VILLAGE OF GREENPORT
PLANNING BOARD
WORK SESSION
October 30, 2014
5:00 p.m.

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

Appearances:

Peter Jauquet - Chairman
Ben Burns
Chris Dowling
Devin McMahon
Pat Mundus

Joseph Prokop, Village Attorney
Eileen Wingate, Village Building Inspector
(Whereupon, the meeting was called to order at 5:13 p.m.)

CHAIRMAN JAUQUET: This is the October 30th, 2014 Planning Board meeting. This is a work session.

Before we start, I want to introduce our new Code Enforcement Officer, Ed Ward.

AUDIENCE MEMBER: Hi, Ed.

MR. BURNS: Looks like you've already been fighting somebody.

MR. WARD: I wish it was that exciting.

CHAIRMAN JAUQUET: Okay. Thank you.

Item #1 is a motion to table an application for a use evaluation pending input from the Zoning Board. Applicant, Jim Olinkiewicz, has proposed to remodel a nonconforming multi-unit dwelling into a mixed use residential-professional
use. The building is located at 211 Carpenter Street. The zoning is CR, Commercial/Retail; Section 4, Block 10, Lot 11.

So is there any discussion on this?
(No response.)

CHAIRMAN JAUQUET: Okay. Item #2 --
MR. BURNS: I move we --
CHAIRMAN JAUQUET: Oh, do we have -- I

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guess we to have a motion on it. Okay.

MS. MUNDUS: Okay. First of all, I'd like to thank the Landlady, Mary Bess Phillips, for cleaning up the garbage out there.

MR. DOWLING: Oh, this is --
MS. MUNDUS: Oh, sorry.

MR. DOWLING: We're still on Item 1.
MS. MUNDUS: Oh, I'm sorry, I thought you were -- I'm sorry. I had to close the door and I got lost. Sorry. Thank you anyway.

CHAIRMAN JAUQUET: So do I hear a --
MR. BURNS: I move we table.
CHAIRMAN JAUQUET: Okay.
MR. MC MAHON: I'll second that.

CHAIRMAN JAUQUET: All in favor?

MR. BURNS: Aye.

MR. DOWLING: Aye.

MR. MC MAHON: Aye.

MS. MUNDUS: Aye.

CHAIRMAN JAUQUET: Aye.

Okay. Item #2 is further discussion on an application for a use evaluation of the smoked -- quote/unquote, smoked fish house facility at 414 First Street, to consist of a review of the Building Department's walk-through report of the building, and further input on Planning Board's request of the owner to perform a site cleanup, pavement repair, and further discussion on the drainage coming off the roof, drainage system. Applicant, Phil Karlin, has reconfigured an existing store to accommodate a new business. The business has been in operation without site plan approval of the Planning Board. It's Section 4, Block 7, Lot 5.
MS. PHILLIPS: Peter, I'm sorry, could you move the mic closer so everyone can hear you? We can't hear you.

CHAIRMAN JAUQUET: You want me to repeat all of that?

MS. PHILLIPS: No. I just can't hear you.

CHAIRMAN JAUQUET: Okay.

MS. PHILLIPS: Just move the mic closer.

CHAIRMAN JAUQUET: All right. Okay.

MS. PHILLIPS: Thank you.

CHAIRMAN JAUQUET: And let's see. In addition to that, the code -- according to the Suffolk County Planning, this -- I'm just adding this comment here. The activity in the smoked fish house is considered to be a manufacturing activity, which, based on our code, is not a permitted use, it's retail, and there's supposed to be sale of retail goods at the premises.

So unless -- anyway, in this case, there's no retail on the premises. And, apparently, the proper path here is to send the application to
Zoning for a variance on the -- of the code, Section 150-9(A)(9).

So any discussion on this?

MS. MUNDUS: So now is my -- now is my time to say thank you.

CHAIRMAN JAUQUET: Okay.

MS. MUNDUS: The garbage that we had --

MS. PHILLIPS: Okay. I need to ask a question, because -- okay. Years ago, this property was not zoned as CR. I had asked for the old building files from the Yvonne Jones and Greenport Ice Company, which I've been informed that they're not in existence, which over the last five or six years since we've owned this property, back in 1997, I've reviewed those files quite a few times. So that's the number one question, is I'm trying to review. I'm assuming that it got put CR because the -- Salamanders went into the building, and that Clearinghouse is there because they're both retail, and they changed the certification of
But this is an extremely mixed use piece of property. And under the C -- under the General Commercial, I do believe manufacturing is allowed; yes or no, Eileen?

MS. WINGATE: Yes, but you're not CG. It's never been CG. I have the original zoning map that dates back to 1971 and that parcel has always been CR.

MS. PHILLIPS: Okay. Once again, I have been asking for the old building files under Yvonne and Corby Jones and Greenport Ice Company, not Greenport Ice Dock, Greenport Ice Company. I have reviewed the files in the past, which had several pieces of information in it that I need for historical background.

MS. MUNDUS: How long has the Clearinghouse been there doing their retail operation?

MS. PHILLIPS: She's only been there for four years, maybe.

MS. MUNDUS: Four years.

MS. PHILLIPS: Four years.

CHAIRMAN JAUQUET: What's the Clearinghouse, what do they -- what do they do?
MS. MUNDUS: It's a consignment shop.

CHAIRMAN JAUQUET: Oh, right.

MS. MUNDUS: They sell secondhand furniture and that sort of thing.

I also went back and I looked at all the maps that were in Village Hall, and, you know, the earliest one that I could find was 1971. And the lot lines and the zoning has been the same on the maps that I looked at all the way to the present one hanging on the wall.

MS. PHILLIPS: As I said, I'm trying to -- I would like to look at them, because Mrs. Jones had some description in the file and dealing with the property that went back to 1960s and the 1950s. So I just am trying to find that.

MS. MUNDUS: Well, that was 60 years ago, and it seems to me that the current use of the property, if it's been Commercial-Retail for the last four years, doesn't that establish it firmly in CR?

MS. PHILLIPS: Well, in 1997, when --

MS. MUNDUS: Compared to 60 years ago?
MS. PHILLIPS: As I said, I would like to see what was originally written, because not only did they make ice at that plant, but they also manufactured nets. So just at this point, I'm trying to find the information, because I need it for myself, that's number one.

CHAIRMAN JAUQUET: Okay. What about --

MS. PHILLIP: Okay? Number two --

CHAIRMAN JAUQUET: Go ahead, what's number two?

MS. PHILLIPS: I'm sorry, go ahead.

CHAIRMAN JAUQUET: Well, go ahead and give us number two.

MS. PHILLIPS: Well, number two is I would like to ask the Village Attorney to give me an interpretation at some point under the Planning, under 150-30, Section E. And if I'm reading the report correctly, the operation that's in the building is accept -- because of New York State Building Codes, it's acceptable, if I'm reading the report correctly. What I'm trying to find out is other than the Certificate of Occupancy,
he did not need a building permit to do what he

did, correct, Eileen?

MS. WINGATE: Correct.

MS. PHILLIPS: Okay. So that's why I'm
asking for an interpretation under E.

MR. PROKOP: Okay. With respect to what?

MS. PHILLIPS: Well, Mr. Cuddy suggested

that be looked at in reference to this whole
application process.

MR. PROKOP: Okay.

MS. PHILLIPS: Okay?

MR. PROKOP: It's exceptions to
requirements for a site plan approval. So I'll
have to take -- I'll take -- I mean, I wouldn't
do it now, I would take a look at it and look at
the application.

MS. PHILLIP: Okay.

CHAIRMAN JAQUET: Is that a Village or a
State reference?

MR. PROKOP: It's a Village reference.

CHAIRMAN JAQUET: Okay. Anything else?
MS. PHILLIPS: The other thing is I just want to make a notation of timeline. I just want to make sure that this is in the record for any future discussion. My tenants are -- okay. June 1st, or the first week of June, Ag and Markets is the regulatory agency over the smoked fish operation, okay? They came in to do the inspection, upon which he couldn't do anything until he received that certification, okay? When I got back, I discovered -- I asked what was going on, and I discovered that there had been a miscommunication in their reading the code themselves and asking questions. I don't know who they talked to, okay? Can't answer -- he can't verify who he talked to, that they didn't need any building permit, okay? When I found out what was going on, I wrote a letter to Paul Pallas. I had a meeting with the Building Inspector and Paul Pallas to discuss this. Phil proceeded to put the application in. I'm not sure why it didn't make the July work session,
can't answer, okay, can't answer. My understanding is the work session for August was cancelled and the regular meeting for September was cancelled; is that not correct? No?

MS. MUNDUS: We had meetings in September.
MR. DOWLING: We had one cancelled because we didn't have anything on the agenda.
CHAIRMAN JAUQUET: They were cancelled. Anyway.

MS. PHILLIPS: Okay. I just want to just -- okay.

MR. PROKOP: But meetings are --

MS. PHILLIP: This came up for the September 25th work session. And then October 2nd is the -- so the other thing is I spoke to

Joe Henry about the gutter on the side of the building. That has been on that building since Mrs. Jones owned the building. When we purchased the property, along with our previous partners, that's how the building came. Mr. Henry explained to me that it was done that way so that
neither building was undermined by the rainwater from both buildings. His building, his smaller building, the rain comes down in between the two in the front, ours comes down in the back. So that was the solution that was done years ago.

My understanding, when I went to go look at it, is that when you get down to where the gutter goes, it is curved and it goes towards my property into the dirt area. And we have cleaned out all the vegetation around that so that it will go down into the ground faster than it did before. But I noticed in the last rain storm, other people along that way have the same situation, and some of them are producing more water than I am. So I just want to make that on the record also, okay?

And as far as the sign, I've already contacted Phil, and he should have either come in for an application today or tomorrow.

And as far as Clearinghouse, I'm not really quite sure why Clearinghouse is brought into
this, as this is dealing with this building and not that building, okay?

All right. That's pretty much it. But Mr. Cuddy asked me to have the Village Attorney review that exception in the code, okay?

MS. MUNDUS: Thank you for cleaning up the garbage that we had discussed at that previous meeting, because it's really a giant improvement.

MS. PHILLIPS: I spoke to all the tenants, I've made them aware of the fact. Clearinghouse was putting out furniture for the less fortunate to take. I have now instructed her not to put it by the dumpster. I told her to put it out front with a free sign on it for 24 hours, or less than that, or to leave it someplace on the property with a sign.

Other than that, the parking lot with the holes were going to be filled this October, November anyway with RCA. We have left a few of them there because we have a speedway that goes through there. And we had to deter some of the activity, because some of the Clearinghouse's customers were almost ran over because we had a
speedway going through there. Other than for me
to shut off First Street, which is not really in
the best interest of the --

    MS. MUNDUS: A speedway? Can you clarify
what you're talking about?

    MS. PHILLIPS: We have people who go from
South Street. In other words, if they want to
come from South Street --

    MS. MUNDUS: Yeah, but that's a 90-degree
turn. It's only like 150 feet long. How could
they gain any speed?

    MS. PHILLIP: They come from --

    MS. MUNDUS: Then they have to turn 90
degrees to go to South Street.

    MS. PHILLIP: Well, little cars speed fast.
I'm sorry, I've seen it myself, okay?

    MS. MUNDUS: Yeah. That's not a
justification for a rutted out parking lot, I
mean --

    MS. PHILLIP: No, I'm not saying that.
What I'm saying is that we all have tried to keep
the traffic flowing down, because it is a private
right-of-way, it's not a public right-of-way.
MS. MUNDUS: Right. So you're saying that you like the rutted out parking lot --

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MS. PHILLIP: No.

MS. MUNDUS: -- because it discourages people taking a shortcut and going fast through your parking lot?

MS. PHILLIPS: What I'm saying is we're going to be filling the potholes, okay, but that we probably would be putting at some point speed bumps, which is not what any of the tenants want. So I don't know how to fix it at the moment, other than to block off First Street, which is not what all the other residents or the people on that -- around that area want, because that's how they get into the back of their buildings, okay? I don't know what to do with it, other than to put speed bumps, which is what probably we're going to do.

MS. MUNDUS: Well, your perception of people speeding through there has absolutely nothing to do with this application or the report
from the Building Inspector specifically talking about the rutted out parking lot. So it's kind of a red herring. Pardon the bad pun in this particular application, but --

MS. PHILLIPS: You brought up the parking lot. I'm explaining that we are going to put in --

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CHAIRMAN JAUQUET: You are going to --

you're going to smooth it out and beautify the surface?

MS. PHILLIPS: It's all going to be done. We did two years ago. We did have it done. We did it two years ago, and to be honest with you, time-wise, it just doesn't happen until October or November, so, okay?

CHAIRMAN JAUQUET: Okay.

MS. MUNDUS: Could I ask a question about the back of the applicant's property there? Is that -- does that shed have a CO? It just seems to have -- I really -- I'm only going by memory, but I wonder --
MS. PHILLIP: The shed's been there forever.

MS. MUNDUS: Does the shed --

MS. PHILLIP: It's movable.

MS. MUNDUS: Is that a new addition to the property or --

MS. PHILLIPS: No. That shed was used from the original fish market, through Salamanders, through this one. It's always been back there.

MS. MUNDUS: Well, since we don't have a

current -- any kind of current survey, or anything to verify any of this, we'll just have to take your word for it.

MS. PHILLIPS: I do believe Salamanders, when they had their stuff done, I believe that you'll find that there's information from them that shows that in the back.

MS. MUNDUS: Okay.

MS. PHILLIP: Okay?

CHAIRMAN JAQUET: All right. I just want to go over the zoning issue. Are you --
Mr. Prokop, are you going to look into that? And are we going to ask the applicant to go to the Zoning for a variance on the code?

MR. PROKOP: Well, there's two different — there's two different things that we're talking about.

CHAIRMAN JAUQUET: It's a two-step process?

MR. PROKOP: One is the — there's two different things that we're talking about. One is the zoning of the property, which is -- I guess what just happened is the Board is referring the applicant to the Zoning Board of Appeals.

CHAIRMAN JAUQUET: Okay, that's what we're going to do.

MR. PROKOP: And then the second thing is she — and I would probably take a vote on that. If you did take a vote, I missed it. I'm sorry, but I would take a formal vote on it.

And then the second thing is that the applicant has asked me to take a look at the
section of the code, but that really has to do
with the site plan review, which is different
from the use of the property. So I would take a
vote to refer the applicant to the Zoning Board
of Appeals for a use variance, if that's what you
were talking about.

    MS. MUNDUS: Well, in the beginning, when
we first started talking about, we -- a couple of
us had said that it might possibly be a permitted
use under 150-9(A)#4, which is business,
professional and governmental offices. And I
don't think that that is true at all, because
it's not an office of the government, of a
professional building --

    CHAIRMAN JAQUET: Right.

    MS. MUNDUS: -- or a business.

    CHAIRMAN JAQUET: And then CR requires
retail, which sells items --
use is Item #1, and if there's no retail space, it doesn't meet the requirement.

CHAIRMAN JAUQUET: So, to me, it looks like a simple request for a variance.

MS. PHILLIPS: Whatever.

CHAIRMAN JAUQUET: So I think we should do that. So we're going to propose a motion that the applicant makes a request of the Zoning Board for clarification, or an appeal — or a variance for the use, so that you can go ahead on that basis.

MR. BURNS: Second.

CHAIRMAN JAUQUET: All in favor?

MR. BURNS: Aye.

MR. DOWLING: Aye.

MR. MC MAHON: Aye.

MS. MUNDUS: Aye.

CHAIRMAN JAUQUET: Aye.

MS. PHILLIPS: Okay.

CHAIRMAN JAUQUET: Okay.

MS. PHILLIPS: Thank you

CHAIRMAN JAUQUET: Thank you.
CHAIRMAN JAUQUET: Item #3 is a motion to accept an application for a new restaurant in a space located at 110 Front Street. The applicant, Carlos Gomez Gonzales, proposes to open a prepared Spanish food restaurant for consumption on and off the premises, which was formerly a restaurant space. This is in Section 4, Block 9, Lot 28.2.

All right. Did you guys look at that?

MR. DOWLING: That's the old Starbucks.

CHAIRMAN JAUQUET: Yeah, it's the old Starbucks.

MR. DOWLING: Is the applicant here?

CHAIRMAN JAUQUET: Is the applicant here?

(No response.)

CHAIRMAN JAUQUET: It looks as though it's one restaurant to the next restaurant.

MR. DOWLING: Yeah.

CHAIRMAN JAUQUET: And I don't see any issues.

MR. DOWLING: Yeah. And the application doesn't ask for any changes or anything like that. But there's no -- the only thing he put for a site plan was -- looks like there's a floor
CHAIRMAN JAUQUET: Right. I mean, you know, we could accept it and then it goes into the 60-day process for approval. But he has --

MR. DOWLING: Yeah, accept the application, and then, hopefully, he'll be here at the next meeting to just talk about it.

CHAIRMAN JAUQUET: Yeah, that's what I'm hoping for. So, I guess -- you know, what do you want to do?

MS. MUNDUS: I think we should accept the application.

CHAIRMAN JAUQUET: Accept it. And do we want to talk to him? We could talk to him. I'd like to see him in person.

MR. DOWLING: I'd like to see him. It would be nice to see him here at the next meeting, kind of talk --

CHAIRMAN JAUQUET: Okay. So we'll --

MS. MUNDUS: There's no notice at all on
here about exact seating plans or anything like that.

MR. DOWLING: Nor indoor seating or anything.

MS. MUNDUS: Indoor seating.

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CHAIRMAN JAUQUET: I know.

MR. DOWLING: It's a pretty incomplete site plan.

MS. MUNDUS: Right, exactly. It shows where the bathrooms are and the storage area, and that's it.

CHAIRMAN JAUQUET: So you want to wait?

MR. DOWLING: Oh, we can accept the application, but we definitely need to talk to him and see what he really plans on doing.

CHAIRMAN JAUQUET: Okay.

MR. DOWLING: Before we actually approve it.

CHAIRMAN JAUQUET: All right. So I motion that we accept the application for the restaurant space located at 110 Front Street, pending a discussion with the applicant present at the next
or one of the following Board meetings. Do I have a second?

MR. BURNS: And a more complete description of what he's doing.

CHAIRMAN JAUQUET: And a more complete description.

MR. DOWLING: The site plan.

CHAIRMAN JAUQUET: And a site plan?

MR. DOWLING: Proper site plan.

CHAIRMAN JAUQUET: And a proper site plan.

Okay. Do I hear a second?

MR. BURNS: Second.

CHAIRMAN JAUQUET: All in favor?

MR. BURNS: Aye.

MR. DOWLING: Aye.

MR. MC MAHON: Aye.

MS. MUNDUS: Aye.

CHAIRMAN JAUQUET: Aye.

Item #4 is a -- is a motion to accept an application for a review of a building permit to repair/reconstruct the front facade of a building
located at 27 Front Street, currently operating as Frisky Oyster Restaurant. The building owner is Eugene Avella. The applicant, Mark Schwartz, proposes to relocate the main entry door of the building to the east side of the building. The remaining 12 front feet of the facade to the west of the main door is proposed to open and close to the street with a set of ceiling-height three-panel folding-away glass doors. The proposal flattens the facade by eliminating the central vestibule entry configuration. This property is at Section 5, Block 4, Lot 27.

So we can start with, is there someone here from that property that would like to speak?

MR. AVELLA: Eugene Avella.

CHAIRMAN JAQUET: Hi.

MR. AVELLA: How are you?

CHAIRMAN JAQUET: Would you like to step up to the podium? Thank you. Go ahead.

MR. AVELLA: Yes. I'm proposing to put the front facade of the building -- it was
constructed in 1923. It's a solid masonry block building. And the front facade, the glass panels and the bottom, the framing around it is 91 years old. It needs -- it needs a new front.

The glass panels right now is three plate glass. There's no energy efficiency, there's no thermal pane. The bottom part framing has deteriorated. If we do -- two years and two days ago we had Hurricane Sandy. I truly believe it would not withstand another storm to that magnitude. That's the reason for this change.

CHAIRMAN JAUQUET: Okay.

MR. DOWLING: So, looking at the plan you presented here, you're basically changing the windows and the door, but is that whole black sort of --

MR. AVELLA: No, not at all.

MR. DOWLING: Staying?

MR. AVELLA: That stays. It's just going to be coming out, the frame, as the picture describes, and a new glass panel door will be put
in its place, which I'm sure would last another
91 years.

CHAIRMAN JAUQUET: Which what?

MR. AVELLA: I said I'm sure it will last
another 91 years

CHAIRMAN JAUQUET: With today's material.

MR. PROKOP: Is the existing front
structure fixed, and the one that you're
proposing is going to be sliding panels? Are
they moving panels?

MR. AVELLA: Yeah. The panels are -- they
would be on a track. But each door is
individual, whereas it would be open like a
push-door. So it could be open as a bifold
effect, or singly open, each one individually.

MR. PROKOP: So you'd be able to open the
restaurant up to the sidewalk, is that what the
idea is?

MR. AVELLA: Yeah, basically. Not the
door, the entrance door, but the three panels
will be able to open up.
MS. MUNDUS: What is this on the -- on your architect's drawing, the gray shaded thing in front on the sidewalk side of the doors, is that a barrier of some sort?

MR. AVELLA: Yes, correct. That will be -- that's going to be three barriers. I saw it, I think it was the Touch of Venice, which goes into the ground, so that the tables will not protrude over the line of the doors itself for -- you know, for reasons of suits and so forth. And every time when those doors are open, those barriers will be in place. They actually go right into the ground. It would be like a canvas, not a fence, but a protection between the sidewalk and the internal part of the restaurant.

MS. MUNDUS: Why are they portable, rather than fixed?

MR. AVELLA: Portable?

MS. MUNDUS: Like across the street at the Rhumbline, they have like a balcony rail there.

MR. AVELLA: They have the steel. Yeah, they have the steel, I think it's a steel fence, I believe it was

MS. MUNDUS: Something like that. It's fixed, whatever it was. I'm just thinking about
-- really, more about some super event like Maritime Festival --

MR. AVELLA: Yeah.

MS. MUNDUS: -- where there are hundreds of people. And if all three of those doors are open, and that's a portable barrier, theoretically, it could be removed and people could come and go at will, which is harder to enforce.

MR. AVELLA: True.

MS. MUNDUS: I just wondered what your thought process was.

MR. AVELLA: Well, like I said, this design was put like that. But as far as the metal fence goes, that could be put as well.

CHAIRMAN JAUQUET: How does that work where the positioning of that, of that barrier has to be on the sidewalk, whether it's --

MR. AVELLA: No. Actually, it would be where the track is for the --

CHAIRMAN JAUQUET: Oh, that goes -- that
22 goes where the track rests?
23 MR. AVELLA: Correct.
24 CHAIRMAN JAUQUET: I see. So it's within
25 your footprint.

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1 MR. AVELLA: Within the inside part of the
2 building.
3 CHAIRMAN JAUQUET: And what is it, a metal
4 lined piece of canvas with a canvas barrier?
5 MR. AVELLA: It's more like a barricade, or
6 whatever.
7 CHAIRMAN JAUQUET: Yeah, I know. I can
tell that, you know --
8 MR. AVELLA: Yeah.
9 MR. DOWLING: So, basically, the canvas is
10 kind of laced in between, essentially?
11 MR. AVELLA: Somewhat, yeah, that's true.
12 MR. DOWLING: That's what it looks like in
13 the drawing. My only --
14 CHAIRMAN JAUQUET: Okay. Go ahead.
15 MR. DOWLING: Yeah. My only concern with
16 this, really, is at nighttime, just because of
the noise ordinances. If it's open during the
day when it's not loud, I think that's fine. But
at night, you know, you just need to keep the
noise down. So if the doors can be closed at
night.

MR. AVELLA: I'm sorry. I could speak for
Robby and the Frisky Oyster, and it's basically
an eating establishment restaurant. It doesn't

really compete or have any type of a night life,
as we all know.

CHAIRMAN JAUQUET: Well, my concern is when
you look at the layout here, the bar is right,
you know, within 10 to 15 feet of that open
barrier, and to me, all that noise spills out
onto the sidewalk. And I'm not -- you know, and
the sidewalk is so narrow to start with, that it
would impinge on any back-and-forth pedestrian
traffic on the sidewalk. I feel that that's
already a thing that happens at the Rhumbline. I
mean, you can reach into Rhumbline and grab their
-- something off their table, it's so close.
It's not so bad at Noah's, because there's not as much foot traffic over there, but you get really close to it. And, you know --

MR. DOWLING: The bar is set far back up there.

CHAIRMAN JAUQUET: Yeah.

MR. DOWLING: No one's going to be able to reach in.

CHAIRMAN JAUQUET: That's true, you can't -- you won't be able to reach in here. But you said something about tables there. You're planning on tables there between -- they're not on the site plan, if you're going to add more tables.

MR. AVELLA: Between the bar and the --

CHAIRMAN JAUQUET: And the folding doors.

MR. AVELLA: And the folding -- the folding doors?

CHAIRMAN JAUQUET: The bar stools and the -- you said something about tables there, like, you know, Rhumbline has tables at their -- at the
threshold to --

MR. AVELLA: Oh, like cocktail tables you're speaking, little round ones or something?

CHAIRMAN JAUQUET: Yeah. I mean, it certainly -- what's going to happen there? Are people going to be standing there, I mean, right at the -- where the doors open? Are there going to be tables there? I guess the barrier is there.

MR. AVELLA: Yeah.

CHAIRMAN JAUQUET: You know, one of my problems is, you know, people holding drinks right at the sidewalk to me is not a good idea, especially when the sidewalk -- when the doors go all the way from the grade level up to the ceiling level. And it's not -- to me, it's not family fare as it is a table, although, you know, there's a table and wine being sold out in the open at Noah's, you can argue that.

But kind of, you know -- the Rhumbline -- I mean, you know, the bar area there at Frisky
Oyster to me is, you know, sort of a -- is a bar area, and there's lots of drinks, and people are, you know, getting ready to sit down. I'm not sure that that is the atmosphere that should be right at the -- happening right there at the sidewalk. That's my feeling, that's just my personal feeling about it.

MS. MUNDUS: I like it, actually. I think it's -- you know, it's slim, it's hip, it fits in with the black panels. I like the whole idea. I can see from the restaurant's point of view how smart it is to put the door in front of the hostess reception area, because it is a problem to go in.

MR. AVELLA: Yes, and for wheelchair purposes and so forth.

MS. MUNDUS: You reach the bottleneck of people standing at the bar and then have to wiggle around, and that's the second bottleneck between the bar and the wall where the hostess is. I know myself, it's hard to -- you know,
it's part of the fun of the bar, but it makes a
more efficient traffic flow the way you're moving
it to the east. I get where you're coming from.

My only concern is, you know, we're
constantly struggling with an enforcement issue
of doing what we all think is going to happen at
the Planning Board, and then it gets used in a
different way after we grant approval. So that
said, the portable nature of the barrier here, it
could be used in many different ways. Once we
sign off on it, we have no enforcement or ability
to try to control traffic flow. If anyone chose
to open those doors up and walk through there, at
Maritime Festival comes in, I just -- it's a
little too spongy.

CHAIRMAN JAQUET: Yeah. I was thinking,
well -- when I saw that, I thought, oh, gee, the
doors really should be, you know, down to, you
know, waist level, or whatever, table level, and
then a solid -- solid -- a solid wall from there
to the floor.

MS. MUNDUS: Well, that takes away from the
design.

CHAIRMAN JAQUET: Of course it does, I
know. I know it does.

MR. DOWLING: Obviously, the door is supposed to be a very clean look.

MS. MUNDUS: Yes.

CHAIRMAN JAUQUET: Yeah, it's a very clean --

MR. DOWLING: And fit with the rest of the face of the building.

MS. MUNDUS: Yeah, it looks great.

MR. AVELLA: And, of course, for egress, the push-handle on each door for emergency purposes to get out.

MS. MUNDUS: Yeah, interesting. I wonder what's required? I mean --

CHAIRMAN JAUQUET: Well the other thing that was --

MR. DOWLING: Well, they fit already.

CHAIRMAN JAUQUET: The other thing that was pointed out here is that, you know, the current code for this kind of building is 49 seats. You've got a preexisting use for 61 seats, which means that it's, you know, got a lot more seats
than what's going on code-wise now. So there's

sort of an over-amount of activity in there right

now as it is. And then you add this, which, you

know, makes some -- a lot of that, if that's, in

fact, what happens there, more impact on the

outside, the public area outside the building. I

mean, already, it's a -- it's a pretty active

scene on the inside, with not very good acoustics

in that.

 MR. DOWLING: Is that actually a permanent

guardrail, or is it temporary?

 MR. AVELLA: Well, this is a temporary.

But when the doors are closed, like I said, for

purposes of emergency and so forth, they could

just open those doors and get out of the

building --

 MR. DOWLING: Uh-huh, okay.

 MR. AVELLA: -- for whatever reason. And

then, of course, when the doors are open, then we

have the barriers.

 MR. DOWLING: In place.
MR. AVELLA: The doors will open separately, or all together.

CHAIRMAN JAUQUET: So when they're open separately, they're on a louver, so there's a --

MR. AVELLA: Correct.

CHAIRMAN JAUQUET: And that's on the -- that's all inside.

MR. AVELLA: Similar to this.

CHAIRMAN JAUQUET: Right.

MR. AVELLA: Or they'll just slide.

CHAIRMAN JAUQUET: But they louver. They're louvering, and the -- when they're perpendicular, when they're open --

MR. AVELLA: Yes.

CHAIRMAN JAUQUET: -- the mass of the door is always within your store.

MR. AVELLA: Yes, right. It would just be similar to a regular door.

CHAIRMAN JAUQUET: Right. From your wall in.

MR. AVELLA: Right.

CHAIRMAN JAUQUET: It doesn't ever protrude
out --

MR. AVELLA: No, never.

CHAIRMAN JAUQUET: -- into the public space. It couldn't.

MR. AVELLA: Correct.

MS. MUNDUS: But you see that there are no -- they're not moulded in at all, those windows, those doors. So that when they open, you're -- you've got a 12-foot opening directly onto the sidewalk.

MR. AVELLA: Correct.

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CHAIRMAN JAUQUET: Right.

MS. MUNDUS: Twelve feet wide.

CHAIRMAN JAUQUET: I know.

MS. MUNDUS: Correct. That's a --

CHAIRMAN JAUQUET: That's a big deal.

MS. MUNDUS: That's a huge spill-over all at once --

CHAIRMAN JAUQUET: Oh, I know, I know.

MS. MUNDUS: -- if that temporary barrier just slid off to the side.
CHAIRMAN JAUQUET: I know, I know.

MR. DOWLING: If we approve it, we just have to make sure that is part of the approval, is that when the doors are open, that barrier has to be in place.

MS. MUNDUS: How is that enforced?

MR. DOWLING: We have a Code Enforcement Officer.

CHAIRMAN JAUQUET: So how do you see the whole thing being used? I mean, what happens on a busy summer evening, on a, you know, Saturday night when it's full? The doors swing open and the restaurant sort of becomes part of the street scene?

MR. AVELLA: It would never protrude in --

CHAIRMAN JAUQUET: I know, but the door is open, so you have this --

MR. AVELLA: There, plus the barriers.

CHAIRMAN JAUQUET: Right, the barriers are there. But that's how you see it? I mean --

MR. AVELLA: Yeah.
CHAIRMAN JAUQUET: The outdoors comes in a little bit, and the scene is, on the interior of your store, is observable from the street, right?

MR. AVELLA: Yes.

CHAIRMAN JAUQUET: I mean, that's the idea. You can see into the bar.

MR. AVELLA: Right, you can see it from --

CHAIRMAN JAUQUET: Right.

MR. AVELLA: As you drive by.

CHAIRMAN JAUQUET: Is that what you had intended, you know, to sort of make your scene part of the Greenport --

MR. AVELLA: That, as well as the safety part of it, too. What I was intrigued about this idea is just in case of an emergency. If you just had that one door, as it is originally now, you know, the mass rush, how people are. That never happened, I hope it never happens, but to have that access at that particular moment is the most important part of this project.

CHAIRMAN JAUQUET: Is it obvious how those
doors would open to a regular person if they --
if they were closed? I mean, where do you start?

MR. AVELLA: Well, obviously, it can't open
from the outside in. They can only go from the
inside out.

CHAIRMAN JAUQUET: Right, right. It would
be obvious how the doors work?

MR. AVELLA: Yeah. The only door would
be -- the door on the left-hand side is the door
that they could come in on.

MR. MC MAHON: There's a lounge-style
seating in front of the restaurant as is. Will
there be couches or cocktail tables, or anything
of that nature in front? Like along the wall
where the windows are, will there be seating, or
will there be --

MR. AVELLA: Where the barriers are?

MR. MC MAHON: Yeah. Or is it just going
to be an open floor plan, nothing, no tables, no
cocktail --

MR. AVELLA: Yeah, that's all. No, there's
no obstruction or anything from that door.

CHAIRMAN JAUQUET: Well, that's one issue.
You know, if tables appear there and they're not on your plan, then that's a problem. Right now, you've got a clean sweep from the threshold of those three doors all the way to the bar seats.

MR. AVELLA: If that would -- if that would suit you --

CHAIRMAN JAUQUET: No. I'm just saying, you know, we can talk about that, but --

MR. AVELLA: Okay. But if you'd like it as is, it will be as is.

MR. DOWLING: I think what he's saying is that if you decided that in the future you did want to put some sort of seating there, you should put it on the site plan now, so we approve it as such, instead of putting a table there later and not having it be on the site plan and having it come back in front of us. If you want to keep it open, and that's what we're seeing right now, and that's what is approved --

MR. AVELLA: Yes.

MR. DOWLING: -- that's how it will be.

MR. AVELLA: All right.

MR. DOWLING: But if you did want to put
something there, instead of coming back or doing
it without permission, ask for it now, that's all.

MR. AVELLA: Yes, okay. I understand.
CHAIRMAN JAUQUET: Because you do have
tables there now. There are -- there is seating.
MR. AVELLA: That's --
CHAIRMAN JAUQUET: There's seating, not
tables, it's seating.
MR. AVELLA: Correct.
CHAIRMAN JAUQUET: Right.
MR. AVELLA: Correct, it's seating.
MS. MUNDUS: There's only seven bar stools
on this plan, so that means that most weekends
there are going to be people standing in this
area. There's always more than seven people at
the bar.
MR. AVELLA: At the bar.
MS. MUNDUS: Right.
CHAIRMAN JAUQUET: It's very crowded there.
Between the bar and the window wall right now on a
MR. DOWLING: The biggest problem before was getting into the place. So now with having the door to the side, it will be a lot nicer for them.

CHAIRMAN JAUQUET: Well, there's more -- yeah, that directs the traffic a little bit better. I don't know how it really works at restaurants like that, but it looks like that would be better.

MS. MUNDUS: Right now, there's two tables there. There's two tables there.

MR. DOWLING: Yeah, there's like a little cocktail table and bench seating, yeah.

MR. PROKOP: I just have one comment, if I could. So we had -- we have your survey. This is a pretty complete application, it looks like. Thank you for all the detail. But it looks like from your survey that your property ends right at where the facade now is. You don't go any farther than the facade. And my only question would be if the doors -- and I'm not -- I don't
want to get involved in the planning, I'm just speaking in terms of legally.

   It looks like if the door is turned sideways so that half the door, you know, goes inside and half the door goes outside, that, you know, whatever the half is that's outside will be extending into the public portion of the sidewalk, unless I'm mistaken. So I think the Building Inspector is going to have to look at that with your architect and figure that out, because we don't want to have the --

MR. AVELLA: Absolutely.

MR. PROKOP: -- the doors block the sidewalk.

MR. AVELLA: No problem.

MR. PROKOP: I think that's sort of what everybody was talking about. But, you know, just from a legal perspective, I wanted to bring it up.

MR. AVELLA: Okay.

CHAIRMAN JAUQUET: All right. So --

MS. MUNDUS: Thank you for such a nice
MR. AVELLA: Thank you for your time.

MS. MUNDUS: It's really easy to read and straightforward.

CHAIRMAN JAUQUET: So are we going to have a motion to accept this application? That's the step we'll take tonight?

MR. DOWLING: Yup

CHAIRMAN JAUQUET: Okay. So I'm going to motion to accept the application for review of this building permit at 27 Front Street. Do I have a second?

MR. DOWLING: Second.

MS. MUNDUS: Second.

CHAIRMAN JAUQUET: All in favor?

MR. BURNS: Aye.

MR. DOWLING: Aye.

MR. MC MAHON: Aye.

MS. MUNDUS: Aye.

CHAIRMAN JAUQUET: Aye.

MR. AVELLA: Thank you
MR. PROKOP: So it will be on the agenda at the regular meeting.

MR. BURNS: Yes.

MR. DOWLING: Yes.

CHAIRMAN JAUQUET: Right.

MS. MUNDUS: Thank you.

CHAIRMAN JAUQUET: All right. Item 5 is a motion to accept an application for site plan review for a new structure to be located at 123 Sterling Street. The owner is Osprey Zone Marina, whose principal is Paul Henry. The applicant is Robert I. Brown, Architect P.C. The application is for a new structure on pilings with parking at grade level to house a bathroom and laundry for the owners -- members of the marina, as well as a general office area for use by the private marina owners.

The proposed structure is 38 feet by 6 feet by 20 feet by 10 -- excuse me six inches by 20 by 10 -- 20 feet by 10 inches, with two stories above a seven-foot-three space grade level.
Does anybody want to get up and talk about this one?

MR. BROWN: Good evening. Robert Brown, Architect for Mr. Henry, the Osprey Zone Marina. And, basically, we're making an application for a small structure to house the operations for the marina, which pre-exists. The building is raised up on pilings. It needs to be raised up at least three or four feet because of the FEMA-based flood plain elevation. But we've taken it up to a seven-foot clearance to allow for parking underneath the building to allow a total of six parking spaces for the members of the marina.

MS. WINGATE: Excuse me, Peter. This is a presubmission conference.

CHAIRMAN JAQUET: Yeah, I forgot to add that. Should I just -- I'll just go ahead and explain what I need to explain.

Okay. You know, in looking at this before the meeting, we're going to call this a presubmission conference, so that everything that
we need is in this application. And there's a
couple of things that are missing, and they
consist of -- I got to get my notes here. Number
one is we're going to -- we are requesting that
the applicant resubmits to the DEC for a
recertification of the nonjurisdiction review of
the site -- the nonjurisdiction call on the site
plan. Your application included a
nonjurisdiction from the DEC from two years ago.

MR. BROWN: Yes.

CHAIRMAN JAUQUET: And I think this time
you need -- and it was for a specific -- it was
for the bulkheading and some other items, but it
wasn't for this particular site plan. And I
think we need to go back to the DEC to have them
review this site plan for another -- for their
review, and that was one thing.

The other thing is that the Suffolk County
Planning Commission needs to have a review of the
site due to its position on the water and
articulating with the bay.

MR. BROWN: Is that something that's
normally done coincidental to this?
CHAIRMAN JAQUET: I've been told that it is. I've been told that it is from the Building Department.

MR. BROWN: Done at the same time as this process?

MS. WINGATE: (Nodded yes.)

MR. PROKOP: It's a referral. There's a referral list on that. We let them know that this is going on, then it's up to them whether or not they want to get involved.

MR. BROWN: So really nothing for me to do regarding that?

MS. SIEGEL: So that shouldn't hold up this process.

CHAIRMAN JAQUET: Well, this is going to be -- this is a pre-submission conference.

MR. BROWN: Yeah.

CHAIRMAN JAQUET: We're not going to accept the application. We're not going to make a motion to accept the application until we get those items.
MR. BROWN: I'm sorry, I'm a little confused. It's my understanding that the Suffolk County Planning Commission process was coincidental to the Planning Board process. So I don't understand why you're waiting for that before you accept the application. Am I missing something? I'm just not --

CHAIRMAN JAUQUET: It seems to me that --

MR. BROWN: I'm trying to understand.

MS. WINGATE: Mostly, we're on hold until -- the DEC, in 2012, approved a project for reconstructing the docks and the floating docks. They didn't look at the fact that you want to put a building on the water. So they need to see that site plan. They might give us a new Letter of Nonjurisdiction, or they might want to issue a DEC permit. That's they're jurisdiction.

MR. BROWN: I would like Mr. Henry's Counsel --

MS. WINGATE: Their jurisdiction is --

MR. BROWN: -- Jane Siegel, to address that
further. But I would like to add that from my experience, once the DEC issues a Letter of Nonjurisdiction on the property, they will refuse any further applications on that property.

That's from my experience.

MR. HENRY: I'd like to add, too --

CHAIRMAN JAUQUET: I think -- isn't the site plan that --

MR. HENRY: -- there's specific nonjurisdiction from the DEC for this project.

So I believe --

(Firehouse Siren Sounded)

MS. WINGATE: I only have nonjurisdiction for 2012.

CHAIRMAN JAUQUET: And what about the second point, Eileen, with the Suffolk County Planning Commission, does that have to be simultaneous?

MS. WINGATE: Suffolk County Planning is a 21-day turnover. So I haven't --

MR. BROWN: I understand that, that's not
my question. My question is it was my
understanding that the Suffolk County Planning
Commission is an application made by this Board
after they have accepted the application; is that
incorrect?

MS. WINGATE: It can be -- it doesn't
matter if the application has been accepted or
not. But as soon as you accept the application,
the clock starts and you have 60 days. So it
takes 21 days to get a response from the Suffolk
County Planning Board. So wouldn't it be nice if
we knew what their position was before --

MR. BROWN: I'm not disagreeing with that.

My question is it's my understanding the Village

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Planning Board makes the application to the
Suffolk County Planning Commission.

MS. WINGATE: The Building Department makes
the application.

MR. BROWN: The Building Department does.

So what do I have to do to make that happen?

MS. WINGATE: Nothing.
MR. BROWN: Nothing.

MS. WINGATE: It will go out in the morning.

MR. BROWN: So that is not on my list of things to do?

MS. WINGATE: Correct.

MR. BROWN: Okay. I just wanted to clarify that. So, really, all you're asking for is the DEC issue from us.

MS. WINGATE: Correct.

MR. BROWN: So Ms. Siegel.

MS. SIEGEL: Hello. My name is Jane Siegel. I'm here from the firm of Gleich, Siegel & Farkas, 36 South Station Plaza, Great Neck, New York, and we are here on behalf of the applicant.

In terms of the timing of everything here, it seems as though there would be no reason why this can't all happen concurrently, even if you were to say we can submit today, that the application would be submitted, if it was a condition that we get you the letter of no
jurisdiction for the next meeting, you know, for
the final approval.

In the meantime, we do have a letter, and
you're correct, it's from 2012. However, there
should be no reason why this is not going to be
granted once again. And believe it or not, I
think that this letter actually covers it. So
why would there be any reason to hold things up?

We'd like to move forward with the process
right now. And should this letter need to be
updated, we'll be happy to do that as well in
connection with the process, but not to put the
process off, just like there's no reason to put
the process off for purposes of the Suffolk
County Planning Commission either. We'd like to
move forward.

MR. PROKOP: Well, you just -- the process
is this is your presubmission planning -- this is
your presubmission conference. So there's -- I
mean, actually, there's really nothing that's
being held up. I mean, right now, we're having a
conference. What typically is done is the
application is discussed, you know, if there's any presubmission modifications that might be requested and there's a request for additional documents that the Board feels might be required.

So this basically is your conference, and the Board is to let you know that there's a couple of things, one of which that they would like you to do, and one of which the Village has to do, and that's it. I mean, nothing's --

MS. SIEGEL: Okay. So --

MR. PROKOP: The next step would be at some point to have a -- at one of these work sessions, to have a motion to accept the application with -- accept, meaning that it will go on the next regular meeting agenda.

MS. SIEGEL: You know, to be honest with you, this is a project that is an as-of-right project with a permitted use. And in connection with the issuance of a building permit, I can understand that this will be subject to obtaining these documents for the building permit, but not for the site plan approval.

MR. PROKOP: But that's not the law. The law -- the law says clearly that this Board can't
grant site plan approval without submission to

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the Suffolk County Planning Commission. So it
doesn't matter if it's --

MS. SIEGEL: But the application can be pending, and we can fill these papers in, get
them to you, you know, as they come in.

MR. PROKOP: But the application is pending now. This is your -- we're in the process. This
is the presubmission conference. The next thing
that will happen is if you submit the paperwork,
it will go on an agenda for accepting the
application, and then that's step number two, and
then it goes to step number three right after
that.

And what you're doing is you're asking --
you're saying that you don't care, you don't want
to wait for the steps, you just want to go from
the beginning to the end, but it just doesn't --
it can't go like that.

MS. SIEGEL: Okay. Well, I'm not saying
that at all. And, to be honest with you, I think
that for site plan approval, that you don't actually need the documentation that you're asking for today. As I said, this is an as-of-right project with a permitted use. And if there are other comments, let's deal with

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everything that's on the plan now. But it seems to me that we're just causing a delay here that is unnecessary.

MR. PROKOP: But we're not. This isn't your final hearing. It's not -- the things that you're saying, with all due respect, and it's not a comment about the application. Please don't take this as a -- because we're not even at that point yet. But what you're saying -- this is your presubmission conference, and what you're saying is we should grant the application. Why hold it up?

MS. SIEGEL: No, no.

MR. PROKOP: But that's just not the way that it works, I'm sorry.

MS. SIEGEL: We just want to be able to --
I'm not saying grant the application. It's a presubmission conference, and then you have to submit the application for approval after we submit.

MR. PROKOP: So, please, let's just move ahead.

MS. SIEGEL: Let's continue with the presentation.

MR. HENRY: That's how we wanted to proceed.

MS. SIEGEL: Let's continue with the presentation.

MR. BROWN: Do you have any other questions or issues that I can address?

MS. MUNDUS: I do, as the architect. I'm a little confused. Maybe it's just that I haven't had enough time to really study the plan. But when I look at the elevations, I see a lot of roof. I like the gables, I like the shape of the whole thing, but the surface of the roof that's presented is all to house this tiny balcony here?
MR. BROWN: Well, it accomplishes two purposes.

MS. MUNDUS: I don't really understand where --

MR. BROWN: Sure. It accomplishes two purposes.

MS. MUNDUS: -- what your design parameters were when you designed this huge empty open space, open below to look down on this main floor, when it's all roof for empty space. I don't understand it.

MR. BROWN: Well, first of all, I wouldn't personally describe it as huge. It's a fairly small structure, but --

MS. MUNDUS: It's a ratio of square footage of usable area on the second floor to the roof area.

MR. BROWN: Yes. The first floor -- the idea behind it was to create a comfortable cathedraled space on the first floor.

MS. MUNDUS: Okay.
MR. BROWN: Rather than just have a flat eight-foot ceiling.

MS. MUNDUS: Okay. The indoor balcony is only three feet wide?

MR. BROWN: That's just --

MS. MUNDUS: That's all that's just on that second floor?

MR. BROWN: It's a mezzanine, and it's really only to allow access to the outside balcony. That's really the only purpose for it, is to lend access to the step-out balcony, which is covered by part of the roof.

MS. MUNDUS: Okay.

MR. BURNS: Explain to me, if you will, a roof floor. I mean, you got a floor with a toilet, and open space for meetings, and so forth, but then there's also a roof floor.

What's that?

MR. BROWN: A roof floor?

MR. BURNS: It's on your -- it's on your diagram.
MR. BROWN: I don't recall that. May I approach?

If I may explain the plan very simply, this stair comes up to the roof level. That is just a bird's eye view of what the roof would look like. And these lines take the ridges and the valleys of the roof.

MR. BURNS: It looks like --

CHAIRMAN JAQUET: Excuse me. Let's have it quiet, please.

MR. BURNS: I understand.

MR. BROWN: What you're looking at is what we refer to as a roof plan, which is a bird's eye view of the roof. The lines on that plan indicate the ridges and the valleys of the roof to give a sense of the shape of the roof.

MR. BURNS: I understand.

MR. BROWN: It is not occupiable space.

MR. BURNS: But there's some windows on that --

MR. BROWN: What we call clerestory
windows. There are windows above the floor level
to lend extra light into the space.

MR. BURNS: Okay. It just looks like
there's another floor there.

MR. BROWN: No, not in this plan.

(Laughter from Audience)

MR. BURNS: Not in this plan. You got
another plan?

MR. BROWN: Well, as a matter of fact, I
mean, we did explore a flat roof plan, that
instead of having a balcony, has a roof deck with
a flat roof. I'd be happy to show it to you if
you were interested.

MR. BURNS: I like this one better.

MS. MUNDUS: You have it with you?

MR. BROWN: Yes, I do.

MS. MUNDUS: I would like to see it.

MR. DOWLING: Yeah.

MS. MUNDUS: Because I see a lot of roof
all to support a three-foot-by-twelve-foot
balcony. It seems that everyone has their own --

MR. BROWN: Well, it was also to create an
interesting -- like you have right here.

MS. MUNDUS: Right.

MR. BROWN: You have the structure of the
roof exposed to this room. It lends a whole
different atmosphere

MS. MUNDUS: Right. Yeah, I see --

MR. BROWN: That's the intention.

MS. MUNDUS: Just seems like a lot of roof
for the space.

MR. BROWN: Well it's an aesthetic choice.
But the alternative plan -- I don't know the best
way to show this to you.

MR. BURNS: Are you presenting us with the
alternative?

MR. BROWN: No.

CHAIRMAN JAUQUET: Well, doing that out of
interest.

MR. BROWN: Well, informally.

CHAIRMAN JAUQUET: Informally, yes.

MR. BROWN: With access to a roof deck, a
flat roof, and the plan would look like this.

MR. DOWLING: What's the total elevation of
the structure there?

MR. BROWN: It is a seven-foot clearance,
and approximately 10 feet.

MR. DOWLING: Is that a four-foot high railing there?

MR. BROWN: That's a hand rail, yes.

MS. MUNDUS: It's like stainless wires with turned buckles.

MR. BROWN: Exactly, exactly, stainless wire with turned buckles.

MR. BURNS: That would be a lower profile?

MR. BROWN: Yes, it would.

MR. BURNS: That's a thought.

MR. BROWN: I'm sorry?

MR. BURNS: That's a good thought.

MR. DOWLING: Can I ask what these are here?

MR. BROWN: Those are panels for -- solar panels facing south.

MR. DOWLING: Okay. And where would the rainwater runoff go for this building, or either one?

MR. BROWN: Well, it would be guttered and
run down to grade, which is gravel. It's all permeable surface.

MS. MUNDUS: So southeast elevation, this is from the road looking at it; am I correct?

MR. BROWN: That's correct, yes.

MS. MUNDUS: So, if I was standing on the road, this is what we would like at?

MR. BROWN: Yes.

CHAIRMAN JAUQUET: And the access to the roof deck is from the exterior?

MR. BROWN: You would have to go through the building space to get to the stairs to go up to the roof.

CHAIRMAN JAUQUET: Stairs are exterior in that plan?

MR. BROWN: Yes, stairs are exterior.

MS. MUNDUS: Stairs are on the water side.

MR. DOWLING: The north side of the building.

MR. BROWN: The stairs are on the north side of the building. So you would go in,
through, and up again to get to the roof deck. It's not open to the public.

   MS. MUNDUS: So the roof deck is not open to the public. So we still are back to the question, what is this building going to be used for? This would be private to the owners and the marina guests?

MR. BROWN: For the operation of the marina, yes, and for use of the marina guests.

MR. DOWLING: And you have a -- show a handicapped bathroom. Is there a handicapped entrance for those stairs or --

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MR. BROWN: No, no. One of the peculiarities -- one of the peculiarities of the New York State Building Code is that it's required to have an accessible bathroom, even if you can't get to it.

MR. DOWLING: Gotcha.

MS. MUNDUS: Wow.

CHAIRMAN JAUQUET: But you're not required to have access -- handicapped accessible from the
grade level?

MR. BROWN: No. The building is smaller than 3,000 square feet, and that's significantly smaller than 3,000 square feet.

MS. MUNDUS: Well, personally, I like the one with the lower profile much better than the larger, more surface area roof.

MR. DOWLING: And I would think the neighbors probably behind that structure would probably appreciate that, too.

MS. MUNDUS: Also, you know, it's a little -- it's a little deceiving on a plan, because you're looking at lines. But, in reality, you're going to be looking through the stainless steel cables to the rest of the vista, which is what -- I mean, that's a lot of stainless wire. But, still, you're going to be able to see through it. You know, you're not going to see through a solid roof. And it's going to be asphalt or -- asphalt roof?

MR. BROWN: The roof? Well, that would
probably be asphalt shingles, yes, on the pitched roof.

MS. MUNDUS: That's a lot of shingles.

That's only six feet away from the edge of the road, right?

MR. BROWN: Yes.

MS. MUNDUS: Because this is one of the issues that we were talking about, is the immediate confrontation with the elevation of the building only six feet away.

MR. BROWN: Let me clarify that. It is six feet from the property line, but the property line is significantly different from the -- if you have the site plan here, yeah, this line, this interior line is the line of the edge of the pavement. So I'm not sure what scale that is, but that's approximately 10 feet from the edge of the pavement, the property line, plus another six feet minimum to the building.

MS. MUNDUS: So, ballpark figure, it's going to be 16.
MR. BROWN: Approximately 16 to 18 feet.

CHAIRMAN JAUQUET: When you --

MR. DOWLING: The balcony is going to overhang the water?

MR. BROWN: Yes, overhang the --

MR. DOWLING: Bulkhead.

MR. BROWN: Deck.

MR. DOWLING: Right.

MR. BROWN: This thing, the dock. I'm sorry.

MR. DOWLING: So I would think that as a --
this letter from the DEC states that there's nothing past the bulkhead, so now you've got this past the bulkhead. That's probably why you definitely have to go to the DEC, you have something overhanging the water. But I think that's --

CHAIRMAN JAUQUET: Does the pumpout articulate with the waters edge and the bulkhead at all, I mean, from where you've got it positioned? The pumpout is right in here somewhere?

MR. BROWN: Yes.

CHAIRMAN JAUQUET: I mean, isn't that -- I
don't know if the DEC is going to look at that,
but --

MR. DOWLING: Probably.

CHAIRMAN JAUQUET: When you have
preliminary on this plan that you submitted with
the application, what does that mean?

MR. BROWN: Well, it was my understanding
that this was a presubmission hearing, so --

CHAIRMAN JAUQUET: Right, okay. I mean, I
don't know how -- it's a constricted site?

MR. BROWN: When the application is here,
it will not say "preliminary."

CHAIRMAN JAUQUET: Right.

MR. BROWN: But there will be --

CHAIRMAN JAUQUET: But how changeable is
this elevation and design plan at this point? I
mean, you've got one that you didn't submit.

MR. BROWN: At this point, I'm suggesting
two possibilities, so.

CHAIRMAN JAUQUET: I see. Because one way
of thinking, I was thinking that the two-story
with an elaborate bulkhead, so that there's that
balcony effect, but not all that roof and all
that mass. And the other -- you know, the
other -- my other thing was like maybe the design

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should sort of incorporate something nautical,
instead of like, you know, the Victorian gabled
roof.

MS. MUNDUS: Well, this modern one is
pretty nautical. I mean, that's a lot of
railings. That's a lot of stainless steel
cabling.

CHAIRMAN JAUQUET: But I was thinking
like -- I was think like sail loft, fish and
oyster storage, you know, net shed. You know, I
don't know, you know.

MR. BROWN: In my personal opinion, there's
something to be said for both of these schemes.

CHAIRMAN JAUQUET: Yeah. But I would think
with the two -- with the one-story, plus balcony,
that some kind of folly type bulkhead that
creates, you know, another -- maybe not the whole
second story, but all the roof lines as creating
the second story, to do a bulkhead that provides
that viewing and seating area facing the water,
but being private from the street and the
neighbors on the other side of the street,
because there's something nice about having that.

MR. BROWN: I understand what you're saying. But it's an interesting paradox to my

mind, that on the one hand, if you're putting up
a roof, then you're blocking the view. On the
other hand, if you're leaving it a flat roof,
you're blocking the view less. But what you're
suggesting is doing both, blocking the view --

CHAIRMAN JAUQUET: Some sort of --

somewhere in between, so that you get that
private balcony without -- this way, anything
they do on the roof is in view of everybody else
and it's not private, and it may not be very
desirable. On the other hand, something up
there, I'm calling it a bulkhead, but, you know,
that doesn't sound very pleasing, but some sort
of structure that gives you -- that once you're
up there, you're privately sitting at a table viewing the harbor and activity. You know, people in their houses can't see what's going on up there, because they do --

MR. BURNS: I don't think that's our problem.

CHAIRMAN JAUQUET: You know, it isn't, it isn't our problem, but we're here -- we can say something about it. But, ultimately, it's a choice of the owner.

MR. BURNS: Anything that extends the height I'm against.

CHAIRMAN JAUQUET: Okay. Well, 30 feet is your maximum legal, isn't it?

MR. BROWN: Thirty-five, 36.

CHAIRMAN JAUQUET: I think it's --

MR. BROWN: Thirty-five?

CHAIRMAN JAUQUET: You're not quite there, with this.

MR. BROWN: No, not close. Even with the pitched roof, it's only 30, and that's at the
very peak.

CHAIRMAN JAUQUET: Right.

MR. BURNS: We're going to hear from the audience?

MR. BROWN: With respect -- I don't know that that's appropriate for the pre --

CHAIRMAN JAUQUET: Say that again.

MS. MUNDUS: I wonder if the owner would like to --

MR. BURNS: It may save you some time.

MS. MUNDUS: Is there anything that you'd like to input here, or anything that you'd like us to know about?

MR. HENRY: Yeah. I guess, maybe, if I may just add that --

MS. MUNDUS: Come to the podium.

MR. HENRY: Sure. I'll see if I can put my foot in my mouth. You know, we've been kind of kicking this around, as you know, for a long time, today bring new representation, new architect, new plans. I just want to explain why
there's two different versions of this in front of you, because we've been just trying to figure out what everybody wants. You know, there's pros and cons for all these different things. We've tried to be sensitive to the parking, which is very important on the street. Everybody will tell you that parking is an issue.

As most of you realize, after Hurricane Sandy, we had three feet of water in the parking lot, which is consistent with the FEMA regulations, to start this building at least three or four feet above the ground. So another three feet would preserve three parking spaces, which makes all the sense in the world.

You know, I'm trying to be sensitive to my neighbors, who I'm glad to see all here today. It's not really a situation that we want to pull the rug out from underneath anybody, or that we want to shove anything down anybody's throats.

But, I mean, this property is commercial waterfront property. All these people bought
property across the street from commercial
waterfront property, and we just are trying to
comply with what the rights are, as far as the
zoning goes, with trying to be sensitive to the
neighborhood in terms of what is built there,
and, more importantly, how we use it. There's
not going to be any additional traffic generated
from this usage, it's going to be all for the
people who are already there. And, you know, I'd
like to work with everybody. But I'm not here to
make enemies, I'm here to try to get to yes with
everybody, and, you know, I'm open to any
suggestions that they want to contribute to this,
so that we can make this process as simple and
efficient as possible.

MS. MUNDUS: We're really — we really —
MR. MOORE: I've got a question about
timing on this, if I may.

MS. MUNDUS: Doug, can you —

MR. MOORE: Doug Moore. I'm immediately
across the street. I'm the most affected
neighbor.

MS. MUNDUS: Okay. We can only take one
person speaking at a time from the podium.

MR. MOORE: Okay. I would like to ask you --

MS. MUNDUS: We'll come back to you in a minute, Doug --

MR. MOORE: That would fine.

MS. MUNDUS: -- to get that answer.

MR. MOORE: That would be fine.

CHAIRMAN JAUQUET: Do you have anything else, Paul?

MR. HENRY: I think I'll stop here.

MS. MUNDUS: I've got questions, Paul. First of all, I really appreciate that you understand that the Planning Board's job is to balance the usage of the property, especially commercial waterfront, because that's a huge property in Greenport, residential/commercial/waterfront mixed together, with the greater good of the whole community. And I just thank you very much for trying to figure out how we're all going to get to yes, and the idea that there are two possible options here, so that you could suss out what you think is going to be the best
solution for everybody.

MR. HENRY: To be honest, if I may, we didn't really know who or what would be preferred, because a lot of people thought that the flat roof was ugly, and that it would be much more aesthetic and pretty to have some lines on the roof, but, of course, that balanced against the height.

CHAIRMAN JAUQUET: What do you want? Do you have --

MR. HENRY: Honestly, I'm good with both.

CHAIRMAN JAUQUET: Yeah, okay. So these two --

MR. HENRY: What I want is to get this behind it, and, you know, just get back to my life and everybody else's.

MS. MUNDUS: What I'd like to hear is the last time we went through this exercise, which was about six months ago, you had said that you may use it for any one of the permitted uses, which sort of --
MR. HENRY: Well, you know, that was maybe my naivete. I mean, you know, honestly, when we think about marina use, when I say I want to repair boats, I'm just talking about I want to be able to fix boats that are there, you know, and I don't know how that fits into the usage. We're not really looking for, again, any increased traffic, we're not looking for an apartment, we're not looking for a store, we're not looking for a restaurant, and we're definitely not looking for a bar.

CHAIRMAN JAUQUET: Great.

MS. MUNDUS: See, this is the kind of information that we need to try to help get to yes --

MR. HENRY: Understood.

MS. MUNDUS: -- because, you know, the flat roof, open balcony, if you said you wanted to use it as a yacht club and have weddings there, well, then that's a whole different story. If you were going to use it as a private, you know, place
where everybody --

    MR. HENRY:  Well, you know, honestly, I
don't need all that space. And if it would put
people at ease if we found some way to cut it in
half, it's not really -- I just want to -- it
would nice to just have a little observation deck
somewhere up there.

    MS. MUNDUS:  Yeah.

    CHAIRMAN JAUQUET:  Oh, yeah.

    MR. HENRY:  You know, I'm open, really.

    MS. MUNDUS:  Right.

This is not a, you know, shove it down anybody's
throat kind of thing. I mean, you know, I'm not
trying to push the envelope here, I'm just trying
to figure out what we all can live with, and,
again, just move on.

    MS. MUNDUS:  And we can all be happy in a
very special place. I live less than 500 feet
away, so I totally understand it.

    MR. HENRY:  We all love -- we all the love
the street, and we all love the town.

    MS. MUNDUS:  Right.
MR. HENRY: We all love everything about it.

MS. MUNDUS: So, hopefully, we can arrive at something that's going to continue to better the place, instead of making a big wall that's going to shut off the whole vibe of everybody.

MR. HENRY: That's what I'm --

CHAIRMAN JAUQUET: So, you know, if there was a -- if there was a one-story, plus the roof deck, does that -- you know, and then you have -- I mean, it seems like a great place to have a cocktail party, you know, and --

MR. HENRY: Pardon?

CHAIRMAN JAUQUET: It seems like a great place to have a cocktail party at night with lights and stuff.

MR. HENRY: Well, I think lights is probably --

CHAIRMAN JAUQUET: And I don't know. And I'm just -- I'm not saying --

MR. HENRY: -- in the planning process.

MS. MUNDUS: It's a marina. It's a marina.
CHAIRMAN JAUQUET: But, still, it's a private marina. But, you know, to me, that sounds like a great thing. You know, I don't know if neighbors thought that, and the neighbors would, you know, not want that at all at any kind of plan, you know.

MR. HENRY: I would say that I would be restricted, you know, within the framework of the current law, just like my neighbors are. I mean, my neighbors can do the same thing on their lawn.

CHAIRMAN JAUQUET: Yeah. That's true, yeah.

MR. HENRY: They could make friends and they can make enemies. You know, I'm into making friends.

CHAIRMAN JAUQUET: You know, one question I had about the roof, the cathedral roof, is that from below in the office area, does that get to be a little too high or something?

MR. HENRY: You know, the intention -- again, the intention of that plan that we
submitted, which, by the way, this wasn't a game
that we were playing that we were -- you know,
this is something --

CHAIRMAN JAUQUET: Yeah, okay. Yeah, I
know.

MR. HENRY: This is a new process for us.

We're, again, kind of just feeling our way
through this for the first time. But the
intention was really to kind of make it more
aesthetically pleasing, because, you know, I
mean, I think the flat roof is okay, but I think
with the banister, it adds a little nautical
touch to it, which is nice. But the intention
really was to just give it some more lines, and
some flavor, and, you know, some shape. And then
along the way, you know, we didn't want to get
crazy.

We know that the usage of a second floor
would come into question, "Well, how are you
going to use that space? Are you going to make
an apartment?"

CHAIRMAN JAUQUET: Right, yeah.
MR. HENRY: So, you know, we're just trying to avoid all those questions, and just trying to get to something that, you know, everybody says okay, that's all.

MS. MUNDUS: Can you remind everybody who's here, for the benefit of the whole room, how wide this piece of property is, so that it's taken in context?

MR. HENRY: Yeah. The property is 80 feet on the street, and 70 feet on the water. And as Robert pointed out, you know, we're six feet set back from the property line, but the street is another --

MR. BROWN: Ten feet.

MR. HENRY: -- ten feet or so away from that building.

MS. MUNDUS: And how many feet deep is it from --

MR. HENRY: The property --

CHAIRMAN JAQUET: Oh, there's a sidewalk?

MR. HENRY: I'm guessing.

MS. MUNDUS: Yeah. I thought it was --

MR. DOWLING: It's 25 feet.

MS. MUNDUS: Twenty-three or 24 feet.
MR. BROWN: Yeah, 25 feet.

MS. MUNDUS: Twenty-five feet.

MR. HENRY: Right.

MS. MUNDUS: So we're talking about building basically, because of the pilings, and my house is also on an elevated foundation, I get it, it's still a 30-foot-high building on a 25 piece -- foot piece of property, so that's what the concern is all about.

MR. HENRY: First of all, I understand.

MS. MUNDUS: Right.

MR. HENRY: And, again, you know, we've been juggling around, well, you know, what's going to fly here? I mean, you know, a lot of people looked at that and said, "Well, they're never going to like that flat roof, they need some shape and, you know, some consistency."

MS. MUNDUS: Well, it's a process.

MR. HENRY: It's a process.

MS. MUNDUS: It's a process.

MR. HENRY: And we're going through it,
too.

MS. MUNDUS: Right.

MR. HENRY: And believe me when I say that we are totally open to suggestions and feedback. And, Doug?

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MS. MUNDUS: Yeah, can we hear from Doug? He's dying to tell us something.

MR. HENRY: I would be delighted to hear from Doug.

MR. MOORE: I just --

MS. MUNDUS: From the podium, because we need to have it on record.

CHAIRMAN JAUQUET: You need to come up.

MR. HENRY: May I?

MS. MUNDUS: Yes. Thank you very much.

MR. HENRY: Thank you very much.

MR. MOORE: So I'm Doug Moore, 145 Sterling Street, right across the street. And I'm speaking as a resident, not as Chair of the Zoning Board.

There's a difficulty with their interest in
our comments, since the plans haven't seen the
light of day to the public. So I would like an
opportunity, that there's obviously a lot of
interest in the neighborhood, if we could look at
the plans. Now there seems to be an A and B
plan. I think we could even make some
constructive criticism or suggestions.
And the other issue is the timing of this
process. Mr. Henry is concerned about when it
will complete, but many of the affected neighbors
will be away, as Paul may be, and unable to
come -- to make a trip from far away to have the
opportunity to speak on this. And perhaps a
letter would be okay, but it's better to be here.
Mr. Henry has a lot of worker bees that can do
that here while he's away, but many of us can't
do that.
And I think there are some real issues of
the placement of a structure on this property
that I would like to have an opportunity to look
at. I think his wetlands permits has
restrictions, his current permit, which won't allow what he's proposing. So it needs some
discussion, and I hope you take the time to allow that. And I think there'll be a very good result.

MS. MUNDUS: Well, that's where we -- that's what we concluded at the last discussion, is that it's a two-stage. First the marina, and the slips, and the driveway surface was approved with one, one application, and then you're coming back again to do another whole thing. So I think it's --

MR. HENRY: I'm sorry. Could you just -- I didn't quite understand. Can you repeat that, please?

MS. MUNDUS: The first DEC letter and your first application was for the marina, not for a structure on the land to support the marina, it was for the marina. So now we're into a whole new process all over again.

MR. HENRY: I believe that the Letter of
Nonjurisdiction from the DEC was specifically in response to this project. And I think, out of context, the letter isn't exactly clear. I think when we show you the application for that letter, it will become clear.

MS. MUNDUS: Okay, because I didn't see any of that. I came --

MR. HENRY: I understand.

MS. MUNDUS: Just I'm a new-comer to the whole thing.

MR. BURNS: We all are.

CHAIRMAN JAQUET: Is there anyone else that would like to get up to the podium on this?

MS. MARTIN: I'm Amy Martin. I'm with Fairweather and Brown, and representing Paul Henry also.

As far as I read the Letter of

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Nonjurisdiction, and it was for a prior building that they were applying, the letter very clearly states that anything landward of 100 foot of the existing bulkhead, which is a -- designates the
jurisdiction of the DEC. The 100 feet of bulkhead predated the DEC's jurisdiction of the land. So, therefore, you'll find that it will stand and that's not going to be an issue.

MS. MUNDUS: Okay.

MS. MARTIN: I do have a question. You mentioned a Trustees Permit. Is there any such thing that was --

MS. MUNDUS: I didn't say anything about a Trustees Permit.

CHAIRMAN JAUQUET: I don't think so.

MS. MARTIN: Okay.

CHAIRMAN JAUQUET: Go ahead.

MS. SIEGEL: I just want to say one thing.

MR. FEGER: Excuse me. Thank you.

MS. SIEGEL: Okay.

MR. FEGER: Bob Feger. I live at 123 Sterling Avenue, around the corner. I know this process has been going on for a long time, and the Sterling Neighborhood Association watches these things carefully,
because we want to maintain the character of our neighborhood. And while I do appreciate all this coming forward, I find it a little disconcerting, because, you know, I did the math on this. A 38-foot-by -- a 38-foot-6-inch building by a 20-foot-10-inch building adds up to 802 square feet on each floor. So to characterize a 1600 square foot building as a small structure is a gross mischaracterization of what it is. It is 1600 square feet. There are many homes in Greenport that don't encompass 1600 square feet.

And so, you know, I know it's important to try to sell this idea, and I know it's important to Paul, and I appreciate his efforts to build something that the community can live with, but I think that if we all start out being truthful about this stuff, it just goes -- it makes it go easier.

CHAIRMAN JAUQUET: Thank you.

MR. BROWN: I'd like to respond to that, if I may. In terms of being truthful, it is a one-story use structure, and it is a maximum of 40% lot coverage, which is allowable by code. I don't think anybody would consider an 800-square-foot footprint to be a large
CHAIRMAN JAUQUET: We're going to take the public comments from the neighborhood right now.

MS. SIEGEL: I'd like to make one comment before you continue, because --

CHAIRMAN JAUQUET: Well, then go to the podium and let's --

MS. SIEGEL: Okay.

CHAIRMAN JAUQUET: But we would like to hear what the neighbors have to say at the moment.

MS. SIEGEL: I would just like to say how is it appropriate at a presubmission conference to be hearing from the public? I didn't think that that was part of the process.

MS. MUNDUS: Because we're in discovery, and we learn a lot when we listen to other people.

MS. SIEGEL: And that's part of the process here?

CHAIRMAN JAUQUET: Yes, it is, it's
planning. The Planning Board is all about --

MS. SIEGEL: I mean, it's a presubmission conference. It's really between the applicant --

CHAIRMAN JAUQUET: The Planning Board is about the impact to the neighborhood, the aesthetics, change to the Village, and those kind of considerations, it's not all process and law. And this is an open mic night for the neighbors, so that's why they're speaking. We haven't heard from them for a while.

MS. SIEGEL: All right. When I read through the law, it wasn't clear to me at all. And to me, a presubmission conference --

CHAIRMAN JAUQUET: Well, the people of the neighborhood have a voice and that's what they're voicing right now.

MS. MUNDUS: And the owner himself said he wanted to work with the neighbors, so here we are working with the neighbors. This is --

MS. SIEGEL: Okay. But, again, it's a building that's being done that's an as-of-right
permitted use.

CHAIRMAN JAUQUET: That's right.

MS. SIEGEL: So I hope that everybody does keep that in consideration.

CHAIRMAN JAUQUET: We are, we are.

MRS. MOORE: My name is Mary Moore. I live at 145 Sterling Street, directly across the street from this project. And one thing I want to -- I wonder about, since Paul really is trying to fit something into the community that we'll all appreciate and be able to live with, but his first plan was 16-by-30 feet, which is 480 square feet, and this plan is 802 square feet. It maximizes the 40% that is allowed by law, that is allowed, waterfront commercial. But whether it fits into the residential community is another whole problem. So we really would like a chance to look at the plans.

And the other thing, Mr. Fairweather?

MR. BROWN: Brown.

MRS. MOORE: Brown, I'm sorry. Mr. Brown,
the building, being 30 feet high, will actually be as tall as the pole that's there, or almost as -- the neighborhood has a structure next to it, which is 30-some feet high, and our house is about 30 feet high. So being so close to the road, and being on a postage size -- you know, postage-stamp-size lot, 23 or 24-by-80, it's just going to loom over the road, it really is, a two-story structure on stilts. So that's a real concern. I mean, I'd like to see something fit in there that would be really small, I mean, like his first structure, that would be fine.

Anyway, thank you for listening.


MR. STROEM: My name is Art Stroem. I live at 125 Sterling Street, just a couple of doors down from Paul's house. I'm a full-time resident of Greenport.

I think Paul's done a great job in improving his property, it looks much nicer now
than it did before, as have all of my neighbors
done. And my property is on the water, also, I
have waterfront property. I've made mine look
very nice, and, I like I said, the rest of the
neighbors have, too, and without a structure of
this size.

The stated purpose of this structure is for
housing marina operations business. Well, I
don't know. I take care of that in my desk in my
little office in the house. So a big structure
like this for that seems a little bit out of
line, perhaps.

And more importantly, the whole idea of the
neighborhood and the people walking by, everybody
enjoys everybody's property very much, the
neighbors. And we have a lot of people from out

of town coming through, or from the town that are
coming through the area and like to look at the
waterfront, like to appreciate all of that. A
building of this size, I think, is really going
to really impact that quite negatively. Thank
CHAIRMAN JAUQUET: Thank you. How many boat slips are there, six, or did I count -- is the capacity --

MR. HENRY: Well, you know, there's about -- let's see. There's room for eight boats there, you know, at full length. You know, some of the slips are long enough to fit two boats.

CHAIRMAN JAUQUET: And that's similar to the other marinas along the shore there.

MR. HENRY: Yeah, yeah. I mean, generally, there's seven to eight boats there, obviously.

CHAIRMAN JAUQUET: Is there anybody else that wants to approach this podium?

MR. KEHL: Bob Kehl, 242 Fifth Avenue. Just proportion-wise, if you look to the north, where Gus Wade's property is, and I built that, and I know Mr. Brown, Fairweather Brown did -- the architect on that, that lot's, I think, about 130 feet wide. His building itself is 30 feet wide and 35 foot tall, so it gives you -- you can
actually see through and you get to see the
water. If you start taking a piece -- a lot
that's as narrow as Mr. Henry's there and putting
this on there, it's like putting a billboard in.

MS. MUNDUS: That's what we're concerned
with.

CHAIRMAN JAQUET: Okay.

MR. KEHL: It's real not --
proportionately, it doesn't really work.

MS. MUNDUS: Right.

MR. KEHL: And I know, Paul, but I know
Paul for years.

MR. HENRY: Nothing personal, Bob.

MR. KEHL: But I'm -- no hard feelings.
I'm just trying --

MS. MUNDUS: This is not really a public
hearing. We -- you know, you will have an
opportunity.

MR. KEHL: I just know some people don't --
some people don't know proportions.

MS. MUNDUS: But we do know that it's a big
structure on a little, tiny, skinny --

MR. KEHL: Right.

MS. MUNDUS: -- piece of property. So
that's what we're trying to do.

MR. KEHL: No. That's why I was just trying to bring up proportions.

MS. MUNDUS: We're trying to balance their use of the property without destroying the vista.

MR. KEHL: Right.

MS. MUNDUS: And the only natural resource that Greenport has to make money off of is our natural environment.

MR. KEHL: Right.

MS. MUNDUS: And for one person to take that away from the benefit of everybody else is a little lopsided.

MR. KEHL: Okay. I'm just trying to give a little proportion --

MS. MUNDUS: We're trying to find a balance.

MR. KEHL: -- to the sides. Thank you.

MS. MUNDUS: Thank you very much.

CHAIRMAN JAQUET: Anyone else?

MS. BURTON: Hi I'm Diana Burton. I live at 131 Sterling Street, right next to Paul
Henry's property. I also own the lot right at the waterfront, which is the same size as Paul Henry's. So, if he builds something like that, I probably would be allowed to build something like that. And Art's is also commercial, and he could build something like that, and then -- then what happens to our neighborhood?

Again, everybody enjoys it. It's a huge, huge asset to Greenport, that street the way it is. My -- you know, I don't even have a marina, I just have docks there. I would like to rent to local people. I maintained that my entire -- you know, I've been here for 17 years and I haven't made my commercial area marina or anything, because I've been trying to maintain the beauty of our harbor. So I start to get marinas next to me, marinas on the other side, and then this structure of Paul's, and, you know, then what happens to it? So it's very -- it's a big concern to me as well.

CHAIRMAN JAUQUET: So the structure --
MS. BURTON: The structure --

CHAIRMAN JAUQUET: The structure in your mind is too big or --

MS. BURTON: Well, the structure, in my mind, not having ever seen a plan, I just feel like anything that goes that high and takes away from the neighborhood that everybody enjoys is going to be terrible for Greenport. And if we can see a structure that we all agree on, I think that's lovely. But, you know, we're worried, and I just wanted to say that.

CHAIRMAN JAUQUET: Okay.

MS. BURTON: Thank you.

CHAIRMAN JAUQUET: So how do they see these plans? Eileen, do they come to the Village Building Department to look at these plans?

MS. WINGATE: Yeah. I will leave a set of plans in the front. They just have to -- if they want to take copies, they'll have to FOIL for them, but I'll have a bunch of copies all made up.

CHAIRMAN JAUQUET: Paul, what is your time
plan, your ideal time plan to get going on this, like construction?

MR. HENRY: Well, listen --

CHAIRMAN JAUQUET: I mean, is it --

MR. HENRY: You know, I respect the process.

CHAIRMAN JAUQUET: Yeah. I hear that, yeah.

MR. HENRY: And I would like to just complete it, you know, whenever that's possible. I mean --

CHAIRMAN JAUQUET: And do you think, is the architect going to -- does your relationship with the architect include, you know, a few more permutations of the structure at this point? I mean, we've got two things here.

MR. HENRY: I would hope so, Peter.

CHAIRMAN JAUQUET: Okay. I'm just wondering how flexible, fluid that drawing and redrawing is.

MR. HENRY: Well, look, you know, again, I
respect the process.

CHAIRMAN JAUQUET: Okay.

MR. HENRY: And learning and understanding it better every day, so.

CHAIRMAN JAUQUET: All right

MS. MARTIN: Can I just ask the Village Attorney, if the application has not yet been accepted, is -- are the plans public?

MR. PROKOP: Yes. Well, the plans have been submitted, they haven't been accepted. I believe that it's a public document, yes.

MS. MARTIN: I'm not -- I know that, you know, that we want them to be seen, but I just don't understand the process. I just want to understand the process, because I thought it had to be -- you had to accept the application before they became public.

MR. PROKOP: I don't think -- I mean, I'll render an opinion to the Board, since I've been asked the question.

AUDIENCE MEMBER: Could you repeat -- I
missed your name the last time.

AUDIENCE MEMBER: Your name?

MS. MARTIN: I'm Amy Martin. I am a Permit Agent through Fairweather and Brown. I used to serve on the Planning Board. Thank you.

MR. PROKOP: So I'm sure that there's a FOIL opinion that I can get from the State online. I'll look and see if there's any question --

CHAIRMAN JAUQUET: Yeah, you probably should. I think it's a good question.

MR. PROKOP: -- whether the plans are public. I mean, I would think that they are, but I'll check and see.

CHAIRMAN JAUQUET: What do we do? Do we do anything with this at the next meeting? We need to get what we asked for, so --

MR. PROKOP: (Nodded yes.)

CHAIRMAN JAUQUET: Okay.

MR. PROKOP: It would go onto the next work session.
CHAIRMAN JAUQUET: Okay.

MR. PROKOP: Just to keep it on the agenda.

CHAIRMAN JAUQUET: We'll keep it on the agenda, right.

We're going to go on to the next item.

MS. SIEGEL: I'd just like --

CHAIRMAN JAUQUET: Okay, go ahead.

MS. SIEGEL: Hi. I want to thank everybody for their help here tonight. And I just want to state that I believe that the application, while not yet accepted, does really fulfill the waterfront consistency review, and that it does -- promotes the recreational water dependent uses, and it's going to really -- it strengthens what's happening on the waterfront there, it really does not take away from it.

And the whole fact that the building is up one story, and now we do have that second proposal, if you like it, there is more visual appeal for the waterfront, that you can see right through and you won't be losing it.

And it's just a reminder that the property owner has property rights as well. And while we
want to balance the community interest, he can't be deprived of his rights.

And just in terms of timing, I want to confirm that you guys will be submitting the application to the Suffolk County Planning Commission.

MS. WINGATE: Tomorrow.

MS. SIEGEL: Perfect. And we will follow up. We do believe that we already do have the approval required with the DEC, but we'll follow up. Thank you.

MS. MUNDUS: Thank you.

CHAIRMAN JAUQUET: Thank you.

Okay. Item #6 is --

MR. DOWLING: Don't we need to make a motion for that?

CHAIRMAN JAUQUET: I don't think so.

MR. MC MAHON: We need to do something with Item #5.

CHAIRMAN JAUQUET: Excuse me?

MR. MC MAHON: We need to do something with Item #5 first before putting it off until --

MR. PROKOP: Maybe motion to table it until
motion to table. Oh, I'm sorry.

MR. FEGER: You know, I keep listening to these things, and the things, they get up and people say. I'm going to take issue with two things that happened tonight. One, the building is 1600 square feet, it's an 800-square-foot footprint. I understand that. You know, I can do the math like everybody else. But you're saying that an 802-square-foot building footprint is not significant. Well, 1600 square feet is significant.

MR. BROWN: There is no second floor.

MR. BURNS: There's no second floor.

CHAIRMAN JAUQUET: Yeah.

MR. BROWN: You haven't seen the plans.

There is no second floor.

MR. FEGER: Oh, there is no second floor.

CHAIRMAN JAUQUET: The first floor cathedrals into the roof area, and the roof is
slanted and sloped.

MR. FEGER: Okay. Then I misunderstood what you said. I apologize. And I think that if we really want to do this, and I'm going to deal with honesty, I don't think there is anybody who came here from the neighborhood tonight who appreciates being characterized as trying to take away Mr. Henry's rights. He's been very straightforward with us from the get-go, and we know he has the right to put a building there. And he has been very forthcoming in working with us to get something that we can all live with. That's the goal. So to characterize the neighborhood people here as trying to deprive him of his rights, which is what you did right before this microphone, is not going to make you friends in this neighborhood.

MS. SIEGEL: That wasn't --

MR. FEGER: Thank you very much.

MS. SIEGEL: That wasn't my intent.

CHAIRMAN JAUQUET: Okay. We're going to
make a motion to table this application for Osprey Zone until next -- until the next Planning Board meeting. Do I have a --

MS. WINGATE: Work session.

MR. PROKOP: Work session.

MR. BURNS: The next work session.

CHAIRMAN JAUQUET: The next work session.

MR. MC MAHON: I second that.

CHAIRMAN JAUQUET: And do I have a --

MS. MUNDUS: Second.

CHAIRMAN JAUQUET: All in favor?

MR. BURNS: Aye.

MR. DOWLING: Aye.

MR. MC MAHON: Aye.

MS. MUNDUS: Aye.

CHAIRMAN JAUQUET: Aye. Okay.

MR. PROKOP: You know what I would do, is I would -- just to give you a thought, something to think about, the agenda did say for tonight that it was going to be -- that it was a meeting to consider accepting the application, and I think a
lot of people came to speak because of that. So one of the things that I might suggest you do is to make a motion to take the record from tonight and make that part of the record of the application when it comes before the Board. So that if there's somebody that came tonight that can't come later on, that way their comments will be part of the record.

MR. BURNS: I'll so move.

CHAIRMAN JAUQUET: Okay. So we're going to make a motion to accept the comments.

MR. BURNS: Make this record a part of --

CHAIRMAN JAUQUET: To make the comments of tonight part of the record for next --

MR. PROKOP: Part of the record on this application when it's considered.

CHAIRMAN JAUQUET: Part of the record on this application.

MR. PROKOP: To the extent they're relevant. I know that there's going to be changes to the application, apparently. But, on
the other hand, if somebody comes tonight and it
was mentioned --

CHAIRMAN JAQUET: Yeah.

MR. PROKOP: -- they're going to be away, they shouldn't be deprived of being -- of having
their comments be part of the record.

CHAIRMAN JAQUET: Okay. So this is a
motion to include the comments tonight on this
application of Osprey Zone Marina as part of the
public record. Do I have a second?

MR. BURNS: Second.

CHAIRMAN JAQUET: All in favor?

MR. BURNS: Aye.

MR. DOWLING: Aye.

MR. MC MAHON: Aye.

MS. MUNDUS: Aye.


MR. PROKOP: We need a different second

because he made the motion, so somebody else has
to second it.

MS. MUNDUS: I second it.
MR. PROKOP: Thank you.

CHAIRMAN JAUQUET: All in favor?

MR. BURNS: Aye.

MR. DOWLING: Aye.

MR. MC MAHON: Aye.

MS. MUNDUS: Aye.

CHAIRMAN JAUQUET: Aye.

Okay. And #6 is a motion to schedule the next regular session for November 14th, and the next work session --

MR. MC MAHON: November 20th.

CHAIRMAN JAUQUET: Also on --

MR. BURNS: November 20th.

CHAIRMAN JAUQUET: On, excuse me, November 20th. And to schedule the next work session also on November 20th, or cancel the session as the normal date. 11/27/14 is Thanksgiving Day. Do I hear a second?

MR. DOWLING: I think we should do the 20th, because that works for me.

CHAIRMAN JAUQUET: Do the -- have them both on the 20th?
MR. DOWLING: We either cancel the session or we do it on --

MR. PROKOP: I would keep it as both.

MR. DOWLING: Either keep -- do it the 20th, cancel it, or have it on the normal day, which is the 27th.

MR. PROKOP: I would keep it as both.

MR. DOWLING: Right. So why don't we do it on the 20th?

MR. PROKOP: So a work session and a regular --

CHAIRMAN JAUQUET: Okay. So can we do both items?

MR. PROKOP: We could do both. We'll keep it as both, yes.

CHAIRMAN JAUQUET: Okay. So this is --

MR. PROKOP: I think that's important.

CHAIRMAN JAUQUET: Number 6 is a motion to schedule the next regular session for 11/20, and to schedule the next work session on 11/20/14 as well. Do I have a -- let's see. Any -- do I have a second?

MR. BURNS: Yeah, second.

CHAIRMAN JAUQUET: All in favor?
MR. BURNS: Aye.

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1 MR. DOWLING: Aye.
2 MR. MC MAHON: Aye.
3 MS. MUNDUS: Aye.
4 CHAIRMAN JAUQUET: Aye. So moved.
5 Motion to adjourn.
6 MR. MC MAHON: Second.
7 CHAIRMAN JAUQUET: All in favor?
8 MR. BURNS: Aye.
9 MR. DOWLING: Aye.
10 MR. MC MAHON: Aye.
11 MS. MUNDUS: Aye.
12 CHAIRMAN JAUQUET: Aye.
13 (Whereupon, the meeting was adjourned at 6:54 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 30, 2014.

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 November, 2014.

______________________________
Lucia Braaten