
14th [1] - 34:18	accept [6] - 2:8, 3:3, 3:11, 3:24, 4:2, 4:15	amendment [1] - 4:14	Beachy [1] - 24:3	cedar [1] - 27:24
17th [1] - 27:9	accepted [1] - 16:6	answers [1] - 32:6	become [1] - 14:7	ceiling [1] - 31:6
2	access [2] - 12:10, 26:17	anyway [2] - 10:15, 32:6	beginning [1] - 10:8	Certificate [3] - 24:9, 24:16, 27:5
2019 [6] - 1:10, 2:9, 2:19, 24:11, 34:12, 34:18	accidentally [1] - 7:16	apartments [1] - 16:14	behalf [1] - 19:9	certify [2] - 34:9, 34:13
21 [1] - 30:3	accommodate [2] - 16:12, 19:3	appearance [1] - 22:19	behind [1] - 13:23	CHAIRMAN [109] - 1:14, 2:2, 2:12, 2:15, 2:22, 2:25, 3:10, 3:14, 3:17, 4:18, 4:21, 6:11, 6:19, 7:15, 7:20, 7:23, 8:6, 8:11, 8:16, 8:23, 9:2, 9:8, 9:13, 9:16, 9:22, 9:25, 10:2, 10:6, 10:11, 10:14, 10:18, 10:22, 11:3, 11:13, 11:25, 12:5, 12:15, 12:22, 12:25, 13:2, 13:9, 13:13, 13:17, 13:20, 14:3, 14:9,
22 [1] - 30:4	action [1] - 34:14	applicant [5] - 5:4, 16:11, 19:2, 19:9, 24:5	between [2] - 31:10, 32:16	
22% [1] - 28:19	actual [1] - 29:21	application [14] - 3:4, 3:25, 4:3, 5:2, 20:5, 24:3, 24:22, 25:6, 25:10, 26:24, 27:16, 32:21, 33:5, 33:12	beyond [1] - 7:16	
22nd [1] - 24:11	add [3] - 20:17, 21:14, 32:14	applications [1] - 20:21	bit [3] - 7:8, 30:5, 31:6	
27 [2] - 3:2, 3:5	adding [1] - 32:16	appreciate [1] - 14:13	block [5] - 25:18, 25:19, 25:24, 26:9, 28:4	
3	addition [2] - 19:3, 25:6	appropriate [2] - 26:8, 26:17	Blonde [1] - 24:4	
3 [2] - 1:10, 34:12	additional [2] - 28:21, 31:3	Appropriateness [3] - 24:9, 24:16, 27:6	blood [1] - 34:14	
30 [1] - 31:16	address [1] - 32:15	approval [4] - 16:9, 16:25, 17:3, 19:1	BOARD [3] - 1:4, 1:21, 1:23	
30% [1] - 28:19	adjourn [1] - 33:15	approve [2] - 2:8, 15:17	Board [9] - 2:3, 2:9, 2:18, 3:7, 5:5, 20:1, 20:4, 26:15, 26:16	
300 [1] - 16:7	adjourned [1] - 33:21	approved [5] - 4:25, 5:2, 17:13, 33:5, 33:12	BRAATEN [2] - 28:16, 34:7	
331 [1] - 18:24	ADMINISTRATOR [2] - 1:22, 8:2, 8:7, 8:14, 8:19, 8:25, 9:5, 9:11, 9:14, 12:9, 12:13, 18:6, 18:16, 22:11, 22:16, 23:17, 23:20, 24:13, 27:3,	approving [1] - 4:13	Braaten [1] - 34:20	
35 [2] - 30:21, 30:22		Architect [6] - 16:10, 16:21, 19:10, 19:11, 19:13, 24:4	bring [1] - 7:10	
3rd [1] - 2:5			bringing [1] - 10:9	
4				
4 [2] - 2:5, 2:19				
48 [4] - 4:23, 4:25, 5:11, 5:15				

<p>14:13, 14:17, 14:19, 14:21, 14:24, 15:2, 15:6, 15:10, 15:15, 15:22, 15:25, 16:22, 17:2, 17:5, 17:11, 17:15, 17:19, 17:22, 18:3, 18:10, 18:13, 18:17, 18:20, 18:23, 19:12, 19:14, 20:6, 20:12, 20:14, 20:24, 21:3, 21:5, 21:10, 22:2, 22:20, 23:10, 23:12, 23:15, 23:19, 23:22, 24:1, 24:23, 25:4, 26:12, 27:1, 27:10, 27:20, 27:22, 28:1, 28:5, 29:3, 30:9, 30:13, 32:7, 32:9, 32:13, 32:24, 33:4, 33:8, 33:11, 33:14, 33:18, 33:21 Chairman [1] - 24:13 change [1] - 17:18 changing [1] - 22:25 check [1] - 18:4 checked [1] - 7:5 Christoph [1] - 5:14 cited [1] - 22:5 clarify [1] - 24:14 clarifying [1] - 24:24 CLERK [1] - 1:23 close [9] - 7:10, 10:7, 10:20, 10:21, 13:11, 13:12, 13:19, 30:4, 32:25 closed [5] - 7:18, 10:22, 12:18, 13:14, 14:2 Code [3] - 12:5, 12:14, 28:23 code [2] - 22:17, 30:21 Colin [1] - 25:16 combine [1] - 3:20 combined [1] - 2:18 comedy [1] - 5:25 coming [3] - 8:4, 11:1, 15:13 comment [1] - 32:20 commenting [1] - 6:2 comments [1] - 17:6 commercial [3] - 16:15, 19:4, 23:3</p>	<p>Commercial [3] - 5:6, 16:16, 19:5 Commission [3] - 17:1, 17:3, 24:10 compare [2] - 8:17, 8:18 complaining [3] - 6:20, 9:19, 9:20 complaint [1] - 8:20 complaints [3] - 7:22, 7:25, 8:3 completed [1] - 25:18 comply [1] - 28:7 concerned [2] - 30:8, 30:20 concerns [1] - 26:23 condition [1] - 5:4 conditions [1] - 19:19 conference [2] - 16:8, 18:25 confirm [1] - 28:6 CONNOLLY [7] - 1:21, 14:23, 15:1, 15:8, 15:12, 26:14, 26:21 considered [4] - 26:23, 27:4, 27:21, 30:1 constructed [1] - 26:18 construction [3] - 24:6, 25:18, 25:23 contains [1] - 34:10 continue [3] - 15:11, 24:14, 25:12 continued [1] - 15:17 Continued [2] - 16:8, 24:2 continuing [1] - 24:25 contribute [1] - 16:5 conversion [1] - 16:12 cooperation [1] - 14:14 correct [4] - 8:25, 12:11, 21:14, 34:11 COTUGNO [40] - 1:15, 2:11, 2:13, 2:21, 2:23, 3:9, 3:13, 3:18, 4:17, 4:19, 6:25, 12:18, 12:21, 13:10, 13:16, 13:21, 14:20, 14:22, 15:5, 15:13, 15:21, 15:23, 17:7, 19:10, 19:23, 20:1,</p>	<p>20:10, 20:16, 22:3, 22:6, 22:9, 22:13, 23:11, 23:14, 32:22, 33:3, 33:7, 33:9, 33:17, 33:19 County [7] - 3:6, 4:6, 4:7, 5:8, 16:18, 19:7, 24:12 COUNTY [2] - 1:2, 34:5 couple [1] - 31:20 Court [2] - 6:23, 34:7 court [1] - 22:18 coverage [2] - 28:14, 28:18 crowds [2] - 6:5, 6:6 cultural [1] - 20:19 cupola [1] - 30:16</p>	<p>7:15, 10:3, 10:7, 10:20, 10:21, 10:24, 11:5, 11:13, 11:22, 13:4, 13:19, 13:22, 13:23, 14:2, 15:19, 16:2, 16:3, 16:4, 25:14 doors [8] - 7:5, 10:25, 11:21, 12:6, 12:10, 12:17, 12:18, 13:11 DOUGHERTY [25] - 1:16, 2:14, 2:24, 3:16, 4:20, 6:14, 11:6, 11:9, 11:16, 11:19, 15:24, 17:9, 17:12, 17:16, 17:21, 18:1, 19:20, 21:7, 21:11, 21:20, 21:24, 22:24, 23:6, 33:10, 33:20 DOUGHERTY-JOHNSON [25] - 1:16, 2:14, 2:24, 3:16, 4:20, 6:14, 11:6, 11:9, 11:16, 11:19, 15:24, 17:9, 17:12, 17:16, 17:21, 18:1, 19:20, 21:7, 21:11, 21:20, 21:24, 22:24, 23:6, 33:10, 33:20 down [3] - 11:1, 13:25, 31:2 downtown [2] - 8:4 drawing [3] - 21:13, 21:18, 21:19 drawings [2] - 20:3, 29:16 driveway [1] - 32:17 drums [2] - 13:24, 13:25 due [1] - 24:17 during [2] - 7:22, 12:6 dwelling [4] - 24:6, 26:2, 29:23, 30:23</p>	<p>electric [1] - 23:5 eliminate [1] - 12:23 emanating [1] - 12:1 ended [1] - 8:10 equipment [1] - 30:25 error [3] - 24:18, 24:20, 27:15 exactly [2] - 6:23, 29:13 except [1] - 16:3 exhaust [1] - 23:7 existing [5] - 19:19, 25:23, 26:1, 29:22, 31:11 explain [1] - 20:23 exterior [1] - 16:11</p>
D				
<p>dare [1] - 26:3 days [2] - 6:10, 6:14 decided [1] - 28:13 Department's [1] - 18:4 determination [1] - 3:8 determinations [5] - 3:4, 3:25, 4:3, 4:9, 4:16 determining [1] - 26:7 different [5] - 6:14, 6:25, 7:3, 21:14, 21:16 directed [1] - 14:5 discover [1] - 21:6 discuss [1] - 22:12 discussed [2] - 4:10, 15:16 Discussion [1] - 4:24 discussion [1] - 14:23 disproportionate [1] - 8:12 District [8] - 5:7, 5:8, 16:16, 16:17, 19:6, 19:7, 24:8, 30:8 documented [1] - 19:18 dominates [1] - 25:20 done [3] - 20:19, 23:5, 33:14 door [22] - 7:7, 7:12,</p>				
E				
<p>easily [1] - 12:7 east [1] - 26:10 Eckerle [3] - 29:23, 30:4, 30:15 either [1] - 20:2</p>				
F				
<p>familiar [2] - 21:9, 22:14 fan [1] - 23:8 far [2] - 30:5, 30:20 favor [7] - 2:12, 2:22, 3:14, 4:18, 15:22, 33:8, 33:18 feet [6] - 29:1, 30:3, 30:4, 30:22, 31:16 felt [1] - 5:12 figure [1] - 16:2 final [1] - 24:1 findings [5] - 3:3, 3:24, 4:2, 4:8, 4:15 fine [2] - 22:16, 32:22 Fire [3] - 1:7, 12:5, 12:14 First [6] - 11:4, 24:2, 24:7, 27:22, 29:15, 31:13 first [3] - 4:5, 5:17, 16:13 fits [3] - 26:19, 30:8, 31:17 fixed [1] - 22:15 flat [3] - 29:23, 30:1, 30:18 flaw [2] - 24:21, 27:16 flawless [1] - 6:4 floor [4] - 5:3, 11:20, 16:13, 18:5 floors [1] - 16:14 flow [1] - 26:18 fold [1] - 31:2</p>				

<p>fold-down [1] - 31:2 folks [1] - 8:9 following [2] - 4:10, 4:12 food [2] - 11:24, 23:4 footage [1] - 28:10 FOOTE [109] - 1:14, 2:2, 2:12, 2:15, 2:22, 2:25, 3:10, 3:14, 3:17, 4:18, 4:21, 6:11, 6:19, 7:15, 7:20, 7:23, 8:6, 8:11, 8:16, 8:23, 9:2, 9:8, 9:13, 9:16, 9:22, 9:25, 10:2, 10:6, 10:11, 10:14, 10:18, 10:22, 11:3, 11:13, 11:25, 12:5, 12:15, 12:22, 12:25, 13:2, 13:9, 13:13, 13:17, 13:20, 14:3, 14:9, 14:13, 14:17, 14:19, 14:21, 14:24, 15:2, 15:6, 15:10, 15:15, 15:22, 15:25, 16:22, 17:2, 17:5, 17:11, 17:15, 17:19, 17:22, 18:3, 18:10, 18:13, 18:17, 18:20, 18:23, 19:12, 19:14, 20:6, 20:12, 20:14, 20:24, 21:3, 21:5, 21:10, 22:2, 22:20, 23:10, 23:12, 23:15, 23:19, 23:22, 24:1, 24:23, 25:4, 26:12, 27:1, 27:10, 27:20, 27:22, 28:1, 28:5, 29:3, 30:9, 30:13, 32:7, 32:9, 32:13, 32:24, 33:4, 33:8, 33:11, 33:14, 33:18, 33:21 Foote's [1] - 29:15 foregoing [1] - 34:10 forum [1] - 27:17 forward [2] - 5:24, 12:16 Frank [1] - 24:4 Friday [2] - 5:19, 6:16 Frisky [1] - 3:4 front [9] - 7:7, 10:24, 15:19, 16:1, 16:2, 28:24, 29:1, 30:24,</p>	<p>32:18 Front [8] - 3:2, 3:5, 4:4, 4:23, 4:25, 5:11, 5:15, 18:24 fryer [1] - 23:8 fun [1] - 10:17 future [1] - 17:17</p>	<p>hereby [2] - 33:21, 34:9 hereunto [1] - 34:17 hi [1] - 25:5 high [3] - 25:19, 25:21, 26:2 higher [5] - 25:25, 26:4, 29:17, 30:5, 30:14 Hill [1] - 5:16 Historic [8] - 5:8, 16:17, 16:25, 17:3, 19:7, 24:8, 24:10, 30:8 homes [2] - 31:13, 31:21 hotel [2] - 16:15, 17:23 hours [1] - 8:8 house [11] - 25:16, 25:17, 25:19, 26:1, 26:3, 26:4, 29:23, 30:4, 30:16, 30:17, 30:25 houses [1] - 32:5 HPC [4] - 26:15, 26:22, 27:1, 27:9 huge [1] - 6:5</p>	<p>item [8] - 2:17, 3:2, 3:20, 4:23, 16:7, 18:24, 24:2, 24:15 Item [1] - 2:7</p>	<p>28:17 Layyah [1] - 19:1 least [1] - 10:24 left [1] - 7:16 legalized [1] - 22:21 less [3] - 7:13, 8:13 level [2] - 13:5, 16:5 license [1] - 5:19 LILY [1] - 1:16 limited [1] - 6:5 line [6] - 29:1, 29:22, 30:7, 30:13, 30:20, 32:17 LINGG [2] - 1:23, 18:19 listed [1] - 25:7 litigation [1] - 22:12 live [2] - 5:2, 10:19 LLC [3] - 4:25, 16:9, 24:4 lobby [2] - 17:13, 17:23 located [13] - 3:5, 4:1, 4:4, 4:5, 5:6, 5:7, 5:8, 16:15, 16:17, 19:5, 19:6, 24:7, 24:8 location [1] - 24:12 locations [3] - 8:5, 8:22, 9:15 look [3] - 21:8, 21:12, 21:17 looking [2] - 26:16, 32:14 looks [2] - 21:13, 21:15 loud [1] - 5:20 lower [2] - 31:6, 31:21 Lucia [2] - 28:15, 34:20 LUCIA [1] - 34:7</p>
G		J		
<p>general [3] - 6:21, 14:6, 22:14 generally [1] - 7:21 given [1] - 26:8 grant [1] - 27:5 granted [2] - 24:9, 24:16 great [2] - 32:3, 32:7 Green [1] - 5:16 Greenhill [2] - 5:1, 9:12 GREENPORT [1] - 1:1 Greenport [5] - 1:8, 2:3, 4:1, 4:4, 24:11 guess [3] - 7:2, 21:16</p>	I	K	M	
H	<p>idea [3] - 13:13, 21:25, 32:4 important [2] - 29:20, 30:2 Imram [1] - 19:1 IN [1] - 34:17 inaccuracy [1] - 30:20 Inc [2] - 4:1, 4:4 included [1] - 31:7 including [1] - 32:16 installed [4] - 18:12, 19:17, 19:22, 19:23 interested [3] - 10:9, 31:25, 34:15 interior [2] - 16:11, 19:2 involved [1] - 26:7 involves [1] - 3:21 issue [7] - 12:6, 12:14, 14:4, 14:7, 18:2, 20:18, 22:24 issues [1] - 32:16</p>	<p>keep [18] - 7:7, 10:3, 10:22, 10:25, 11:5, 11:22, 11:23, 12:17, 12:18, 13:4, 13:14, 13:24, 14:1, 14:2, 14:11, 16:3 keeping [1] - 17:12 Khan [2] - 19:2, 19:15 kind [4] - 12:16, 12:23, 14:11, 15:4 Kitchen [2] - 5:1, 5:16 kitchen [6] - 19:4, 19:17, 19:21, 19:22, 23:2, 23:4 knowing [1] - 32:1 knowledge [2] - 21:4, 21:5 known [1] - 5:1 KRISTINA [1] - 1:23 KYRK [1] - 1:18</p>	<p>Main [1] - 16:7 Map [7] - 3:6, 4:6, 4:7, 5:9, 16:18, 19:7, 24:12 marriage [1] - 34:15 matter [3] - 25:1, 32:11, 34:16 mean [9] - 5:20, 8:2, 8:15, 10:7, 11:6,</p>	
<p>half [1] - 25:6 HAMMES [1] - 1:17 hand [2] - 29:7, 34:18 handlers [1] - 31:1 happy [1] - 13:3 head [1] - 23:11 Health [2] - 20:2, 20:4 hearing [14] - 14:25, 18:8, 18:14, 18:21, 23:13, 23:21, 23:23, 24:20, 25:1, 27:2, 27:6, 27:8, 32:11, 32:25 Hearing [1] - 24:3 heat [1] - 23:5 height [11] - 25:10, 25:13, 25:22, 26:25, 28:2, 29:4, 29:5, 29:8, 30:9, 31:16 heights [2] - 29:10, 29:16 helpful [2] - 25:11, 31:9 helping [1] - 20:20 helps [2] - 7:8, 7:9</p>	L			
<p>foregoing [1] - 34:10 forum [1] - 27:17 forward [2] - 5:24, 12:16 Frank [1] - 24:4 Friday [2] - 5:19, 6:16 Frisky [1] - 3:4 front [9] - 7:7, 10:24, 15:19, 16:1, 16:2, 28:24, 29:1, 30:24,</p>				

<p>18:11, 22:13, 25:24, 31:21 meaning [2] - 16:3, 19:20 measure [1] - 26:5 measurements [2] - 32:4, 32:5 mechanical [2] - 30:25, 31:3 meeting [6] - 2:1, 2:3, 2:9, 27:4, 27:8, 27:9 MEMBER [66] - 1:15, 1:16, 1:17, 1:18, 2:11, 2:13, 2:14, 2:21, 2:23, 2:24, 3:9, 3:13, 3:16, 3:18, 4:17, 4:19, 4:20, 6:25, 11:6, 11:9, 11:16, 11:19, 12:18, 12:21, 13:10, 13:16, 13:21, 14:20, 14:22, 15:5, 15:13, 15:21, 15:23, 15:24, 17:7, 17:9, 17:12, 17:16, 17:21, 18:1, 19:10, 19:20, 19:23, 20:1, 20:10, 20:16, 21:7, 21:11, 21:20, 21:24, 22:3, 22:6, 22:9, 22:13, 22:24, 23:6, 23:11, 23:14, 32:22, 33:3, 33:7, 33:9, 33:10, 33:17, 33:19, 33:20 Members [1] - 3:7 mentioned [1] - 27:4 mic [1] - 5:23 minimize [2] - 10:23, 12:23 minimum [1] - 11:1 minutes [2] - 2:8, 29:12 misunderstanding [1] - 20:22 modification [1] - 4:10 month [2] - 4:13, 18:15 months [2] - 4:12, 14:10 most [1] - 29:2 motion [15] - 2:8, 2:16, 2:17, 2:20, 3:1, 3:3, 3:11, 3:15, 3:19,</p>	<p>3:24, 4:2, 4:15, 4:22, 16:1, 33:15 motions [1] - 3:22 move [3] - 15:4, 15:17, 33:4 MR [109] - 5:14, 6:13, 6:16, 6:22, 7:2, 7:18, 7:21, 9:10, 9:21, 9:23, 10:1, 10:5, 10:7, 10:12, 10:15, 10:21, 10:24, 11:4, 11:8, 11:11, 11:15, 11:18, 11:22, 12:3, 12:12, 12:20, 12:24, 13:1, 13:3, 13:12, 13:18, 13:22, 14:8, 14:12, 14:16, 14:18, 14:23, 15:1, 15:8, 15:12, 16:20, 16:23, 17:4, 17:24, 18:11, 18:22, 19:13, 19:15, 19:22, 19:25, 20:3, 20:9, 20:11, 20:13, 20:17, 21:2, 21:4, 21:19, 21:22, 21:25, 22:5, 22:7, 22:18, 22:22, 23:3, 23:7, 23:25, 25:3, 25:5, 26:13, 26:14, 26:20, 26:21, 26:24, 27:13, 27:17, 27:21, 27:25, 28:3, 28:11, 28:18, 29:5, 29:7, 29:9, 29:10, 29:11, 29:18, 29:20, 29:25, 30:1, 30:6, 30:7, 30:12, 30:15, 31:8, 31:12, 31:14, 31:15, 31:17, 31:18, 31:19, 31:20, 31:22, 31:23, 31:25, 32:2, 32:3, 32:8, 33:13 MS [3] - 6:14, 18:19, 28:16 MUELLER [36] - 5:14, 6:13, 6:16, 6:22, 7:2, 7:18, 7:21, 9:10, 9:21, 9:23, 10:1, 10:5, 10:7, 10:12, 10:15, 10:21, 10:24, 11:4, 11:8, 11:11, 11:15, 11:18, 11:22, 12:3, 12:3, 12:12, 12:20, 12:24, 12:24, 13:1, 13:3,</p>	<p>13:12, 13:18, 13:22, 14:8, 14:12, 14:16, 14:18 Mueller [1] - 5:14 multiple [1] - 8:21 municipalities [1] - 22:14 music [15] - 5:18, 5:19, 5:20, 6:3, 8:18, 10:19, 12:2, 12:3, 12:7, 13:14, 13:18, 13:20, 14:1, 15:19 musicians [2] - 5:23, 7:11 must [1] - 27:14 <p style="text-align: center;">N</p> name [1] - 28:15 narrower [1] - 30:11 nature [1] - 6:19 need [3] - 13:4, 24:17, 30:24 needed [1] - 19:18 neighborhood [1] - 27:19 NEW [2] - 1:2, 34:3 new [6] - 17:23, 21:12, 24:5, 25:17, 25:23, 27:23 New [2] - 1:8, 34:8 next [11] - 2:17, 3:2, 3:20, 4:23, 16:7, 18:15, 18:24, 25:14, 26:1, 27:9, 31:13 night [2] - 7:4, 9:19 nights [4] - 5:25, 7:1, 8:20 nobody [1] - 7:2 noise [14] - 6:7, 6:9, 6:18, 6:21, 6:22, 6:24, 7:13, 8:3, 9:6, 11:1, 11:11, 12:1, 14:6, 16:5 normal [1] - 10:3 Notary [1] - 34:8 Noted [1] - 33:22 nothing [2] - 6:24, 7:2 noticed [1] - 32:15 notices [1] - 8:12 November [4] - 2:19, 18:18, 18:21, 23:24 NULAND [23] - 25:3,</p>	<p>25:5, 26:13, 26:20, 26:24, 27:13, 27:17, 27:21, 27:25, 28:3, 29:7, 29:10, 29:18, 29:25, 30:6, 31:8, 31:14, 31:17, 31:19, 31:22, 31:25, 32:3, 32:8 Nuland [1] - 25:5 number [1] - 8:12 <p style="text-align: center;">O</p> o'clock [5] - 7:8, 7:16, 13:10, 13:11 objections [1] - 12:25 obviously [1] - 19:16 October [4] - 1:10, 2:4, 34:12, 34:18 OF [5] - 1:1, 1:2, 34:3, 34:5 offering [1] - 6:3 old [2] - 17:13, 31:20 once [3] - 13:14, 13:18, 13:20 one [14] - 3:22, 7:11, 8:9, 9:21, 9:23, 10:25, 11:5, 17:22, 27:24, 28:2, 28:23, 29:18, 30:17, 31:15 ongoing [2] - 14:4, 22:12 open [10] - 5:23, 7:5, 7:7, 7:12, 7:16, 10:3, 10:25, 11:23, 13:4, 13:24 opened [2] - 7:11, 12:7 operate [1] - 5:18 operations [1] - 8:8 opportunity [2] - 5:18, 5:23 order [2] - 2:1, 30:24 original [1] - 25:15 otherwise [1] - 32:20 outcome [1] - 34:16 outdoor [3] - 19:4, 20:7, 20:25 oven [1] - 23:8 overall [3] - 5:25, 28:14, 28:18 Owner [1] - 19:1 owner [2] - 5:10, 5:15</p>	<p>Oyster [1] - 3:5 <p style="text-align: center;">P</p> p.m [5] - 1:11, 2:1, 2:5, 2:19, 33:22 PALLAS [21] - 1:22, 8:2, 8:7, 8:14, 8:19, 8:25, 9:5, 9:11, 9:14, 12:9, 12:13, 18:6, 18:16, 22:11, 22:16, 23:17, 23:20, 24:13, 27:3, 27:11, 27:14 part [4] - 8:7, 20:18, 24:18, 26:6 particular [4] - 7:17, 8:23, 9:1, 14:6 particularly [1] - 25:14 parties [1] - 34:14 partly [2] - 20:19 PATRICIA [1] - 1:17 Paul [1] - 7:23 PAUL [1] - 1:22 Pelton [1] - 17:24 penalty [2] - 22:10, 22:15 penetrate [2] - 11:12, 13:25 people [8] - 6:1, 7:10, 7:13, 9:18, 10:10, 10:15, 11:23, 13:6 performance [1] - 5:3 period [1] - 4:13 permission [1] - 28:13 permit [3] - 19:24, 22:7, 22:8 permits [1] - 19:18 picnic [1] - 20:11 pitch [1] - 30:11 place [2] - 9:10, 10:17 plan [4] - 4:25, 15:18, 16:9, 18:25 PLANNING [2] - 1:4, 1:21 Planning [6] - 2:3, 2:9, 2:18, 5:5, 26:15 plans [1] - 32:14 planting [1] - 32:18 play [1] - 15:19 point [4] - 15:13, 18:9, 28:4, 30:17 porch [1] - 32:18 portion [2] - 30:24,</p>
---	--	--	--	--

<p>31:5 posing [1] - 26:22 positive [1] - 10:13 positively [1] - 6:2 possible [1] - 10:12 practice [1] - 10:3 pre [3] - 16:8, 16:24, 18:25 pre-submission [3] - 16:8, 16:24, 18:25 prep [1] - 23:4 prepare [1] - 20:21 prepared [1] - 20:3 preparing [1] - 20:4 present [1] - 5:24 presented [2] - 2:7, 4:8 Preservation [2] - 16:25, 24:10 pretty [1] - 6:4 previously [1] - 4:24 problem [2] - 13:23, 17:24 procedural [4] - 24:17, 24:18, 24:20, 27:15 proceedings [1] - 34:11 process [3] - 22:4, 22:20, 26:6 project [3] - 28:20, 29:14, 29:15 property [14] - 3:22, 4:5, 4:7, 5:6, 5:7, 16:15, 16:16, 19:5, 19:6, 24:7, 24:8, 25:7, 26:16, 32:17 propose [1] - 20:7 proposed [2] - 30:3, 31:10 proposes [1] - 24:5 proposing [3] - 16:11, 19:2, 29:17 provide [2] - 23:7, 26:25 public [12] - 14:25, 18:14, 18:21, 23:13, 23:23, 25:1, 25:2, 27:1, 27:4, 27:7, 32:10, 32:25 Public [2] - 24:3, 34:8 purely [2] - 24:20, 27:11</p>	<p>put [4] - 23:8, 28:12, 28:25, 33:1 puzzled [1] - 25:9</p> <p style="text-align: center;">Q</p> <p>Qasim [1] - 19:2 questions [3] - 20:15, 20:22, 26:21</p> <p style="text-align: center;">R</p> <p>raise [1] - 25:17 reached [1] - 13:5 reaction [1] - 7:24 read [1] - 29:12 ready [1] - 33:1 real [1] - 13:23 realized [1] - 32:1 really [5] - 10:9, 11:12, 26:14, 26:22, 30:2 rear [1] - 31:5 reason [2] - 16:23, 30:18 received [1] - 17:1 recently [1] - 5:22 reception [1] - 6:1 reconfirm [1] - 18:7 reduced [1] - 28:19 REED [1] - 1:18 referring [1] - 27:24 regarding [3] - 4:24, 16:8, 18:25 REGULAR [1] - 1:5 regular [2] - 2:4, 2:18 reiterate [1] - 27:14 relate [2] - 25:23, 29:19 related [1] - 34:13 relates [1] - 25:13 relation [1] - 27:18 relationship [1] - 31:10 relative [1] - 29:10 remember [3] - 9:24, 17:8, 21:1 renovations [2] - 16:12, 19:3 reopened [1] - 7:19 Reporter [1] - 34:7 represent [1] - 21:23 representative [1] - 5:11</p>	<p>represented [3] - 16:10, 19:1, 24:4 required [2] - 28:8, 31:4 requiring [1] - 12:6 rescinded [1] - 24:19 research [1] - 29:11 residential [3] - 16:14, 24:6, 30:22 resolution [1] - 28:7 Response [1] - 32:12 response [1] - 23:18 rest [1] - 27:18 Restaurant [1] - 5:15 restrictions [1] - 28:12 retail [3] - 16:13, 17:13, 22:25 Retail [3] - 5:6, 16:16, 19:5 review [6] - 5:5, 8:8, 8:21, 23:16, 26:6 reviewed [1] - 3:7 reviewer [1] - 23:16 revised [1] - 32:14 revisit [1] - 14:10 revisited [1] - 4:12 ROBERT [1] - 1:21 Robert [3] - 16:10, 16:20, 19:13 rock [1] - 5:20 roll [1] - 5:20 roof [3] - 30:11, 30:18, 30:20 roofs [2] - 29:24, 30:1 routine [1] - 8:8</p> <p style="text-align: center;">S</p> <p>sale [1] - 31:15 Saturday [2] - 5:19, 6:16 scale [2] - 26:7, 26:8 schedule [7] - 2:17, 18:8, 18:14, 18:21, 23:12, 23:23, 27:8 scheduled [1] - 27:7 season [2] - 5:5, 5:12 seating [3] - 19:4, 20:8, 20:25 second [19] - 2:10, 2:11, 2:20, 2:21, 3:11, 3:12, 3:13, 4:6, 4:15, 4:17, 5:3,</p>	<p>11:20, 15:20, 15:21, 16:13, 33:5, 33:7, 33:16, 33:17 secret [1] - 8:3 see [1] - 26:5 seeing [1] - 32:1 seem [1] - 32:15 send [1] - 7:9 sent [1] - 23:17 September [1] - 2:9 service [2] - 11:24 SESSION [1] - 1:5 session [3] - 2:4, 2:6, 2:18 SESSION/WORK [1] - 1:5 set [1] - 34:17 setback [2] - 29:1, 29:4 setbacks [2] - 28:9, 28:22 shake [1] - 27:24 shall [1] - 23:12 Shook [1] - 23:11 show [1] - 21:21 shut [5] - 12:6, 12:17, 15:18, 16:2, 16:3 side [11] - 10:25, 11:2, 11:3, 11:4, 25:16, 25:20, 26:9, 26:10, 26:11, 28:22, 31:12 similar [1] - 30:6 Simmonds [1] - 25:8 simply [1] - 19:16 site [4] - 4:25, 15:18, 16:9, 18:25 six [3] - 4:12, 4:13, 14:10 six-month [1] - 4:13 size [1] - 27:18 slowly [1] - 6:6 so-called [2] - 25:15, 26:1 soffit [3] - 29:22, 30:2, 30:3 solution [1] - 12:23 soon [1] - 14:1 sort [2] - 21:11, 25:20 sound [2] - 7:9 South [5] - 3:23, 3:25, 4:1, 4:5 Southold [1] - 6:23 space [5] - 5:3, 6:2,</p>	<p>17:13, 17:23, 32:16 speaking [1] - 7:21 specifically [1] - 21:22 specify [1] - 25:10 specs [1] - 28:7 speech [1] - 16:3 spot [2] - 21:14, 21:17 sprinkler [2] - 18:4, 18:11 square [1] - 28:9 Square [1] - 16:9 SS [1] - 34:4 start [2] - 2:6, 10:19 starting [1] - 10:19 starts [4] - 13:15, 13:18, 13:20, 14:1 STATE [2] - 1:2, 34:3 State [1] - 34:8 states [1] - 24:15 Station [1] - 1:7 steeper [1] - 30:13 still [2] - 6:22, 16:24 Stirling [1] - 16:9 storage [1] - 31:4 story [2] - 30:22, 30:23 stove [1] - 23:9 Street [21] - 1:7, 3:2, 3:5, 3:23, 4:1, 4:2, 4:4, 4:5, 4:23, 4:25, 5:11, 5:15, 11:5, 16:7, 18:24, 24:2, 24:7, 27:23, 29:15, 31:13 street [11] - 7:9, 7:14, 11:12, 12:4, 13:25, 25:7, 25:20, 26:10, 26:11, 31:13 strictly [1] - 22:25 strongly [1] - 13:25 structure [7] - 22:17, 25:11, 25:15, 26:8, 27:18, 30:23, 31:10 structures [3] - 25:24, 29:2, 31:11 stuff [1] - 22:21 subdivide [1] - 28:13 subject [2] - 4:9, 4:14 submission [3] - 16:8, 16:24, 18:25 submitted [1] - 28:25 substantially [1] - 25:25</p>
---	---	---	---	---

<p>Suffolk [7] - 3:5, 4:6, 4:7, 5:8, 16:18, 19:7, 24:12 SUFFOLK [2] - 1:2, 34:5 summer [2] - 6:5, 7:22 Sunday [1] - 5:21 surrounding [2] - 25:13, 32:5 system [2] - 18:5, 18:11</p>	<p>UELLEND AHL [17] - 28:11, 28:18, 29:5, 29:9, 29:11, 29:20, 30:1, 30:7, 30:12, 30:15, 31:12, 31:15, 31:18, 31:20, 31:23, 32:2, 33:13 under [1] - 5:18 units [1] - 16:15 unusually [1] - 25:21 up [8] - 5:11, 7:10, 8:10, 10:12, 13:7, 17:10, 30:14, 30:21 upstairs [4] - 7:8, 11:7, 11:8, 11:10</p>	<p>welcome [1] - 18:23 west [1] - 26:11 wet [1] - 23:1 whereas [1] - 30:4 WHEREOF [1] - 34:17 whole [3] - 6:5, 7:22, 14:6 widow's [1] - 30:16 willing [1] - 10:18 WITNESS [1] - 34:17</p>
<p>T</p>	<p>V</p>	<p>Y</p>
<p>tables [1] - 20:11 tall [1] - 31:14 tallest [1] - 28:4 Tax [7] - 3:6, 4:6, 4:7, 5:9, 16:18, 19:7, 24:12 terms [3] - 3:8, 28:8 THAT [1] - 34:10 THE [1] - 1:23 themselves [1] - 5:24 third [2] - 16:14, 18:5 Third [1] - 1:7 thoughts [1] - 5:12 three [1] - 31:13 Thursday [2] - 2:5, 2:19 Thursdays [1] - 5:22 TO [1] - 1:23 Tony [3] - 25:5, 29:12, 32:9 Tony's [1] - 30:17 total [1] - 28:9 track [1] - 14:11 transcription [1] - 34:11 trend [1] - 10:13 Tricia [1] - 17:10 true [2] - 7:25, 34:11 Tuesday's [1] - 5:22 two [6] - 3:22, 6:7, 8:16, 29:16, 30:22, 30:23 two-story [2] - 30:22, 30:23</p>	<p>Vantuyl's [1] - 25:16 variance [1] - 28:21 variety [1] - 8:4 venues [4] - 8:1, 8:13, 8:18, 9:4 VILLAGE [2] - 1:1, 1:22 Village [11] - 2:3, 6:9, 6:18, 7:3, 7:23, 14:4, 22:9, 24:11, 28:19, 28:25, 31:23 violation [6] - 6:18, 6:20, 8:10, 9:8, 9:16, 22:6 violations [7] - 6:7, 6:10, 6:11, 8:17, 8:22, 9:3, 9:6 visual [1] - 30:7 visually [1] - 29:21 vote [8] - 12:21, 14:20, 14:22, 15:3, 15:6, 15:8, 33:1</p>	<p>yard [1] - 29:1 yards [2] - 28:22, 28:24 years [1] - 28:12 YORK [2] - 1:2, 34:3 York [2] - 1:8, 34:9 young [1] - 5:23</p>
<p>U</p>	<p>W</p>	<p>Z</p>
<p>Uellendahl [2] - 24:5, 28:6</p>	<p>waiting [1] - 16:24 walk [1] - 30:16 WALTER [1] - 1:14 Walter [1] - 29:15 wants [1] - 20:7 weekend [7] - 6:8, 6:12, 6:15, 7:11, 8:23, 9:1, 9:18 weekends [2] - 9:3, 9:7</p>	<p>ZBA [2] - 28:8, 28:13 Zoning [1] - 28:23</p>