

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

6  
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8 Meeting held at the Greenport Firehouse  
9 236 Third Street, Greenport, New York 11944

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

18  
19

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

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1 (Whereupon, the meeting was called to order  
2 at 5:13 p.m.)

3 CHAIRMAN JAUQUET: This is the October  
4 30th, 2014 Planning Board meeting. This is a  
5 work session.

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

8 AUDIENCE MEMBER: Hi, Ed.

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

11 MR. WARD: I wish it was that exciting.

12 CHAIRMAN JAUQUET: Okay. Thank you.

13 Item #1 is a motion to table an application  
14 for a use evaluation pending input from the  
15 Zoning Board. Applicant, Jim Olinkiewicz, has  
16 proposed to remodel a nonconforming multi-unit  
17 dwelling into a mixed use residential-professional

18 use. The building is located at 211 Carpenter  
19 Street. The zoning is CR, Commercial/Retail;  
20 Section 4, Block 10, Lot 11.

21 So is there any discussion on this?

22 (No response.)

23 CHAIRMAN JAUQUET: Okay. Item #2 --

24 MR. BURNS: I move we --

25 CHAIRMAN JAUQUET: Oh, do we have -- I

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1 guess we to have a motion on it. Okay.

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

5 MR. DOWLING: Oh, this is --

6 MS. MUNDUS: Oh, sorry.

7 MR. DOWLING: We're still on Item 1.

8 MS. MUNDUS: Oh, I'm sorry, I thought you  
9 were -- I'm sorry. I had to close the door and I  
10 got lost. Sorry. Thank you anyway.

11 CHAIRMAN JAUQUET: So do I hear a --

12 MR. BURNS: I move we table.

13 CHAIRMAN JAUQUET: Okay.

14 MR. MC MAHON: I'll second that.

15 CHAIRMAN JAUQUET: All in favor?

16 MR. BURNS: Aye.

17 MR. DOWLING: Aye.

18 MR. MC MAHON: Aye.

19 MS. MUNDUS: Aye.

20 CHAIRMAN JAUQUET: Aye.

21 Okay. Item #2 is further discussion on an  
22 application for a use evaluation of the smoked --  
23 quote/unquote, smoked fish house facility at 414  
24 First Street, to consist of a review of the  
25 Building Department's walk-through report of the

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1 building, and further input on Planning Board's  
2 request of the owner to perform a site cleanup,  
3 pavement repair, and further discussion on the  
4 drainage coming off the roof, drainage system.  
5 Applicant, Phil Karlin, has reconfigured an  
6 existing store to accommodate a new business.  
7 The business has been in operation without site  
8 plan approval of the Planning Board. It's  
9 Section 4, Block 7, Lot 5.

10 MS. PHILLIPS: Peter, I'm sorry, could you  
11 move the mic closer so everyone can hear you? We  
12 can't hear you.

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

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

16 CHAIRMAN JAUQUET: Okay.

17 MS. PHILLIPS: Just move the mic closer.

18 CHAIRMAN JAUQUET: All right. Okay.

19 MS. PHILLIPS: Thank you.

20 CHAIRMAN JAUQUET: And let's see. In  
21 addition to that, the code -- according to the  
22 Suffolk County Planning, this -- I'm just adding  
23 this comment here. The activity in the smoked  
24 fish house is considered to be a manufacturing  
25 activity, which, based on our code, is not a

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1 permitted use, it's retail, and there's supposed  
2 to be sale of retail goods at the premises.

3 So unless -- anyway, in this case, there's  
4 no retail on the premises. And, apparently, the  
5 proper path here is to send the application to

6 Zoning for a variance on the -- of the code,  
7 Section 150-9(A)(9).

8 So any discussion on this?

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

11 CHAIRMAN JAUQUET: Okay.

12 MS. MUNDUS: The garbage that we had --

13 MS. PHILLIPS: Okay. I need to ask a  
14 question, because -- okay. Years ago, this  
15 property was not zoned as CR. I had asked for  
16 the old building files from the Yvonne Jones and  
17 Greenport Ice Company, which I've been informed  
18 that they're not in existence, which over the  
19 last five or six years since we've owned this  
20 property, back in 1997, I've reviewed those files  
21 quite a few times. So that's the number one  
22 question, is I'm trying to review.

23 I'm assuming that it got put CR because  
24 the -- Salamanders went into the building, and  
25 that Clearinghouse is there because they're both

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1 retail, and they changed the certification of

2 occupancy to retail existence on the property.  
3 But this is an extremely mixed use piece of  
4 property. And under the C -- under the General  
5 Commercial, I do believe manufacturing is  
6 allowed; yes or no, Eileen?

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

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

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

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

22 MS. MUNDUS: Four years.

23 MS. PHILLIPS: Four years.

24 CHAIRMAN JAUQUET: What's the  
25 Clearinghouse, what do they -- what do they do?

1 MS. MUNDUS: It's a consignment shop.

2 CHAIRMAN JAUQUET: Oh, right.

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

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

11 MS. PHILLIPS: As I said, I'm trying to --  
12 I would like to look at them, because Mrs. Jones  
13 had some description in the file and dealing with  
14 the property that went back to 1960s and the  
15 1950s. So I just am trying to find that.

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

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

22 MS. MUNDUS: Compared to 60 years ago?

23 MS. PHILLIPS: As I said, I would like to  
24 see what was originally written, because not only  
25 did they make ice at that plant, but they also

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1 manufactured nets. So just at this point, I'm  
2 trying to the find the information, because I  
3 need it for myself, that's number one.

4 CHAIRMAN JAUQUET: Okay. What about --

5 MS. PHILLIP: Okay? Number two --

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

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

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

10 MS. PHILLIPS: Well, number two is I would  
11 like to ask the Village Attorney to give me an  
12 interpretation at some point under the Planning,  
13 under 150-30, Section E. And if I'm reading the  
14 report correctly, the operation that's in the  
15 building is accept -- because of New York State  
16 Building Codes, it's acceptable, if I'm reading  
17 the report correctly. What I'm trying to find  
18 out is other than the Certificate of Occupancy,

19 he did not need a building permit to do what he  
20 did, correct, Eileen?

21 MS. WINGATE: Correct.

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

24 MR. PROKOP: Okay. With respect to what?

25 MS. PHILLIPS: Well, Mr. Cuddy suggested

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

3 MR. PROKOP: Okay.

4 MS. PHILLIPS: Okay?

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

10 MS. PHILLIP: Okay.

11 CHAIRMAN JAUQUET: Is that a Village or a  
12 State reference?

13 MR. PROKOP: It's a Village reference.

14 CHAIRMAN JAUQUET: Okay. Anything else?

15 MS. PHILLIPS: The other thing is I just  
16 want to make a notation of timeline. I just want  
17 to make sure that this is in the record for any  
18 future discussion. My tenants are -- okay. June  
19 1st, or the first week of June, Ag and Markets is  
20 the regulatory agency over the smoked fish  
21 operation, okay? They came in to do the  
22 inspection, upon which he couldn't do anything  
23 until he received that certification, okay? When  
24 I got back, I discovered -- I asked what was  
25 going on, and I discovered that there had been a

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1 miscommunication in their reading the code  
2 themselves and asking questions. I don't know  
3 who they talked to, okay? Can't answer -- he  
4 can't verify who he talked to, that they didn't  
5 need any building permit, okay? When I found out  
6 what was going on, I wrote a letter to Paul  
7 Pallas. I had a meeting with the Building  
8 Inspector and Paul Pallas to discuss this. Phil  
9 proceeded to put the application in. I'm not  
10 sure why it didn't make the July work session,

11 can't answer, okay, can't answer. My  
12 understanding is the work session for August was  
13 cancelled and the regular meeting for September  
14 was cancelled; is that not correct? No?

15 MS. MUNDUS: We had meetings in September.

16 MR. DOWLING: We had one cancelled because  
17 we didn't have anything on the agenda.

18 CHAIRMAN JAUQUET: They were cancelled.

19 Anyway.

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

22 MR. PROKOP: But meetings are --

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

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1 Joe Henry about the gutter on the side of the  
2 building. That has been on that building since  
3 Mrs. Jones owned the building. When we purchased  
4 the property, along with our previous partners,  
5 that's how the building came. Mr. Henry  
6 explained to me that it was done that way so that

7           neither building was undermined by the rainwater  
8           from both buildings. His building, his smaller  
9           building, the rain comes down in between the two  
10          in the front, ours comes down in the back. So  
11          that was the solution that was done years ago.

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

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

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1                 And as far as Clearinghouse, I'm not really  
2          quite sure why Clearinghouse is brought into

3 this, as this is dealing with this building and  
4 not that building, okay?

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

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

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

19 Other than that, the parking lot with the  
20 holes were going to be filled this October,  
21 November anyway with RCA. We have left a few of  
22 them there because we have a speedway that goes  
23 through there. And we had to deter some of the  
24 activity, because some of the Clearinghouse's  
25 customers were almost ran over because we had a

1           speedway going through there. Other than for me  
2           to shut off First Street, which is not really in  
3           the best interest of the --

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

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

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

12          MS. PHILLIP: They come from --

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

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

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

20          MS. PHILLIP: No, I'm not saying that.  
21          What I'm saying is that we all have tried to keep  
22          the traffic flowing down, because it is a private  
23          right-of-way, it's not a public right-of-way.

24 MS. MUNDUS: Right. So you're saying that  
25 you like the rutted out parking lot --

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1 MS. PHILLIP: No.

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

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

17 MS. MUNDUS: Well, your perception of  
18 people speeding through there has absolutely  
19 nothing to do with this application or the report

20 from the Building Inspector specifically talking  
21 about the rutted out parking lot. So it's kind  
22 of a red herring. Pardon the bad pun in this  
23 particular application, but --

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

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1 in --

2 CHAIRMAN JAUQUET: You are going to --  
3 you're going to smooth it out and beautify the  
4 surface?

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

10 CHAIRMAN JAUQUET: Okay.

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

16 MS. PHILLIP: The shed's been there  
17 forever.

18 MS. MUNDUS: Does the shed --

19 MS. PHILLIP: It's movable.

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

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

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

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

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

8 MS. MUNDUS: Okay.

9 MS. PHILLIP: Okay?

10 CHAIRMAN JAUQUET: All right. I just want  
11 to go over the zoning issue. Are you --

12 Mr. Prokop, are you going to look into that? And  
13 are we going to ask the applicant to go to the  
14 Zoning for a variance on the code?

15 MR. PROKOP: Well, there's two different --  
16 there's two different things that we're talking  
17 about.

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

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

25 CHAIRMAN JAUQUET: Okay, that's what we're

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1 going to do.

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

6 And then the second thing is that the  
7 applicant has asked me to take a look at the

8 section of the code, but that really has to do  
9 with the site plan review, which is different  
10 from the use of the property. So I would take a  
11 vote to refer the applicant to the Zoning Board  
12 of Appeals for a use variance, if that's what you  
13 were talking about.

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

22 CHAIRMAN JAUQUET: Right.

23 MS. MUNDUS: -- or a business.

24 CHAIRMAN JAUQUET: And then CR requires  
25 retail, which sells items --

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1 MS. MUNDUS: Right.

2 CHAIRMAN JAUQUET: -- on the premises.

3 MS. MUNDUS: So the only one for permitted

4 use is Item #1, and if there's no retail space,  
5 it doesn't meet the requirement.

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

8 MS. PHILLIPS: Whatever.

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

15 MR. BURNS: Second.

16 CHAIRMAN JAUQUET: All in favor?

17 MR. BURNS: Aye.

18 MR. DOWLING: Aye.

19 MR. MC MAHON: Aye.

20 MS. MUNDUS: Aye.

21 CHAIRMAN JAUQUET: Aye.

22 MS. PHILLIPS: Okay.

23 CHAIRMAN JAUQUET: Okay.

24 MS. PHILLIPS: Thank you

25 CHAIRMAN JAUQUET: Thank you.

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

9           All right. Did you guys look at that?

10          MR. DOWLING: That's the old Starbucks.

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

13          MR. DOWLING: Is the applicant here?

14          CHAIRMAN JAUQUET: Is the applicant here?

15          (No response.)

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

18          MR. DOWLING: Yeah.

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

21          MR. DOWLING: Yeah. And the application  
22          doesn't ask for any changes or anything like  
23          that. But there's no -- the only thing he put  
24          for a site plan was -- looks like there's a floor

25 plan for nothing but the exterior or anything

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1 like that.

2 CHAIRMAN JAUQUET: Right. I mean, you  
3 know, we could accept it and then it goes into  
4 the 60-day process for approval. But he has --

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

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

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

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

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

19 CHAIRMAN JAUQUET: Okay. So we'll --

20 MS. MUNDUS: There's no notice at all on

21 here about exact seating plans or anything like  
22 that.

23 MR. DOWLING: Nor indoor seating or  
24 anything.

25 MS. MUNDUS: Indoor seating.

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1 CHAIRMAN JAUQUET: I know.

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

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

7 CHAIRMAN JAUQUET: So you want to wait?

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

11 CHAIRMAN JAUQUET: Okay.

12 MR. DOWLING: Before we actually approve it.

13 CHAIRMAN JAUQUET: All right. So I motion  
14 that we accept the application for the restaurant  
15 space located at 110 Front Street, pending a  
16 discussion with the applicant present at the next

17 or one of the following Board meetings. Do I  
18 have a second?

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

21 CHAIRMAN JAUQUET: And a more complete  
22 description.

23 MR. DOWLING: The site plan.

24 CHAIRMAN JAUQUET: And a site plan?

25 MR. DOWLING: Proper site plan.

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1 CHAIRMAN JAUQUET: And a proper site plan.

2 Okay. Do I hear a second?

3 MR. BURNS: Second.

4 CHAIRMAN JAUQUET: All in favor?

5 MR. BURNS: Aye.

6 MR. DOWLING: Aye.

7 MR. MC MAHON: Aye.

8 MS. MUNDUS: Aye.

9 CHAIRMAN JAUQUET: Aye.

10 Item #4 is a -- is a motion to accept an  
11 application for a review of a building permit to  
12 repair/reconstruct the front facade of a building

13 located at 27 Front Street, currently operating  
14 as Frisky Oyster Restaurant. The building owner  
15 is Eugene Avella. The applicant, Mark Schwartz,  
16 proposes to relocate the main entry door of the  
17 building to the east side of the building. The  
18 remaining 12 front feet of the facade to the west  
19 of the main door is proposed to open and close to  
20 the street with a set of ceiling-height  
21 three-panel folding-away glass doors. The  
22 proposal flattens the facade by eliminating the  
23 central vestibule entry configuration. This  
24 property is at Section 5, Block 4, Lot 27.

25 So we can start with, is there someone here

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1 from that property that would like to speak?

2 MR. AVELLA: Eugene Avella.

3 CHAIRMAN JAUQUET: Hi.

4 MR. AVELLA: How are you?

5 CHAIRMAN JAUQUET: Would you like to step  
6 up to the podium? Thank you. Go ahead.

7 MR. AVELLA: Yes. I'm proposing to put the  
8 front facade of the building -- it was

9 constructed in 1923. It's a solid masonry block  
10 building. And the front facade, the glass panels  
11 and the bottom, the framing around it is 91 years  
12 old. It needs -- it needs a new front.

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

20 CHAIRMAN JAUQUET: Okay.

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

25 MR. AVELLA: No, not at all.

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1 MR. DOWLING: Staying?

2 MR. AVELLA: That stays. It's just going  
3 to be coming out, the frame, as the picture  
4 describes, and a new glass panel door will be put

5 in its place, which I'm sure would last another  
6 91 years.

7 CHAIRMAN JAUQUET: Which what?

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

10 CHAIRMAN JAUQUET: With today's material.

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

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

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

23 MR. AVELLA: Yeah, basically. Not the  
24 door, the entrance door, but the three panels  
25 will be able to open up.

1 MS. MUNDUS: What is this on the -- on your  
2 architect's drawing, the gray shaded thing in  
3 front on the sidewalk side of the doors, is that  
4 a barrier of some sort?

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

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

18 MR. AVELLA: Portable?

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

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

24 MS. MUNDUS: Something like that. It's  
25 fixed, whatever it was. I'm just thinking about

1 -- really, more about some super event like  
2 Maritime Festival --

3 MR. AVELLA: Yeah.

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

10 MR. AVELLA: True.

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

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

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

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

21 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  
8 tell that, you know --

9 MR. AVELLA: Yeah.

10 MR. DOWLING: So, basically, the canvas is  
11 kind of laced in between, essentially?

12 MR. AVELLA: Somewhat, yeah, that's true.

13 MR. DOWLING: That's what it looks like in  
14 the drawing. My only --

15 CHAIRMAN JAUQUET: Okay. Go ahead.

16 MR. DOWLING: Yeah. My only concern with  
17 this, really, is at nighttime, just because of

18 the noise ordinances. If it's open during the  
19 day when it's not loud, I think that's fine. But  
20 at night, you know, you just need to keep the  
21 noise down. So if the doors can be closed at  
22 night.

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

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

3 CHAIRMAN JAUQUET: Well, my concern is when  
4 you look at the layout here, the bar is right,  
5 you know, within 10 to 15 feet of that open  
6 barrier, and to me, all that noise spills out  
7 onto the sidewalk. And I'm not -- you know, and  
8 the sidewalk is so narrow to start with, that it  
9 would impinge on any back-and-forth pedestrian  
10 traffic on the sidewalk. I feel that that's  
11 already a thing that happens at the Rhumblin. I  
12 mean, you can reach into Rhumblin and grab their  
13 -- something off their table, it's so close.

14 It's not so bad at Noah's, because there's not as  
15 much foot traffic over there, but you get really  
16 close to it. And, you know --

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

19 CHAIRMAN JAUQUET: Yeah.

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

22 CHAIRMAN JAUQUET: That's true, you  
23 can't -- you won't be able to reach in here. But  
24 you said something about tables there. You're  
25 planning on tables there between -- they're not

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1 on the site plan, if you're going to add more  
2 tables.

3 MR. AVELLA: Between the bar and the --

4 CHAIRMAN JAUQUET: And the folding doors.

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

7 CHAIRMAN JAUQUET: The bar stools and the  
8 -- you said something about tables there, like,  
9 you know, Rhumblin has tables at their -- at the

10 threshold to --

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

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

19 MR. AVELLA: Yeah.

20 CHAIRMAN JAUQUET: You know, one of my  
21 problems is, you know, people holding drinks  
22 right at the sidewalk to me is not a good idea,  
23 especially when the sidewalk -- when the doors go  
24 all the way from the grade level up to the  
25 ceiling level. And it's not -- to me, it's not

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1 family fare as it is a table, although, you know,  
2 there's a table and wine being sold out in the  
3 open at Noah's, you can argue that.

4 But kind of, you know -- the Rhumblin -- I  
5 mean, you know, the bar area there at Frisky

6 Oyster to me is, you know, sort of a -- is a bar  
7 area, and there's lots of drinks, and people are,  
8 you know, getting ready to sit down. I'm not  
9 sure that that is the atmosphere that should be  
10 right at the -- happening right there at the  
11 sidewalk. That's my feeling, that's just my  
12 personal feeling about it.

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

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

22 MS. MUNDUS: You reach the bottleneck of  
23 people standing at the bar and then have to  
24 wiggle around, and that's the second bottleneck  
25 between the bar and the wall where the hostess

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1 is. I know myself, it's hard to -- you know,

2           it's part of the fun of the bar, but it makes a  
3           more efficient traffic flow the way you're moving  
4           it to the east. I get where you're coming from.

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

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

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

25          CHAIRMAN JAUQUET: Of course it does, I

1 know. I know it does.

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

4 MS. MUNDUS: Yes.

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

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

9 MS. MUNDUS: Yeah, it looks great.

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

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

15 CHAIRMAN JAUQUET: Well the other thing  
16 that was --

17 MR. DOWLING: Well, they fit already.

18 CHAIRMAN JAUQUET: The other thing that was  
19 pointed out here is that, you know, the current  
20 code for this kind of building is 49 seats.  
21 You've got a preexisting use for 61 seats, which  
22 means that it's, you know, got a lot more seats

23 than what's going on code-wise now. So there's  
24 sort of an over-amount of activity in there right  
25 now as it is. And then you add this, which, you

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1 know, makes some -- a lot of that, if that's, in  
2 fact, what happens there, more impact on the  
3 outside, the public area outside the building. I  
4 mean, already, it's a -- it's a pretty active  
5 scene on the inside, with not very good acoustics  
6 in that.

7 MR. DOWLING: Is that actually a permanent  
8 guardrail, or is it temporary?

9 MR. AVELLA: Well, this is a temporary.  
10 But when the doors are closed, like I said, for  
11 purposes of emergency and so forth, they could  
12 just open those doors and get out of the  
13 building --

14 MR. DOWLING: Uh-huh, okay.

15 MR. AVELLA: -- for whatever reason. And  
16 then, of course, when the doors are open, then we  
17 have the barriers.

18 MR. DOWLING: In place.

19 MR. AVELLA: The doors will open  
20 separately, or all together.

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

23 MR. AVELLA: Correct.

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

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1 MR. AVELLA: Similar to this.

2 CHAIRMAN JAUQUET: Right.

3 MR. AVELLA: Or they'll just slide.

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

7 MR. AVELLA: Yes.

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

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

12 CHAIRMAN JAUQUET: Right. From your wall in.

13 MR. AVELLA: Right.

14 CHAIRMAN JAUQUET: It doesn't ever protrude

15 out --

16 MR. AVELLA: No, never.

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

19 MR. AVELLA: Correct.

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

25 MR. AVELLA: Correct.

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1 CHAIRMAN JAUQUET: Right.

2 MS. MUNDUS: Twelve feet wide.

3 CHAIRMAN JAUQUET: I know.

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

5 CHAIRMAN JAUQUET: That's a big deal.

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

8 CHAIRMAN JAUQUET: Oh, I know, I know.

9 MS. MUNDUS: -- if that temporary barrier  
10 just slid off to the side.

11 CHAIRMAN JAUQUET: I know, I know.

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

16 MS. MUNDUS: How is that enforced?

17 MR. DOWLING: We have a Code Enforcement  
18 Officer.

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

25 MR. AVELLA: It would never protrude in --

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

3 MR. AVELLA: There, plus the barriers.

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

6 MR. AVELLA: Yeah.

7                   CHAIRMAN JAUQUET: The outdoors comes in a  
8                   little bit, and the scene is, on the interior of  
9                   your store, is observable from the street, right?

10                  MR. AVELLA: Yes.

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

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

14                  CHAIRMAN JAUQUET: Right.

15                  MR. AVELLA: As you drive by.

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

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

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1                  most important part of this project.

2                  CHAIRMAN JAUQUET: Is it obvious how those

3 doors would open to a regular person if they --  
4 if they were closed? I mean, where do you start?

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

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

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

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

19 MR. AVELLA: Where the barriers are?

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

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

25 CHAIRMAN JAUQUET: Well, that's one issue.

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

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

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

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

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

20          MR. AVELLA: Yes.

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

22          MR. AVELLA: All right.

23          MR. DOWLING: But if you did want to put

24 something there, instead of coming back or doing  
25 it without permission, ask for it now, that's all.

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1 MR. AVELLA: Yes, okay. I understand.

2 CHAIRMAN JAUQUET: Because you do have  
3 tables there now. There are -- there is seating.

4 MR. AVELLA: That's --

5 CHAIRMAN JAUQUET: There's seating, not  
6 tables, it's seating.

7 MR. AVELLA: Correct.

8 CHAIRMAN JAUQUET: Right.

9 MR. AVELLA: Correct, it's seating.

10 MS. MUNDUS: There's only seven bar stools  
11 on this plan, so that means that most weekends  
12 there are going to be people standing in this  
13 area. There's always more than seven people at  
14 the bar.

15 MR. AVELLA: At the bar.

16 MS. MUNDUS: Right.

17 CHAIRMAN JAUQUET: It's very crowded there.

18 Between the bar and the window wall right now on a

--

19 MR. DOWLING: The biggest problem before  
20 was getting into the place. So now with having  
21 the door to the side, it will be a lot nicer for  
22 them.

23 CHAIRMAN JAUQUET: Well, there's more --  
24 yeah, that directs the traffic a little bit  
25 better. I don't know how it really works at

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1 restaurants like that, but it looks like that  
2 would be better.

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

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

7 MR. PROKOP: I just have one comment, if I  
8 could. So we had -- we have your survey. This  
9 is a pretty complete application, it looks like.  
10 Thank you for all the detail. But it looks like  
11 from your survey that your property ends right at  
12 where the facade now is. You don't go any  
13 farther than the facade. And my only question  
14 would be if the doors -- and I'm not -- I don't

15 want to get involved in the planning, I'm just  
16 speaking in terms of legally.

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

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1 MR. AVELLA: Absolutely.

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

4 MR. AVELLA: No problem.

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

8 MR. AVELLA: Okay.

9 CHAIRMAN JAUQUET: All right. So --

10 MS. MUNDUS: Thank you for such a nice

11 presentation.

12 MR. AVELLA: Thank you for your time.

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

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

18 MR. DOWLING: Yup

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

23 MR. DOWLING: Second.

24 MS. MUNDUS: Second.

25 CHAIRMAN JAUQUET: All in favor?

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1 MR. BURNS: Aye.

2 MR. DOWLING: Aye.

3 MR. MC MAHON: Aye.

4 MS. MUNDUS: Aye.

5 CHAIRMAN JAUQUET: Aye.

6 MR. AVELLA: Thank you

7 MR. PROKOP: So it will be on the agenda at  
8 the regular meeting.

9 MR. BURNS: Yes.

10 MR. DOWLING: Yes.

11 CHAIRMAN JAUQUET: Right.

12 MS. MUNDUS: Thank you.

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

24 The proposed structure is 38 feet by 6 feet  
25 by 20 feet by 10 -- excuse me six inches by 20 by

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1 10 -- 20 feet by 10 inches, with two stories  
2 above a seven-foot-three space grade level

42.

3 parking area, for a total building lot of 30  
4 feet. This is located in Section 3, Block 4, Lot

5 Does anybody want to get up and talk about  
6 this one?

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

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

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

23 Okay. You know, in looking at this before  
24 the meeting, we're going to call this a  
25 presubmission conference, so that everything that

1 we need is in this application. And there's a  
2 couple of things that are missing, and they  
3 consist of -- I got to get my notes here. Number  
4 one is we're going to -- we are requesting that  
5 the applicant resubmits to the DEC for a  
6 recertification of the nonjurisdiction review of  
7 the site -- the nonjurisdiction call on the site  
8 plan. Your application included a  
9 nonjurisdiction from the DEC from two years ago.

10 MR. BROWN: Yes.

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

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

22 MR. BROWN: Is that something that's  
23 normally done coincidental to this?

24                   CHAIRMAN JAUQUET: I've been told that it  
25                   is. I've been told that it is from the Building

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1                   Department.

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

4                   MS. WINGATE: (Nodded yes.)

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

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

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

13                  CHAIRMAN JAUQUET: Well, this is going to  
14                  be -- this is a pre-submission conference.

15                  MR. BROWN: Yeah.

16                  CHAIRMAN JAUQUET: We're not going to  
17                  accept the application. We're not going to make  
18                  a motion to accept the application until we get  
19                  those items.

20 MR. BROWN: I'm sorry, I'm a little  
21 confused. It's my understanding that the Suffolk  
22 County Planning Commission process was  
23 coincidental to the Planning Board process. So I  
24 don't understand why you're waiting for that  
25 before you accept the application. Am I missing

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1 something? I'm just not --

2 CHAIRMAN JAUQUET: It seems to me that --

3 MR. BROWN: I'm trying to understand.

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

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

14 MS. WINGATE: Their jurisdiction is --

15 MR. BROWN: -- Jane Siegel, to address that

16 further. But I would like to add that from my  
17 experience, once the DEC issues a Letter of  
18 Nonjurisdiction on the property, they will refuse  
19 any further applications on that property.  
20 That's from my experience.

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

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

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

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1 So I believe --

2 (Firehouse Siren Sounded)

3 MS. WINGATE: I only have nonjurisdiction  
4 for 2012.

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

9 MS. WINGATE: Suffolk County Planning is a  
10 21-day turnover. So I haven't --

11 MR. BROWN: I understand that, that's not

12 my question. My question is it was my  
13 understanding that the Suffolk County Planning  
14 Commission is an application made by this Board  
15 after they have accepted the application; is that  
16 incorrect?

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

24 MR. BROWN: I'm not disagreeing with that.  
25 My question is it's my understanding the Village

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

3 MS. WINGATE: The Building Department makes  
4 the application.

5 MR. BROWN: The Building Department does.  
6 So what do I have to do to make that happen?

7 MS. WINGATE: Nothing.

8 MR. BROWN: Nothing.

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

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

13 MS. WINGATE: Correct.

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

17 MS. WINGATE: Correct.

18 MR. BROWN: So Ms. Siegel.

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

23 In terms of the timing of everything here,  
24 it seems as though there would be no reason why  
25 this can't all happen concurrently, even if you

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1 were to say we can submit today, that the  
2 application would be submitted, if it was a  
3 condition that we get you the letter of no

4 jurisdiction for the next meeting, you know, for  
5 the final approval.

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

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

20 MR. PROKOP: Well, you just -- the process  
21 is this is your presubmission planning -- this is  
22 your presubmission conference. So there's -- I  
23 mean, actually, there's really nothing that's  
24 being held up. I mean, right now, we're having a  
25 conference. What typically is done is the

1 application is discussed, you know, if there's  
2 any presubmission modifications that might be  
3 requested and there's a request for additional  
4 documents that the Board feels might be required.

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

10 MS. SIEGEL: Okay. So --

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

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

23 MR. PROKOP: But that's not the law. The  
24 law -- the law says clearly that this Board can't

25 grant site plan approval without submission to

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

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

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

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

19 MS. SIEGEL: Okay. Well, I'm not saying  
20 that at all. And, to be honest with you, I think

21 that for site plan approval, that you don't  
22 actually need the documentation that you're  
23 asking for today. As I said, this is an  
24 as-of-right project with a permitted use. And if  
25 there are other comments, let's deal with

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

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

13 MS. SIEGEL: No, no.

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

16 MS. SIEGEL: We just want to be able to --

17 I'm not saying grant the application. It's a  
18 presubmission conference, and then you have to  
19 submit the application for approval after we  
20 submit.

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

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

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

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1 proceed.

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

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

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

13 MR. BROWN: Well, it accomplishes two  
14 purposes.

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

17 MR. BROWN: Sure. It accomplishes two  
18 purposes.

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

24 MR. BROWN: Well, first of all, I wouldn't  
25 personally describe it as huge. It's a fairly

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1 small structure, but --

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

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

8 MS. MUNDUS: Okay.

9 MR. BROWN: Rather than just have a flat  
10 eight-foot ceiling.

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

13 MR. BROWN: That's just --

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

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

21 MS. MUNDUS: Okay.

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

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1 What's that?

2 MR. BROWN: A roof floor?

3 MR. BURNS: It's on your -- it's on your  
4 diagram.

5           MR. BROWN: I don't recall that. May I  
6           approach?

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

12          MR. BURNS: It looks like --

13          CHAIRMAN JAUQUET: Excuse me. Let's have  
14          it quiet, please.

15          MR. BURNS: I understand.

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

21          MR. BURNS: I understand.

22          MR. BROWN: It is not occupiable space.

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

25          MR. BROWN: What we call clerestory

1 windows. There are windows above the floor level  
2 to lend extra light into the space.

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

5 MR. BROWN: No, not in this plan.

6 (Laughter from Audience)

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

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

14 MR. BURNS: I like this one better.

15 MS. MUNDUS: You have it with you?

16 MR. BROWN: Yes, I do.

17 MS. MUNDUS: I would like to see it.

18 MR. DOWLING: Yeah.

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

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

24 MS. MUNDUS: Right.

25 MR. BROWN: You have the structure of the

1 roof exposed to this room. It lends a whole  
2 different atmosphere

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

4 MR. BROWN: That's the intention.

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

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

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

12 MR. BROWN: No.

13 CHAIRMAN JAUQUET: Well, doing that out of  
14 interest.

15 MR. BROWN: Well, informally.

16 CHAIRMAN JAUQUET: Informally, yes.

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

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

21 MR. BROWN: It is a seven-foot clearance,

22 and approximately 10 feet.

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

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

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

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

5 MR. BURNS: That would be a lower profile?

6 MR. BROWN: Yes, it would.

7 MR. BURNS: That's a thought.

8 MR. BROWN: I'm sorry?

9 MR. BURNS: That's a good thought.

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

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

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

17 MR. BROWN: Well, it would be guttered and

18 run down to grade, which is gravel. It's all  
19 permeable surface.

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

22 MR. BROWN: That's correct, yes.

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

25 MR. BROWN: Yes.

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

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

6 CHAIRMAN JAUQUET: Stairs are exterior in  
7 that plan?

8 MR. BROWN: Yes, stairs are exterior.

9 MS. MUNDUS: Stairs are on the water side.

10 MR. DOWLING: The north side of the  
11 building.

12 MR. BROWN: The stairs are on the north  
13 side of the building. So you would go in,

14 through, and up again to get to the roof deck.  
15 It's not open to the public.

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

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

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

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

6 MR. DOWLING: Gotcha.

7 MS. MUNDUS: Wow.

8 CHAIRMAN JAUQUET: But you're not required  
9 to have access -- handicapped accessible from the

10 grade level?

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

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

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

20 MS. MUNDUS: Also, you know, it's a  
21 little -- it's a little deceiving on a plan,  
22 because you're looking at lines. But, in  
23 reality, you're going to be looking through the  
24 stainless steel cables to the rest of the vista,  
25 which is what -- I mean, that's a lot of

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1 stainless wire. But, still, you're going to be  
2 able to see through it. You know, you're not  
3 going to see through a solid roof. And it's  
4 going to be asphalt or -- asphalt roof?

5 MR. BROWN: The roof? Well, that would

6 probably be asphalt shingles, yes, on the pitched  
7 roof.

8 MS. MUNDUS: That's a lot of shingles.  
9 That's only six feet away from the edge of the  
10 road, right?

11 MR. BROWN: Yes.

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

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

25 MS. MUNDUS: So, ballpark figure, it's

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1 going to be 16.

2 MR. BROWN: Approximately 16 to 18 feet.

3 CHAIRMAN JAUQUET: When you --

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

6 MR. BROWN: Yes, overhang the --

7 MR. DOWLING: Bulkhead.

8 MR. BROWN: Deck.

9 MR. DOWLING: Right.

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

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

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

24 MR. BROWN: Yes.

25 CHAIRMAN JAUQUET: I mean, isn't that -- I

1 don't know if the DEC is going to look at that,  
2 but --

3 MR. DOWLING: Probably.

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

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

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

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

13 CHAIRMAN JAUQUET: Right.

14 MR. BROWN: But there will be --

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

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

20 CHAIRMAN JAUQUET: I see. Because one way  
21 of thinking, I was thinking that the two-story  
22 with an elaborate bulkhead, so that there's that

23 balcony effect, but not all that roof and all  
24 that mass. And the other -- you know, the  
25 other -- my other thing was like maybe the design

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

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

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

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

14 CHAIRMAN JAUQUET: Yeah. But I would think  
15 with the two -- with the one-story, plus balcony,  
16 that some kind of folly type bulkhead that  
17 creates, you know, another -- maybe not the whole  
18 second story, but all the roof lines as creating

19 the second story, to do a bulkhead that provides  
20 that viewing and seating area facing the water,  
21 but being private from the street and the  
22 neighbors on the other side of the street,  
23 because there's something nice about having that.

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

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

6 CHAIRMAN JAUQUET: Some sort of --  
7 somewhere in between, so that you get that  
8 private balcony without -- this way, anything  
9 they do on the roof is in view of everybody else  
10 and it's not private, and it may not be very  
11 desirable. On the other hand, something up  
12 there, I'm calling it a bulkhead, but, you know,  
13 that doesn't sound very pleasing, but some sort  
14 of structure that gives you -- that once you're

15 up there, you're privately sitting at a table  
16 viewing the harbor and activity. You know,  
17 people in their houses can't see what's going on  
18 up there, because they do --

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

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

25 MR. BURNS: Anything that extends the

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1 height I'm against.

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

4 MR. BROWN: Thirty-five, 36.

5 CHAIRMAN JAUQUET: I think it's --

6 MR. BROWN: Thirty-five?

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

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

11 very peak.

12 CHAIRMAN JAUQUET: Right.

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

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

17 CHAIRMAN JAUQUET: Say that again.

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

20 MR. BURNS: It may save you some time.

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

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

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1 MS. MUNDUS: Come to the podium.

2 MR. HENRY: Sure. I'll see if I can put  
3 my foot in my mouth. You know, we've been kind  
4 of kicking this around, as you know, for a long  
5 time, today bring new representation, new  
6 architect, new plans. I just want to explain why

7 there's two different versions of this in front  
8 of you, because we've been just trying to figure  
9 out what everybody wants. You know, there's pros  
10 and cons for all these different things. We've  
11 tried to be sensitive to the parking, which is  
12 very important on the street. Everybody will  
13 tell you that parking is an issue.

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

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

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1 But, I mean, this property is commercial  
2 waterfront property. All these people bought

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

18 MS. MUNDUS: We're really -- we really --

19 MR. MOORE: I've got a question about  
20 timing on this, if I may.

21 MS. MUNDUS: Doug, can you --

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

25 MS. MUNDUS: Okay. We can only take one

1 person speaking at a time from the podium.

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

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

6 MR. MOORE: That would fine.

7 MS. MUNDUS: -- to get that answer.

8 MR. MOORE: That would be fine.

9 CHAIRMAN JAUQUET: Do you have anything  
10 else, Paul?

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

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

24 solution for everybody.

25 MR. HENRY: To be honest, if I may, we

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1 didn't really know who or what would be  
2 preferred, because a lot of people thought that  
3 the flat roof was ugly, and that it would be much  
4 more aesthetic and pretty to have some lines on  
5 the roof, but, of course, that balanced against  
6 the height.

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

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

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

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

15 MS. MUNDUS: What I'd like to hear is the  
16 last time we went through this exercise, which  
17 was about six months ago, you had said that you  
18 may use it for any one of the permitted uses,  
19 which sort of --

20 MR. HENRY: Well, you know, that was maybe  
21 my naivete. I mean, you know, honestly, when we  
22 think about marina use, when I say I want to  
23 repair boats, I'm just talking about I want to be  
24 able to fix boats that are there, you know, and I  
25 don't know how that fits into the usage. We're

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1 not really looking for, again, any increased  
2 traffic, we're not looking for an apartment,  
3 we're not looking for a store, we're not looking  
4 for a restaurant, and we're definitely not  
5 looking for a bar.

6 CHAIRMAN JAUQUET: Great.

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

10 MR. HENRY: Understood.

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

16 where everybody --

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

23 MS. MUNDUS: Yeah.

24 CHAIRMAN JAUQUET: Oh, yeah.

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

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

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

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

11 MS. MUNDUS: Right.

12 MR. HENRY: We all love everything about it.

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

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

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

23 MR. HENRY: Pardon?

24 CHAIRMAN JAUQUET: It seems like a great  
25 place to have a cocktail party at night with

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1 lights and stuff.

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

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

6 MR. HENRY: -- in the planning process.

7 MS. MUNDUS: It's a marina. It's a marina.

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

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

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

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

23                 CHAIRMAN JAUQUET: You know, one question I  
24                 had about the roof, the cathedral roof, is that  
25                 from below in the office area, does that get to

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1                 be a little too high or something?

2                 MR. HENRY: You know, the intention --  
3                 again, the intention of that plan that we

4 submitted, which, by the way, this wasn't a game  
5 that we were playing that we were -- you know,  
6 this is something --

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

9 MR. HENRY: This is a new process for us.  
10 We're, again, kind of just feeling our way  
11 through this for the first time. But the  
12 intention was really to kind of make it more  
13 aesthetically pleasing, because, you know, I  
14 mean, I think the flat roof is okay, but I think  
15 with the banister, it adds a little nautical  
16 touch to it, which is nice. But the intention  
17 really was to just give it some more lines, and  
18 some flavor, and, you know, some shape. And then  
19 along the way, you know, we didn't want to get  
20 crazy.

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

25 CHAIRMAN JAUQUET: Right, yeah.

1           MR. HENRY: So, you know, we're just trying  
2 to avoid all those questions, and just trying to  
3 get to something that, you know, everybody says  
4 okay, that's all.

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

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

14          MR. BROWN: Ten feet.

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

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

19          MR. HENRY: The property --

20          CHAIRMAN JAUQUET: Oh, there's a sidewalk?

21          MR. HENRY: I'm guessing.

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

23          MR. DOWLING: It's 25 feet.

24          MS. MUNDUS: Twenty-three or 24 feet.

25 MR. BROWN: Yeah, 25 feet.

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1 MS. MUNDUS: Twenty-five feet.

2 MR. HENRY: Right.

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

9 MR. HENRY: First of all, I understand.

10 MS. MUNDUS: Right.

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

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

18 MR. HENRY: It's a process.

19 MS. MUNDUS: It's a process.

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

21 too.

22 MS. MUNDUS: Right.

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

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

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

5 MR. MOORE: I just --

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

8 CHAIRMAN JAUQUET: You need to come up.

9 MR. HENRY: May I?

10 MS. MUNDUS: Yes. Thank you very much.

11 MR. HENRY: Thank you very much.

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

16 There's a difficulty with their interest in

17 our comments, since the plans haven't seen the  
18 light of day to the public. So I would like an  
19 opportunity, that there's obviously a lot of  
20 interest in the neighborhood, if we could look at  
21 the plans. Now there seems to be an A and B  
22 plan. I think we could even make some  
23 constructive criticism or suggestions.

24 And the other issue is the timing of this  
25 process. Mr. Henry is concerned about when it

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1 will complete, but many of the affected neighbors  
2 will be away, as Paul may be, and unable to  
3 come -- to make a trip from far away to have the  
4 opportunity to speak on this. And perhaps a  
5 letter would be okay, but it's better to be here.  
6 Mr. Henry has a lot of worker bees that can do  
7 that here while he's away, but many of us can't  
8 do that.

9 And I think there are some real issues of  
10 the placement of a structure on this property  
11 that I would like to have an opportunity to look  
12 at. I think his wetlands permits has

13 restrictions, his current permit, which won't  
14 allow what he's proposing. So it needs some  
15 discussion, and I hope you take the time to allow  
16 that. And I think there'll be a very good  
17 result.

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

25 MR. HENRY: I'm sorry. Could you just -- I

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1 didn't quite understand. Can you repeat that,  
2 please?

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

8 MR. HENRY: I believe that the Letter of

9 Nonjurisdiction from the DEC was specifically in  
10 response to this project. And I think, out of  
11 context, the letter isn't exactly clear. I think  
12 when we show you the application for that letter,  
13 it will become clear.

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

16 MR. HENRY: I understand.

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

19 MR. BURNS: We all are.

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

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

25 As far as I read the Letter of

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1 Nonjurisdiction, and it was for a prior building  
2 that they were applying, the letter very clearly  
3 states that anything landward of 100 foot of the  
4 existing bulkhead, which is a -- designates the

5 jurisdiction of the DEC. The 100 feet of  
6 bulkhead predated the DEC's jurisdiction of the  
7 land. So, therefore, you'll find that it will  
8 stand and that's not going to be an issue.

9 MS. MUNDUS: Okay.

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

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

15 CHAIRMAN JAUQUET: I don't think so.

16 MS. MARTIN: Okay.

17 CHAIRMAN JAUQUET: Go ahead.

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

19 MR. FEGER: Excuse me. Thank you.

20 MS. SIEGEL: Okay.

21 MR. FEGER: Bob Feger. I live at 123  
22 Sterling Avenue, around the corner.

23 I know this process has been going on for a  
24 long time, and the Sterling Neighborhood  
25 Association watches these things carefully,

1           because we want to maintain the character of our  
2           neighborhood.  And while I do appreciate all this  
3           coming forward, I find it a little disconcerting,  
4           because, you know, I did the math on this.  A  
5           38-foot-by -- a 38-foot-6-inch building by a  
6           20-foot-10-inch building adds up to 802 square  
7           feet on each floor.  So to characterize a 1600  
8           square foot building as a small structure is a  
9           gross mischaracterization of what it is.  It is  
10          1600 square feet.  There are many homes in  
11          Greenport that don't encompass 1600 square feet.

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

19                   CHAIRMAN JAUQUET:  Thank you.

20                   MR. BROWN:  I'd like to respond to that, if  
21          I may.  In terms of being truthful, it is a  
22          one-story use structure, and it is a maximum of  
23          40% lot coverage, which is allowable by code.  I  
24          don't think anybody would consider an  
25          800-square-foot footprint to be a large

1 structure.

2 CHAIRMAN JAUQUET: We're going to take the  
3 public comments from the neighborhood right now.

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

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

8 MS. SIEGEL: Okay.

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

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

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

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

21 CHAIRMAN JAUQUET: Yes, it is, it's

22 planning. The Planning Board is all about --

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

25 CHAIRMAN JAUQUET: The Planning Board is

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1 about the impact to the neighborhood, the  
2 aesthetics, change to the Village, and those kind  
3 of considerations, it's not all process and law.  
4 And this is an open mic night for the neighbors,  
5 so that's why they're speaking. We haven't heard  
6 from them for a while.

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

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

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

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

18 permitted use.

19 CHAIRMAN JAUQUET: That's right.

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

22 CHAIRMAN JAUQUET: We are, we are.

23 MRS. MOORE: My name is Mary Moore. I live  
24 at 145 Sterling Street, directly across the  
25 street from this project. And one thing I want

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1 to -- I wonder about, since Paul really is trying  
2 to fit something into the community that we'll  
3 all appreciate and be able to live with, but his  
4 first plan was 16-by-30 feet, which is 480 square  
5 feet, and this plan is 802 square feet. It  
6 maximizes the 40% that is allowed by law, that is  
7 allowed, waterfront commercial. But whether it  
8 fits into the residential community is another  
9 whole problem. So we really would like a chance  
10 to look at the plans.

11 And the other thing, Mr. Fairweather?

12 MR. BROWN: Brown.

13 MRS. MOORE: Brown, I'm sorry. Mr. Brown,

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

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1 Anyway, thank you for listening.

2 CHAIRMAN JAUQUET: Thank you. Anybody  
3 else? Go ahead.

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

8 I think Paul's done a great job in  
9 improving his property, it looks much nicer now

10 than it did before, as have all of my neighbors  
11 done. And my property is on the water, also, I  
12 have waterfront property. I've made mine look  
13 very nice, and, I like I said, the rest of the  
14 neighbors have, too, and without a structure of  
15 this size.

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

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

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1 of town coming through, or from the town that are  
2 coming through the area and like to look at the  
3 waterfront, like to appreciate all of that. A  
4 building of this size, I think, is really going  
5 to really impact that quite negatively. Thank

6 you.

7 CHAIRMAN JAUQUET: Thank you. How many  
8 boat slips are there, six, or did I count -- is  
9 the capacity --

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

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

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

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

20 MR. KEHL: Bob Kehl, 242 Fifth Avenue.  
21 Just proportion-wise, if you look to the north,  
22 where Gus Wade's property is, and I built that,  
23 and I know Mr. Brown, Fairweather Brown did --  
24 the architect on that, that lot's, I think, about  
25 130 feet wide. His building itself is 30 feet

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1 wide and 35 foot tall, so it gives you -- you can

2 actually see through and you get to see the  
3 water. If you start taking a piece -- a lot  
4 that's as narrow as Mr. Henry's there and putting  
5 this on there, it's like putting a billboard in.

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

8 CHAIRMAN JAUQUET: Okay.

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

11 MS. MUNDUS: Right.

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

14 MR. HENRY: Nothing personal, Bob.

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

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

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

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

24 MR. KEHL: Right.

25 MS. MUNDUS: -- piece of property. So

1 that's what we're trying to do.

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

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

6 MR. KEHL: Right.

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

10 MR. KEHL: Right.

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

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

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

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

19 MS. MUNDUS: Thank you very much.

20 CHAIRMAN JAUQUET: Anyone else?

21 MS. BURTON: Hi I'm Diana Burton. I live  
22 at 131 Sterling Street, right next to Paul

23 Henry's property. I also own the lot right at  
24 the waterfront, which is the same size as Paul  
25 Henry's. So, if he builds something like that, I

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1 probably would be allowed to build something like  
2 that. And Art's is also commercial, and he could  
3 build something like that, and then -- then what  
4 happens to our neighborhood?

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

18           CHAIRMAN JAUQUET: So the structure --

19 MS. BURTON: The structure --

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

22 MS. BURTON: Well, the structure, in my  
23 mind, not having ever seen a plan, I just feel  
24 like anything that goes that high and takes away  
25 from the neighborhood that everybody enjoys is

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1 going to be terrible for Greenport. And if we  
2 can see a structure that we all agree on, I think  
3 that's lovely. But, you know, we're worried, and  
4 I just wanted to say that.

5 CHAIRMAN JAUQUET: Okay.

6 MS. BURTON: Thank you.

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

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

14 CHAIRMAN JAUQUET: Paul, what is your time

15 plan, your ideal time plan to get going on this,  
16 like construction?

17 MR. HENRY: Well, listen --

18 CHAIRMAN JAUQUET: I mean, is it --

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

21 CHAIRMAN JAUQUET: Yeah. I hear that,  
22 yeah.

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

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

6 MR. HENRY: I would hope so, Peter.

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

10 MR. HENRY: Well, look, you know, again, I

11 respect the process.

12 CHAIRMAN JAUQUET: Okay.

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

15 CHAIRMAN JAUQUET: All right

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

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

22 MS. MARTIN: I'm not -- I know that, you  
23 know, that we want them to be seen, but I just  
24 don't understand the process. I just want to  
25 understand the process, because I thought it had

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1 to be -- you had to accept the application before  
2 they became public.

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

6 AUDIENCE MEMBER: Could you repeat -- I

7 missed your name the last time.

8 AUDIENCE MEMBER: Your name?

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

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

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

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

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

24 MR. PROKOP: (Nodded yes.)

25 CHAIRMAN JAUQUET: Okay.

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1 MR. PROKOP: It would go onto the next work  
2 session.

3 CHAIRMAN JAUQUET: Okay.

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

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

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

8 MS. SIEGEL: I'd just like --

9 CHAIRMAN JAUQUET: Okay, go ahead.

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

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

24 And it's just a reminder that the property  
25 owner has property rights as well. And while we

1 want to balance the community interest, he can't  
2 be deprived of his rights.

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

7 MS. WINGATE: Tomorrow.

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

12 MS. MUNDUS: Thank you.

13 CHAIRMAN JAUQUET: Thank you.

14 Okay. Item #6 is --

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

17 CHAIRMAN JAUQUET: I don't think so.

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

20 CHAIRMAN JAUQUET: Excuse me?

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

23 MR. PROKOP: Maybe motion to table it until

24 the next work session.

25 CHAIRMAN JAUQUET: Okay. So we're going to

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1 motion to table. Oh, I'm sorry.

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

12 MR. BROWN: There is no second floor.

13 MR. BURNS: There's no second floor.

14 CHAIRMAN JAUQUET: Yeah.

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

16 There is no second floor.

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

18 CHAIRMAN JAUQUET: The first floor  
19 cathedrals into the roof area, and the roof is

20 slanted and sloped.

21 MR. FEGER: Okay. Then I misunderstood  
22 what you said. I apologize. And I think that if  
23 we really want to do this, and I'm going to deal  
24 with honesty, I don't think there is anybody who  
25 came here from the neighborhood tonight who

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1 appreciates being characterized as trying to take  
2 away Mr. Henry's rights. He's been very  
3 straightforward with us from the get-go, and we  
4 know he has the right to put a building there.  
5 And he has been very forthcoming in working with  
6 us to get something that we can all live with.  
7 That's the goal. So to characterize the  
8 neighborhood people here as trying to deprive him  
9 of his rights, which is what you did right before  
10 this microphone, is not going to make you friends  
11 in this neighborhood.

12 MS. SIEGEL: That wasn't --

13 MR. FEGER: Thank you very much.

14 MS. SIEGEL: That wasn't my intent.

15 CHAIRMAN JAUQUET: Okay. We're going to

16 make a motion to table this application for  
17 Osprey Zone until next -- until the next Planning  
18 Board meeting. Do I have a --  
19 MS. WINGATE: Work session.  
20 MR. PROKOP: Work session.  
21 MR. BURNS: The next work session.  
22 CHAIRMAN JAUQUET: The next work session.  
23 MR. MC MAHON: I second that.  
24 CHAIRMAN JAUQUET: And do I have a --  
25 MS. MUNDUS: Second.

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1 CHAIRMAN JAUQUET: All in favor?  
2 MR. BURNS: Aye.  
3 MR. DOWLING: Aye.  
4 MR. MC MAHON: Aye.  
5 MS. MUNDUS: Aye.  
6 CHAIRMAN JAUQUET: Aye. Okay.  
7 MR. PROKOP: You know what I would do, is I  
8 would -- just to give you a thought, something to  
9 think about, the agenda did say for tonight that  
10 it was going to be -- that it was a meeting to  
11 consider accepting the application, and I think a

12 lot of people came to speak because of that. So  
13 one of the things that I might suggest you do is  
14 to make a motion to take the record from tonight  
15 and make that part of the record of the  
16 application when it comes before the Board. So  
17 that if there's somebody that came tonight that  
18 can't come later on, that way their comments will  
19 be part of the record.

20 MR. BURNS: I'll so move.

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

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

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

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

3 CHAIRMAN JAUQUET: Part of the record on  
4 this application.

5 MR. PROKOP: To the extent they're  
6 relevant. I know that there's going to be  
7 changes to the application, apparently. But, on

8 the other hand, if somebody comes tonight and it  
9 was mentioned --

10 CHAIRMAN JAUQUET: Yeah.

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

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

18 MR. BURNS: Second.

19 CHAIRMAN JAUQUET: All in favor?

20 MR. BURNS: Aye.

21 MR. DOWLING: Aye.

22 MR. MC MAHON: Aye.

23 MS. MUNDUS: Aye.

24 CHAIRMAN JAUQUET: Aye. Okay.

25 MR. PROKOP: We need a different second

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

3 MS. MUNDUS: I second it.

4 MR. PROKOP: Thank you.

5 CHAIRMAN JAUQUET: All in favor?

6 MR. BURNS: Aye.

7 MR. DOWLING: Aye.

8 MR. MC MAHON: Aye.

9 MS. MUNDUS: Aye.

10 CHAIRMAN JAUQUET: Aye.

11 Okay. And #6 is a motion to schedule the

12 next regular session for November 14th, and the

13 next work session --

14 MR. MC MAHON: November 20th.

15 CHAIRMAN JAUQUET: Also on --

16 MR. BURNS: November 20th.

17 CHAIRMAN JAUQUET: On, excuse me, November

18 20th. And to schedule the next work session also

19 on November 20th, or cancel the session as the

20 normal date. 11/27/14 is Thanksgiving Day. Do I

21 hear a second?

22 MR. DOWLING: I think we should do the

23 20th, because that works for me.

24 CHAIRMAN JAUQUET: Do the -- have them both

25 on the 20th?

1 MR. DOWLING: We either cancel the session  
2 or we do it on --

3 MR. PROKOP: I would keep it as both.

4 MR. DOWLING: Either keep -- do it the  
5 20th, cancel it, or have it on the normal day,  
6 which is the 27th.

7 MR. PROKOP: I would keep it as both.

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

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

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

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

16 CHAIRMAN JAUQUET: Okay. So this is --

17 MR. PROKOP: I think that's important.

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

23 MR. BURNS: Yeah, second.

24 CHAIRMAN JAUQUET: All in favor?

25 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

14 6:54 p.m.)

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1 C E R T I F I C A T I O N

2

3 STATE OF NEW YORK )

4 ) SS:

5 COUNTY OF SUFFOLK )

6

7 I, LUCIA BRAATEN, a Court Reporter and

8 Notary Public for and within the State of New

9 York, do hereby certify:

10 THAT, the above and foregoing contains a

11 true and correct transcription of the

12 proceedings taken on October 30, 2014.

13 I further certify that I am not

14 related to any of the parties to this action by

15 blood or marriage, and that I am in no way

16 interested in the outcome of this matter.

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IN WITNESS WHEREOF, I have hereunto  
set my hand this 14th day of November, 2014.

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