

1 VILLAGE OF GREENPORT  
2 PLANNING BOARD  
3 REGULAR SESSION  
4 November 6, 2014  
5 5:00 p.m.

6  
7

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

10  
11

12 Appearances:  
13 Peter Jauquet – Chairman  
14 Bradley Burns  
15 Chris Dowling  
16 Pat Mundus

17  
18

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

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22  
23  
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1           (Whereupon, the meeting was called to order  
2           at 5:15 p.m.)

3           CHAIRMAN JAUQUET: Okay. This is the  
4           official start of the November 6th, 2014 Village  
5           of Greenport Planning Board meeting. This is a  
6           regular session.

7           And Item #1 is a possible further  
8           discussion and a motion to approve an application  
9           for a new restaurant in a space located at 110  
10          Front Street. The applicant, Carlos Gomez  
11          Gonzalez, proposes to open a prepared Spanish  
12          food restaurant for consumption on and off the  
13          premises. This facility was formerly used as a  
14          restaurant type space. This is at Section 4,  
15          Block 9, Lot 28.2.

16          And maybe Mr. Gonzalez is here.

17          MR. GONZALEZ: Yes.

18 CHAIRMAN JAUQUET: Okay. Hi.

19 MR. GONZALEZ: Hi.

20 MS. GIRON: Hi. How are you?

21 CHAIRMAN JAUQUET: Hi. I'm good. Thank  
22 you. Maybe you should just -- maybe you should  
23 get up and just tell us what you're going to do,  
24 and then we can ask a few questions.

25 MR. GONZALEZ: Okay.

3

1 CHAIRMAN JAUQUET: You need to get up on  
2 the podium, and just -- go ahead, and just give  
3 us one or two sentences on what you --

4 MR. GONZALEZ: Yes. My name is Carlos  
5 Gonzalez. I just -- we missed the last meeting,  
6 which was last --

7 CHAIRMAN JAUQUET: Thursday.

8 MR. GONZALEZ: Thursday. And the reason  
9 we're here, try to apply to open a restaurant for  
10 here, 110, pretty much like Spanish food and, you  
11 know, fast food here.

12 CHAIRMAN JAUQUET: Okay.

13 MR. GONZALEZ: Legal.

14                   CHAIRMAN JAUQUET: This is a restaurant,  
15                   this is already a restaurant space, so there's  
16                   really not a lot of discussion on it, except the  
17                   one thing that you would usually get with these  
18                   is a -- there is a layout here. There is a  
19                   layout here of what is there. Now what was your  
20                   question?

21                   MR. DOWLING: There was no plan for tables  
22                   or chairs. Are there going to be like tables or  
23                   chairs here? Your floor plan that you sent out,  
24                   your site plan is basically just a blank slate.  
25                   You got tables and chairs, or, you know, food

4

1                   preparation counters, or anything like that?

2                   MR. GONZALEZ: Yeah. I think we're going  
3                   to put some tables right there, just some people  
4                   who want to sit right there. Pretty much like  
5                   going to be like takeout food and serve myself  
6                   right there, you know, like --

7                   CHAIRMAN JAUQUET: I guess what he's  
8                   driving at is, usually, when we get these, the  
9                   number of -- the tables and chairs are usually

10 drawn in, or at least the number of tables. And  
11 do we need a seating capacity or --

12 MR. PROKOP: Yes.

13 CHAIRMAN JAUQUET: How does -- you know,  
14 we're on the right track on this, asking for that  
15 on the plan?

16 MS. WINGATE: Because, though -- because  
17 the storefront has two means of egress, he has  
18 the ability to have a lot of seats. It's a big  
19 store and it's got two means of egress, so it's a  
20 function of square footage at that point.

21 CHAIRMAN JAUQUET: Okay.

22 MR. DOWLING: Okay.

23 MR. PROKOP: But is there a number?

24 CHAIRMAN JAUQUET: Is there a capacity?

25 MS. WINGATE: I don't know it off the top

5

1 of my head.

2 CHAIRMAN JAUQUET: Is there a -- is there a  
3 number of tables rule just for stuff in the way  
4 of getting out?

5 MS. WINGATE: Yeah, it's 15 square feet per

6 seat, but I don't know the square footage of this  
7 space.

8 CHAIRMAN JAUQUET: Okay. Can he work off 15?

9 MS. WINGATE: The last two restaurants  
10 didn't reach the capacity.

11 CHAIRMAN JAUQUET: Okay.

12 MR. DOWLING: I think what we're trying to  
13 say is you're allowed to have a certain amount of  
14 seats for the amount of space that you have. So  
15 we just want to make sure that, you know, how  
16 many seats you're putting in, make sure you're  
17 not over the capacity you're supposed to have.

18 MR. GONZALEZ: I think we've got to find  
19 out what's the square foot going to be, or what's  
20 the maximum we got to apply for in the Health  
21 Department.

22 CHAIRMAN JAUQUET: Okay.

23 MR. GONZALEZ: That's going to be --  
24 depends what the size.

25 CHAIRMAN JAUQUET: Right.

6

1 MR. GONZALEZ: So we end up about permits

2 or the contract we're going to have with the  
3 people, we're going to have plans, or, you know,  
4 the -- okay.

5 MS. GIRON: Excuse me.

6 CHAIRMAN JAUQUET: So should he talk to --

7 MS. GIRON: But, so far, we -- my name is  
8 Gelyn Giron, I'm his stepdaughter.

9 We are just planning to have 49 seats. If  
10 that's good, or approval, then that's --

11 CHAIRMAN JAUQUET: Forty-nine seats?

12 MS. GIRON: Yes.

13 CHAIRMAN JAUQUET: And how many tables  
14 would that be in there, do you think?

15 MS. GIRON: I think about 10 or 12; 10  
16 tables, I think.

17 CHAIRMAN JAUQUET: Can they have -- they  
18 can have more than that, though, can't they?

19 MS. WINGATE: (Nodded yes.)

20 CHAIRMAN JAUQUET: You should probably ask  
21 for more and use less.

22 MS. GIRON: Okay.

23 CHAIRMAN JAUQUET: You know, don't you  
24 think? I mean, I don't know. I mean, I want to  
25 -- go ahead. What are your thoughts?

1           MR. DOWLING: I think with the site plan,  
2           the floor plan you submitted, you have to put on  
3           there how many tables you're going to have, how  
4           many chairs you're going to have to submit to us,  
5           so we can approve how many tables and chairs you  
6           have. It would have to fit into the guidelines  
7           set forth.

8           MS. GIRON: Okay.

9           MR. DOWLING: It's by the Health  
10          Department.

11          MS. WINGATE: Yeah. I was going to say,  
12          have you been talking with the Health Department?

13          MS. GIRON: Yes. There is a lady, her name  
14          is Pamela. Pamela.

15          CHAIRMAN JAUQUET: Okay.

16          MS. GIRON: And she's helping us with the  
17          application with the Health Department. And so  
18          far, she told us the minimum we're supposed to  
19          put there it's 49 seats.

20          CHAIRMAN JAUQUET: Minimum?

21          MS. GIRON: Yes. Well, just --

22          MR. BURNS: Maximum.

23 MS. GIRON: Yeah, the maximum, yes. That's  
24 how we're getting.

25 CHAIRMAN JAUQUET: Okay. So what do they

8

1 need to do?

2 MR. DOWLING: Well, we need to have a  
3 proper site plan to show how it's going to be  
4 arranged in there --

5 CHAIRMAN JAUQUET: So this --

6 MR. DOWLING: -- so to make it safe, and  
7 make sure it's --

8 CHAIRMAN JAUQUET: Right. And what  
9 other -- what about signage and that kind of  
10 thing?

11 MR. DOWLING: Yeah, there's nothing.

12 CHAIRMAN JAUQUET: We will need to have  
13 some sort of idea of what you plan on putting on  
14 as signage on the exterior of the building. That  
15 has to be within the Village Code requirements,  
16 too, for size. And some of these other  
17 storefronts in that same complex have exterior  
18 tables and chairs. If you plan on doing that,

19           you need that also.

20                   MR. DOWLING:  If there's space.

21                   CHAIRMAN JAUQUET:  If there's space.  And  
22           you'd have to talk to the Building Department  
23           about whether that -- whether there's enough  
24           space there.

25                   MS. GIRON:  Okay.

9

1                   CHAIRMAN JAUQUET:  And then what you need  
2           to do, between now and the next meeting, if you  
3           have your -- if you finalize things with the --  
4           with the Health Department, is you should -- you  
5           need to take this diagram that you gave us with  
6           the application, draw those tables in, and if  
7           it's more than what you need and they fit, you  
8           know, you may want to draw a few more extras in  
9           just in case, because what you put here is what  
10          we will regulate later.

11                   MS. GIRON:  Okay.

12                   CHAIRMAN JAUQUET:  So the seating, the  
13           sign, and those outdoor tables, if there's one,  
14           or two, or none.  If there's none, then that's

15 it, okay?

16 MR. GONZALEZ: When you say Building  
17 Department, okay --

18 CHAIRMAN JAUQUET: The Building Department  
19 at the Village.

20 MR. GONZALEZ: Okay.

21 CHAIRMAN JAUQUET: So that's all we need,  
22 is that drawing on the inside of where those  
23 tables are going to be.

24 MR. GONZALEZ: Okay.

25 CHAIRMAN JAUQUET: And we don't need --

10

1 that's it, right, for the interior? We don't  
2 need to see -- I mean, what else is in here? The  
3 bathrooms.

4 MR. DOWLING: Storage.

5 CHAIRMAN JAUQUET: Storage and --

6 MS. MUNDUS: Dumpster.

7 MR. DOWLING: Dumpster, garbage.

8 CHAIRMAN JAUQUET: Where is the dumpster?

9 MR. DOWLING: Your garbage, is that handled  
10 out back? Is there a dumpster out back?

11 MS. GIRON: It's in the back, yes, in the  
12 back of the building.

13 MR. DOWLING: Yeah. The previous place  
14 did, too, I think.

15 CHAIRMAN JAUQUET: Do we need that on here?  
16 You want to show the dumpster on here? We  
17 haven't -- you know, put the dumpster on here,  
18 too.

19 MS. GIRON: Okay.

20 MS. WINGATE: The dumpster is in their  
21 lease.

22 CHAIRMAN JAUQUET: Okay. So maybe that's  
23 overkill.

24 MS. WINGATE: The building has three  
25 dumpsters in the back.

11

1 CHAIRMAN JAUQUET: Okay.

2 CHAIRMAN JAUQUET: Well, then you can  
3 confine your drawings to the interior. Where is  
4 the kitchen in this thing? Where's the --

5 MS. MUNDUS: Did you hear the question? He  
6 was asking where the kitchen is, where the food

7 preparation is going to be on your plan.

8 MR. GONZALEZ: What you have on the plan,  
9 inside.

10 CHAIRMAN JAUQUET: Yeah.

11 MR. GONZALEZ: Everything is inside there.  
12 Nothing shown for people, just inside.

13 MS. MUNDUS: But we don't have much to go  
14 on because the plan is just an empty store.

15 MS. GIRON: Yeah. It already have two  
16 bathrooms with handicapped for men's and women's.  
17 They are both handicapped. We already have a  
18 grease trap, and the hood is already in there.  
19 We just have to put the tables in, and stove in,  
20 and the refrigerator.

21 MR. DOWLING: That has to be on the site  
22 plan.

23 CHAIRMAN JAUQUET: Could you show that on  
24 your -- add that to your list of things to do on  
25 the interior. Just draw it in as much to scale

12

1 as you can get it.

2 MS. GIRON: Okay.

3                   CHAIRMAN JAUQUET: Where it is on this  
4 plan. So that's the kitchen equipment.

5                   MR. GONZALEZ: We have to -- we have to do  
6 that with the architect, or whoever we're going  
7 to work with. But we have to know how -- what  
8 percent we can rent that place to do like we're  
9 looking for to do. You know, from that, we got  
10 to work on the inside to start working to see  
11 what we're going to do, where the tables go,  
12 where the kitchen got to be.

13                  CHAIRMAN JAUQUET: Right. Okay, well, then  
14 do it.

15                  MR. GONZALEZ: So we have to make sure we  
16 are the right way --

17                  CHAIRMAN JAUQUET: Yeah.

18                  MR. GONZALEZ: -- to get that place. We're  
19 not going to sign any contract to the end, we're  
20 not -- we got stuck, you know.

21                  CHAIRMAN JAUQUET: Right.

22                  MR. GONZALEZ: Like that's why we're here  
23 to see what's the possibility to be --

24                  CHAIRMAN JAUQUET: Have you signed the  
25 lease yet?

1 MR. GONZALEZ: No, we don't have it.

2 CHAIRMAN JAUQUET: Okay.

3 MS. GIRON: No, we haven't tried.

4 MR. GONZALEZ: They tried to call us to  
5 hurry, but we say just cool off for now.

6 CHAIRMAN JAUQUET: If you do, what's your  
7 timing for opening?

8 MR. GONZALEZ: What's that?

9 CHAIRMAN JAUQUET: What's your timing for  
10 opening, ideally?

11 MS. GIRON: We are --

12 CHAIRMAN JAUQUET: In the Spring or --

13 MS. GIRON: No. We are just trying to open  
14 as soon as we can.

15 CHAIRMAN JAUQUET: As soon as possible.

16 MS. GIRON: Yes, as soon as possible, yeah.

17 CHAIRMAN JAUQUET: All right. I just want  
18 to get an idea.

19 MS. GIRON: And the place is -- she said  
20 it's ready, so we can -- she's just waiting for  
21 us to sign the lease, and then like start working  
22 inside, because she won't let us start working  
23 unless we sign the --

24 CHAIRMAN JAUQUET: Well, sure, yeah. Okay.

25 MS. GIRON: -- the lease.

14

1 CHAIRMAN JAUQUET: So we'll need our --

2 MS. GIRON: Yeah.

3 CHAIRMAN JAUQUET: -- our information, too,  
4 before then. So all right. So we'll talk to you  
5 at the next -- at the next meeting, or how do you  
6 want to work this?

7 MR. DOWLING: Yeah.

8 CHAIRMAN JAUQUET: Yeah. We'll discuss it  
9 further, and maybe you'll have your drawing that  
10 we need by the next meeting.

11 MR. GONZALEZ: So what we can bring next  
12 time, or what's the meeting, how long is it going  
13 to be?

14 CHAIRMAN JAUQUET: Well, the next meeting  
15 is going to be on the twenty --

16 MR. BURNS: The 20th

17 CHAIRMAN JAUQUET: Twentieth of this month.  
18 And, you know, if you have this stuff ready that  
19 we're asking for at that point --

20 MR. GONZALEZ: We could try to plan --

21 CHAIRMAN JAUQUET: And we can approve.

22 You'll have our --

23 MR. GONZALEZ: We're trying to plan it to  
24 get that place, sign the contract soon. But how  
25 -- you know, like I don't know what I'm doing

15

1 right or wrong.

2 MS. MUNDUS: Right. If you go to the  
3 Building Department, they'll -- the Building  
4 Department will help make sure that you have  
5 everything you need to bring to the next Planning  
6 Board, and if it's complete, then we can vote on  
7 it then.

8 MR. GONZALEZ: Okay.

9 MS. MUNDUS: If there are un -- if the  
10 package is not complete and there are still  
11 questions or -- that could make a delay.

12 MR. GONZALEZ: Okay.

13 MS. MUNDUS: Try to have the package  
14 complete so there are no missing elements, and  
15 then it will be approved, probably.

16 MS. GIRON: Okay. Thank you.  
17 MR. GONZALEZ: Okay. Thank you very much.  
18 CHAIRMAN JAUQUET: Okay, thanks.  
19 MS. MUNDUS: I'd like to make a motion to  
20 accept the packet?  
21 CHAIRMAN JAUQUET: Didn't we last time?  
22 MR. DOWLING: We did.  
23 CHAIRMAN JAUQUET: We accepted it last  
24 time.  
25 MS. MUNDUS: We did?

16

1 CHAIRMAN JAUQUET: I think.  
2 MS. MUNDUS: Further discussion and motion  
3 to approve?  
4 CHAIRMAN JAUQUET: Oh.  
5 MS. MUNDUS: Why does it say that on the  
6 agenda?  
7 CHAIRMAN JAUQUET: Yeah, I don't know.  
8 Let's -- I'll second that motion, then. I don't  
9 know what we --  
10 MR. DOWLING: Did we accept the  
11 application?

12 MS. WINGATE: (Nodded yes.)

13 MR. DOWLING: Yes, so we already accepted it.

14 CHAIRMAN JAUQUET: Okay. So this is just  
15 for discussion.

16 MR. DOWLING: Yeah.

17 MS. WINGATE: So you have seating, signage,  
18 and tables.

19 CHAIRMAN JAUQUET: Yeah.

20 MR. DOWLING: And kitchen equipment.

21 MS. WINGATE: And kitchen equipment. Thank  
22 you.

23 CHAIRMAN JAUQUET: Okay. Item #2 on the  
24 agenda is further discussion on an application  
25 for a use evaluation of North Fork Smoked Fish

17

1 facility at 414 First Street. The Planning Board  
2 has sent a letter to a representative, the owner,  
3 asking to mutually agree with the Planning Board  
4 to extend the deadline for approval of the  
5 application from 60 days from 11/6/2014. This  
6 action is being taken to give the ZBA time to  
7 consider a variance with regard to the new use.

8                   So did you get the letter that I sent?

9                   MR. DOWLING: Yeah.

10                  CHAIRMAN JAUQUET: I sent everyone the  
11 letter at the same time that I sent it to the  
12 Smoked Fish House. I guess we should enter it  
13 into the official -- you want to read the letter?

14                  MR. DOWLING: You can.

15                  CHAIRMAN JAUQUET: Okay. So I'll just -- I  
16 sent -- the letter was sent to K & M Properties,  
17 who is the applicant, and the --

18                  MR. DOWLING: Owner of the property.

19                  CHAIRMAN JAUQUET: The principals in the  
20 organization are Mary Bess Phillips and Mark  
21 Phillips. And we asked -- we told -- I wrote to  
22 Ms. Phillips in care of the organization that the  
23 60-day time frame for the Planning Board's  
24 approval of the use evaluation at 414 First  
25 Street will expire November 30th. That's 60 days

18

1                   from the acceptance of the application on -- from  
2 9/25/2014.

3                   "Section 150-30 of the Village Code

4 regulates the time frame in which the Planning  
5 Board must act to approve or disapprove any site  
6 development. Since this application was paused  
7 to allow time to apply for a use variance, it is  
8 necessary to extend the time frame for our  
9 review. This is accomplished by a mutual  
10 agreement of you and the Planning Board. It must  
11 be accomplished before the 60-day time limit.  
12 The 60-day time period began 9/25/2014, the day  
13 of acceptance of the application by the Board.  
14 The date of expiration is 11/30/2014. Agreeing  
15 to the extension of time will take -- will place  
16 the application back on the Planning Board agenda  
17 for the January work session, or as soon as  
18 resolved by the ZBA. The Village Code also  
19 stipulates that to not agree with this extension  
20 may result in the disapproval of the site  
21 development as applied for.

22 Please sign this letter and return to Peter  
23 Jauquet, the Planning Board Chairperson, at  
24 Village Hall before the 11/6/2014 or the  
25 11/20/2014 5 p.m. meeting at the firehouse."

1           This letter is going to be signed by one of  
2           the principals, and I have it as Mark Phillips  
3           for K & M Properties. And, in the meantime,  
4           Mary Bess sent me a response to my email, saying  
5           thanks for the letter of extension.

6           "Please accept this email as agreement to  
7           the extension. After discussion with the  
8           President of K & M Properties, who is at sea  
9           today, the application for the use evaluation is  
10          in the name of North Smoked Fish House -- North  
11          Fork Smoked Fish House Company, located at 414  
12          First Street.

13          K & M Properties has taken the lead on the  
14          Planning Board process as the property owners.  
15          The legal address for K & M Properties is 210  
16          Atlantic Avenue, Greenport, New York.

17          Please ask Village Hall to complete the  
18          changes, as I have an interest in the property,  
19          but not the sole owner. For disclosure, as a  
20          Village Trustee, this document needs to be signed  
21          by another officer of K & M Properties. Mark  
22          Phillips will be available to sign the document  
23          within the time frame you have expressed in your  
24          email. I am requesting that the corrections be

25 completed as soon as possible, so he'll be able

20

1 to sign it before he leaves port."

2 So I've sent the letter. They said they'd  
3 sign it for the extension. She's also  
4 acknowledging this email response, that she's  
5 agreeing to this, to the extension, and signing  
6 the letter.

7 So I motion to accept, you know, these two  
8 documents as part of the Planning Board's agenda  
9 paperwork on the -- on the Fish House  
10 application. Do I have a second?

11 MS. MUNDUS: Second.

12 MR. BURNS: Second.

13 CHAIRMAN JAUQUET: All in favor?

14 MR. BURNS: Aye.

15 MR. DOWLING: Aye.

16 MS. MUNDUS: Aye.

17 CHAIRMAN JAUQUET: Aye.

18 Okay. Is anybody here from that?

19 MR. DOWLING: So we'll have a -- so,  
20 basically, we'll have a signature before the next

21 meeting, which is November 20th, which is before  
22 the expiration anyway.

23 CHAIRMAN JAUQUET: Right.

24 MR. DOWLING: So that's great.

25 CHAIRMAN JAUQUET: So we'll just have to

21

1 get them.

2 Okay. Item #3 on the agenda tonight is a  
3 continued discussion on the application to  
4 repair/reconstruct the front facade of the  
5 building located at 27 Front Street, currently  
6 operating as Frisky Oyster Restaurant. The  
7 building owner is Eugene Avella. The applicant,  
8 Mark Schwartz, proposes to relocate the main  
9 entry of the -- main entry door of the building  
10 to the east side of the building. The remaining  
11 12 feet -- front feet of facade to the west of  
12 the main door is proposed to open and close to  
13 the street with a set of ceiling-height  
14 three-panel fold-away glass doors. This is the  
15 site located at Section 5, Block 4, Lot 27.

16 So do you want to start by having more

17 discussion? Okay, go ahead.

18 MR. AVELLA: Yes.

19 CHAIRMAN JAUQUET: Yeah. You should, yeah.

20 MR. AVELLA: Good evening. Eugene Avella.

21 I'm here for 27 Front Street; as you already  
22 mentioned, Mark Schwartz, Robby Beaver, the  
23 proprietor of the Frisky Oyster. I believe it  
24 would be better if each of us can answer your  
25 questions in your newly revised plans that we did

22

1 this week.

2 MS. MUNDUS: So these new stationary  
3 windows are awning windows that hinge on top,  
4 open towards the bottom, or are they fixed?

5 MR. AVELLA: The one on the bottom facing  
6 -- no, they're stationary, they do not move, the  
7 glass.

8 MS. MUNDUS: So they're fixed?

9 MR. AVELLA: Fixed glass, correct. And we  
10 took out the door that opens from left to right,  
11 or right to left. Now it's just a bifold door.

12 CHAIRMAN JAUQUET: I thought they were

13 always bifold.

14 MR. AVELLA: Yes, they are.

15 CHAIRMAN JAUQUET: Bifold, meaning they  
16 sandwich together on one side.

17 MR. AVELLA: Yes, correct.

18 CHAIRMAN JAUQUET: So they accordion?

19 MR. AVELLA: Yes.

20 CHAIRMAN JAUQUET: So your new plan is a  
21 two-foot-six-inch --

22 MR. BURNS: Stationary.

23 CHAIRMAN JAUQUET: -- stationary knee wall  
24 made of glass, I guess.

25 MR. AVELLA: Yes.

23

1 CHAIRMAN JAUQUET: Is that glass, or is it  
2 going to be solid, solid, nontransparent.

3 MR. AVELLA: I believe it's -- Mark?

4 MR. SCHWARTZ: Hi. Mark Schwartz,  
5 Architect for the project.

6 CHAIRMAN JAUQUET: Hi.

7 MR. SCHWARTZ: Right now, they're glass,  
8 stationary glass.

9 CHAIRMAN JAUQUET: See-through, see-through  
10 glass? See-through glass?

11 MR. SCHWARTZ: Yes, yes.

12 CHAIRMAN JAUQUET: Clear glass.

13 How much -- my big concern is that the --  
14 as I said the last time, the activity between  
15 where the -- your property starts and where your  
16 bar is is not very long, and there's a lot of  
17 action at that location in the restaurant. And  
18 I'm concerned about the distance between your  
19 building and the sidewalk, and the amount of  
20 space that people have walking by to either be  
21 disturbed or not as they walk by all that  
22 activity at night.

23 MR. SCHWARTZ: Well, it's just dining.

24 It's dining, dining --

25 MR. AVELLA: A dining restaurant.

24

1 MR. SCHWARTZ: You know, I don't believe  
2 that's there's any intention --

3 CHAIRMAN JAUQUET: Let me just back -- let  
4 me back up just a second. Why do you want to do

5 this in the first place?

6 MR. BURNS: They have to.

7 MR. AVELLA: The construction of the --

8 CHAIRMAN JAUQUET: No. Why do you want  
9 that design? I know you need to -- I know it  
10 needs to be repaired, but why do you want this  
11 design? I just want to know what your feeling  
12 is. Commercially merchandizing, you know, a  
13 presence on --

14 MR. AVELLA: I think it adds beauty.

15 CHAIRMAN JAUQUET: I know. So what's your  
16 idea about that? Why do you want to do this?

17 MR. AVELLA: Well, originally -- it always  
18 has been and will be for the safety and wellbeing  
19 of the employees, as well as the patrons, that  
20 are on the property. And I think it does have a  
21 beauty upon itself by -- you know, it's a  
22 structural front, storefront, which is -- what  
23 can I say?

24 MR. SCHWARTZ: Well, it's an old store  
25 front that needs improvement. And I think just

1 opening it up to the street is a nice thing. It  
2 kind of, you know, communicates with the street  
3 line. It's not -- it's dining, so I don't see  
4 that there's any noise issue from the building to  
5 the street. I mean, there's cars and trucks that  
6 go by, people walking back and forth. I don't  
7 think there's any intention to have music in the  
8 restaurant. That's not the way it was used in  
9 the past. So it's just casual dining, opened up  
10 to the street, which a nice view of it. So I  
11 think it's just a nice concept.

12 MS. MUNDUS: How is that going to affect  
13 your air conditioning in the rest of the  
14 restaurant if you have that giant  
15 12-foot-by-six-foot opening?

16 MR. SCHWARTZ: I suppose if -- I suppose if  
17 it's really hot, they probably won't open it.

18 MS. MUNDUS: So I guess that's what we were  
19 talking about last week. I mean, do they plan to  
20 be open? I mean, is it a daytime thing,  
21 nighttime, fair weather? What's your --

22 MR. AVELLA: I think Robby would be best to  
23 address it.

24 CHAIRMAN JAUQUET: Let me ask one question.  
25 Let me ask before you -- before you start. The

1           geometric shapes you have drawn in here between  
2           the bar seating and the exterior wall to the  
3           sidewalk, what are those?

4           MR. BEAVER: That's just lounge, lounge  
5           waiting area, sort of.

6           CHAIRMAN JAUQUET: But are they seats or --  
7           are they all seats, or are they -- some tables,  
8           some seats? The round ones are seats?

9           MR. BEAVER: The round ones are like  
10          stumps, wood stumps --

11          CHAIRMAN JAUQUET: Okay.

12          MR. BEAVER: -- at the present time.

13          CHAIRMAN JAUQUET: And the squares are?

14          MR. BEAVER: The squares are lounge-style  
15          chairs.

16          CHAIRMAN JAUQUET: Like square ottoman type  
17          things?

18          MR. BEAVER: No. It's a low-back chair,  
19          and then the rectangles are -- right now, there's  
20          two low sort of coffee table style tables in  
21          there.

22 MS. MUNDUS: So these just represent what's  
23 already there, just in different locations?

24 MR. BEAVER: Yeah.

25 MS. MUNDUS: Okay.

27

1 MR. BEAVER: At the last meeting it was  
2 brought up that we had nothing shown on the  
3 plans.

4 MS. MUNDUS: Right.

5 CHAIRMAN JAUQUET: Right.

6 MR. BEAVER: And if it was approved and we  
7 put things there, it would be against code. So  
8 we just wanted to show that something is there.  
9 It may not be the exact same layout, but it just  
10 acts as a waiting area for patrons that are  
11 waiting for their reservations.

12 CHAIRMAN JAUQUET: All right. As it is  
13 now, that's how it is, right?

14 MR. BEAVER: Right.

15 CHAIRMAN JAUQUET: That space functions  
16 that way right now?

17 MR. BEAVER: Right.

18 MR. DOWLING: Yeah. So I think that -- I  
19 think you're probably concerned for people  
20 standing around with drinks in their hands,  
21 basically hanging out of to the sidewalk.  
22 Seating probably clears that up.

23 CHAIRMAN JAUQUET: Well, see, my concern is  
24 that the width of the sidewalk is not very wide,  
25 plus people don't walk on the cobblestone. So

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1 that makes it less -- and, you know, my big  
2 concern is that if your activity is spilling out  
3 onto the sidewalk, or is -- your activity with  
4 the windows open has to enter into the public  
5 space. You know, noise, and there's a view, and  
6 activity, that gets noticeable, as opposed to  
7 having it the way it is now, or other stores,  
8 with all the various different storefronts.

9 And, you know, my main concern is you can't  
10 really walk by there at night without, you know,  
11 being interrupted, or your attention turning  
12 toward your store on an active summer weeknight,  
13 you know, July, August, probably.

14 MR. BEAVER: Right.

15 CHAIRMAN JAUQUET: And the other concern I  
16 have is that if you do it and five other stores  
17 want to do it over the next few years, you know,  
18 it's going to -- that kind of thing, that type of  
19 precedent and that type of change in the street  
20 facade is going to make a big difference about  
21 how the Village atmosphere is. And, you know,  
22 there's already a lot of -- enough bars to go  
23 around on Main and Front. To have other people  
24 do that in the future is going to markedly change  
25 how the downtown experience is. That's my big

29

1 concern.

2 Right now, it's already uncomfortable  
3 walking by the people eating at Rhumblin. I  
4 mean, you can reach in. You can definitely hear  
5 what they're saying. You can reach in and, you  
6 know, shake their hand, it's so close to the  
7 street.

8 MR. SCHWARTZ: Well, why is that  
9 uncomfortable? I think that's kind of neat

10 myself.

11 CHAIRMAN JAUQUET: Well, my opinion, that  
12 it's not --

13 MR. SCHWARTZ: It's a nice atmosphere.

14 CHAIRMAN JAUQUET: It's not comfortable.

15 It's not comfortable walking by Whiskey Wind with  
16 their door open for the three o'clock, you know,  
17 drinking, or whatever they do. Their door opens  
18 up with, you know, their music blasting through  
19 every day at 3:30, or so, when the workers stop  
20 working, at least that's what I think. But the  
21 door definitely opens up.

22 You know, my concern is, you know, is that  
23 the direction the Village wants to take? In some  
24 places, you know, it can be tasteful. But, you  
25 know, Bobby Van's in Bridgehampton is off --

30

1 there's two or three stores off on one side. You  
2 know, the main walk-around is on the other side.  
3 And I know that the barbecue place, you know, has  
4 two double doors, but they're set back two feet  
5 on the property line, so there's a little bit of

6 a buffer, and it's tables there, not the bar.

7 MR. DOWLING: Well, there are tables, too,  
8 though.

9 CHAIRMAN JAUQUET: Yeah, but they're at  
10 least two or three feet farther away from you  
11 than you are at the Rhumbline.

12 MS. MUNDUS: Well, there's no dining there,  
13 this is a lounge area here.

14 MR. AVELLA: True.

15 MS. MUNDUS: And --

16 CHAIRMAN JAUQUET: Yeah, I know, but, you  
17 know, that can be noisier than the -- when people  
18 are standing, you know --

19 MS. MUNDUS: I mean, to me, it's like  
20 Las Olas in Fort Lauderdale. I like it, and I --

21 CHAIRMAN JAUQUET: You know, when you walk  
22 in, it's a nice scene when you walk in. It's  
23 upbeat, everyone's happy, they're having a drink  
24 while they're waiting.

25 MR. DOWLING: That's terrible.

1 CHAIRMAN JAUQUET: I know it's nice. All

2 bars are -- you know, all good bars, like in  
3 Soho, are like that when you walk in, there's a  
4 great scene right there when you start.

5 MS. MUNDUS: It's a big improvement to the  
6 layout that there's now.

7 CHAIRMAN JAUQUET: Yeah, I think it looks  
8 okay.

9 MR. DOWLING: I actually am for it.

10 CHAIRMAN JAUQUET: Anyway --

11 MR. DOWLING: I actually like it. I think  
12 it's -- there's two things. The flow of traffic  
13 beforehand, if you walk by there at night,  
14 there's always people spilling out the doors just  
15 trying to get into the hostess stand to get a  
16 table. With this, they're clear of that whole  
17 milling about.

18 CHAIRMAN JAUQUET: I don't see how that's  
19 going to change, because they're still going to  
20 have -- this is still going to be full as it is  
21 now, people still --

22 MR. DOWLING: Yeah. Well, at least these  
23 people are off -- there's a proper alley. Before  
24 that, they'd go mill through all the people that  
25 are hanging out at the bar.

1 MS. MUNDUS: Yeah, exactly.

2 CHAIRMAN JAUQUET: Oh, okay. Yeah, that's  
3 true.

4 MR. DOWLING: Now they're off to the side,  
5 right back to the doorway through.

6 CHAIRMAN JAUQUET: There's probably more  
7 room.

8 MR. DOWLING: So I think it's going to  
9 clean up the flow for them and make it cleaner.  
10 I kind of like the open air thing. My only  
11 concern is when it gets later at night, you know,  
12 like with all the other places, there are doors  
13 and windows open, that it's not just too loud.  
14 So I think the main thing is -- my concern is  
15 just to make sure you comply with the noise  
16 ordinances. And if it gets -- starts getting  
17 loud at night, which it can be, please close  
18 them.

19 CHAIRMAN JAUQUET: That's the next thing.  
20 I thought, you know, when we started this new  
21 Board, at some point we were going to put our  
22 foot down on noise or change --

23 MR. DOWLING: Yeah.

24 CHAIRMAN JAUQUET: -- the rules about no  
25 speakers outside. And, you know, Whiskey Wind

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1 maybe closing its door instead of opening it up  
2 with the music. I don't know. I mean, you know,  
3 are we going to --

4 MR. DOWLING: Well, I think we're all --

5 CHAIRMAN JAUQUET: I don't think we can do  
6 anything about Claudio's, but I think we can do  
7 something about keeping the experience on Front  
8 and Main quieter, because there's already five or  
9 six people that have outdoor speakers.

10 MR. BURNS: Even with the Frisky Oyster,  
11 I've never heard any loud noise from there.  
12 Maybe I'm not there at the right time.

13 CHAIRMAN JAUQUET: No, you don't, you don't  
14 hear that at Frisky Oyster.

15 MR. BURNS: So why would that change?

16 CHAIRMAN JAUQUET: If you walked into  
17 Frisky Oyster on a great night, it's a happening  
18 scene in there. And now, you know, that

19           happening stuff is going to -- that's just how I --

20                   MS. MUNDUS: Well, it's a lot more stylish,  
21           and it's a good type of happening --

22                   CHAIRMAN JAUQUET: It is.

23                   MS. MUNDUS: -- rather than, you know, some  
24           droolers at a sleaze bar, or even little kids  
25           crowding around, making a screaming thing in an

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1           ice cream store.

2                   CHAIRMAN JAUQUET: Yeah.

3                   MS. MUNDUS: And this is -- you know, it's  
4           good looking, it's stylish, and, you know, it's,  
5           I think, a -- I understand what you're saying  
6           about the noise possibility of coming through  
7           that big opening, but probably that window --  
8           those windows are going to be closed a lot of the  
9           time. Otherwise, the air conditioning in the  
10          rest of the restaurant, they're going to be  
11          stifling back here in order to have these windows  
12          open here. So I think that --

13                   CHAIRMAN JAUQUET: But it's -- you know,  
14          the air conditioning at night, not necessarily as

15 needed on a summer night as it is during the  
16 actual day, but, you know --

17 MS. MUNDUS: Yeah. Well, there's a lot of  
18 seating there.

19 CHAIRMAN JAUQUET: Yeah. Anyway --

20 MR. PROKOP: So I'm going -- I need to ask  
21 your permission if I can leave in a few minutes.  
22 But I wanted -- two things I wanted to suggest to  
23 the Board maybe is that -- the first, that you  
24 consider a -- you know, if you were going to act  
25 on this, you consider some kind of restriction,

35

1 so that, you know, music not -- you know, the  
2 inside music basically doesn't become the outside  
3 music. We've been careful with outside music at  
4 other places. We've, you know, eliminated or  
5 restricted outside music. So maybe you could  
6 require -- you know, put that as a condition.

7 And then the other thing is that you have a  
8 short review period. You know, normally we let  
9 these things go for a year or so, or six months,  
10 but, you know, you might consider a review in the

11 middle of the summer, or something, just to see  
12 what -- if you're concerned about these things.

13 CHAIRMAN JAUQUET: All right. Yeah,  
14 reserve to be able to come back to it --

15 MR. PROKOP: Right.

16 CHAIRMAN JAUQUET: -- based on those  
17 concerns? How do you feel about that?

18 MS. MUNDUS: I think that's a great idea.

19 MR. DOWLING: Yeah.

20 MS. MUNDUS: Because it protects -- in the  
21 worst case scenario, some tragic thing happens in  
22 your life, and it is no longer your business,  
23 Frisky Oyster, but, yet, the building remains  
24 with this giant new architectural change, it's  
25 going to be utilized by the next business. So

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1 we're not --

2 CHAIRMAN JAUQUET: Yeah, that's true.

3 MS. MUNDUS: We can't really just approve  
4 it based on -- I mean, we all love Frisky Oyster,  
5 but we're approving the building itself. So  
6 what's to say that the next occupant would not

7 abuse that 12-foot opening.

8 MR. BEAVER: Right.

9 MS. MUNDUS: That's was I think --

10 CHAIRMAN JAUQUET: I know. Well, I was  
11 thinking that, too. I'm glad you brought it up,  
12 because the next tenant could do something, you  
13 know.

14 MR. BURNS: I think this is an improvement  
15 over what is there.

16 MR. DOWLING: Yes.

17 CHAIRMAN JAUQUET: I like the vestibule  
18 entry, the old time vestibule entry, only because  
19 it helps keep the downtown row scene, you know, a  
20 little bit, you know, quote, unquote, historic  
21 looking. You know, it keeps some interest,  
22 although, you know, the modern thing is nice,  
23 too.

24 MR. SCHWARTZ: You know, we still have the  
25 recessed --

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1 MR. BEAVER: It still has the recessed  
2 vestibule entryway. It's just set to one side,

3           rather than in the middle.

4           CHAIRMAN JAUQUET: Oh, right, that is true,  
5           yeah. I didn't notice that, no.

6           MR. BEAVER: It's just that rather than the  
7           two windows be separated, two windows, the two  
8           bay windows --

9           CHAIRMAN JAUQUET: Why did you do that?  
10          Why did you recess it? Did you have to?

11          MR. SCHWARTZ: Yeah, we did, yes.

12          MR. BEAVER: For code, we did.

13          CHAIRMAN JAUQUET: Oh, yeah?

14          MS. WINGATE: The door has to open out.

15          CHAIRMAN JAUQUET: Oh, and it can't open, I  
16          see.

17          MR. BEAVER: And it can't open out onto the  
18          sidewalk.

19          CHAIRMAN JAUQUET: All right. So what are  
20          we going to do?

21          MS. MUNDUS: Well, I'm satisfied, because  
22          my objection last time was the -- you know, the  
23          ability to remove that barrier, which was  
24          temporary, and now there is more control over the  
25          traffic flow with those stationary windows.

1           On your diagram here, it still has a  
2           guardrail printed in here between the sidewalk  
3           and the windows. Is that an opening?

4           MR. SCHWARTZ: That's a mistake.

5           MS. MUNDUS: That's a mistake.

6           MR. SCHWARTZ: That's a mistake, that  
7           should be off.

8           MS. MUNDUS: That carried over from the  
9           last meeting?

10          MR. SCHWARTZ: Yeah.

11          MR. DOWLING: I'm fine with approving it.  
12          We'll come back to look at it.

13          MR. SCHWARTZ: Yeah. We'll revise that to  
14          show the solid half wall.

15          CHAIRMAN JAUQUET: Okay. I was going to  
16          not, but is there enough to overrule me? I think  
17          there is.

18          MR. DOWLING: Yeah.

19          MS. MUNDUS: Well, I think those conditions  
20          that Joe mentioned is the way to handle the  
21          problem, because your objection was the bar being  
22          outside, because it's such a big opening. And if  
23          there's a condition on the -- you know, the

24 amount of -- no live music, you know --

25 MR. DOWLING: No exterior music.

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1 CHAIRMAN JAUQUET: So how do you want to  
2 word that?

3 MS. MUNDUS: I mean, you don't want to set  
4 up a band in that area.

5 MR. BEAVER: Well, I can't anyway.

6 MS. MUNDUS: That usually --

7 MR. BEAVER: I can only play music through  
8 speakers. I don't have --

9 MR. SCHWARTZ: You have no space there.

10 MR. BEAVER: -- the proper ordinance for a  
11 live band.

12 MS. MUNDUS: Right.

13 MR. BEAVER: So it's just music through  
14 speakers.

15 MR. BURNS: I think if we adopt the things  
16 that our Lawyer suggested, including a short time  
17 of review --

18 MR. PROKOP: I would say it comes back at  
19 the June work session, just to see how --

20           CHAIRMAN JAUQUET: Well, we should really  
21 let it go through --

22           MR. DOWLING: I would say July. It's  
23 starting to get into the season.

24           CHAIRMAN JAUQUET: It has to be September,  
25 late August, to give them a chance to --

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1           MR. PROKOP: I mean, you know, music, any  
2 music that's played, you know, provided in such a  
3 way that it's not -- doesn't become a nuisance,  
4 an exterior nuisance.

5           MR. DOWLING: Right. So no exterior music  
6 source, no speakers outside.

7           CHAIRMAN JAUQUET: Well, don't the other --  
8 isn't there like a thing where if you have music  
9 and your doors are -- and, you know, window wall  
10 is open like that, that the speaker -- if you  
11 want, you know --

12           MR. DOWLING: Well, it's in the Village  
13 Code, the sound that could be projected off your  
14 property.

15           CHAIRMAN JAUQUET: Is it?

16 MR. DOWLING: Yeah.

17 CHAIRMAN JAUQUET: Oh, okay. Like a  
18 decibel thing?

19 MR. DOWLING: Yup.

20 CHAIRMAN JAUQUET: Is there a thing about  
21 the distance speakers have to be from the  
22 exterior wall?

23 MR. PROKOP: I don't think so.

24 CHAIRMAN JAUQUET: On the inside?

25 MR. DOWLING: It's really just the volume

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1 itself that's actually coming off the building on  
2 the property.

3 CHAIRMAN JAUQUET: Okay.

4 MR. PROKOP: I think on this one, I'll do a  
5 written resolution for the -- I mean, you could  
6 deal with it tonight, if you want to vote on it,  
7 but I'll do a written resolution also that we can  
8 adopt. Whatever you come up with tonight, I'll  
9 put it in writing for the next meeting, for the  
10 20th, just so we have something in writing for  
11 the file.

12 CHAIRMAN JAUQUET: Okay.

13 MR. BURNS: Good. Thank you, Joe.

14 MR. PROKOP: Thanks.

15 CHAIRMAN JAUQUET: So I'm going to vote  
16 against it. You three are going to vote for it,  
17 so it should carry, right?

18 MS. MUNDUS: I believe so.

19 MR. DOWLING: Yeah.

20 CHAIRMAN JAUQUET: So, okay. I'll make a  
21 motion to approve -- wait. Now are we going to  
22 approve this with the conditions that we're going  
23 to write up?

24 MR. DOWLING: Yeah.

25 CHAIRMAN JAUQUET: Do we need to specify

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1 what it is right now?

2 MR. DOWLING: Yeah, if we're going to  
3 approve it.

4 CHAIRMAN JAUQUET: So what are we going to  
5 -- what is our condition going to be? Is it  
6 going to be --

7 MS. MUNDUS: Well, it's going to be a

8 conditional approval with a year, a one-year  
9 monitoring, is what we said, right through the  
10 busy season next season, and --

11 CHAIRMAN JAUQUET: So -- okay.

12 MS. MUNDUS: There should be some sort of  
13 control over the amount of, you know, noise that  
14 you objected to coming through that opening,  
15 right? Is that the two conditions?

16 CHAIRMAN JAUQUET: So, I mean, the noise  
17 has to be -- is there a Village -- is there a  
18 Village Code about --

19 MR. DOWLING: There is a Village Code, yes.

20 CHAIRMAN JAUQUET: Okay. So it has to be  
21 within the Village Code for noise. But the other  
22 thing is just that it works, you know, with --  
23 because it's noise and activity at the sidewalk  
24 level. But we're really concerned about the  
25 noise.

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1 MS. MUNDUS: Yeah.

2 CHAIRMAN JAUQUET: Okay.

3 MS. MUNDUS: I mean, it's a restaurant

4 district. So, you know, being --

5 CHAIRMAN JAUQUET: But it's noise based on  
6 the code, plus --

7 MS. MUNDUS: Objecting to a restaurant,  
8 showing theirself to the sidewalk doesn't make  
9 any sense, really.

10 CHAIRMAN JAUQUET: Yeah, we're not going  
11 to -- we're not going to say anything.

12 MR. DOWLING: This is Chapter 88 in the  
13 Village Code that talks about the noise.

14 CHAIRMAN JAUQUET: And it has to be, I  
15 guess, reasonable within the code. I mean --

16 MR. DOWLING: Yeah, absolutely, yes.

17 CHAIRMAN JAUQUET: Not just decibels.

18 MS. MUNDUS: Right.

19 CHAIRMAN JAUQUET: We have to -- we have to  
20 like what's going --

21 MS. MUNDUS: That's fine, yeah.

22 CHAIRMAN JAUQUET: But they can't -- you  
23 know, I guess, we air any complaints that, you  
24 know --

25 MS. MUNDUS: Well, that would be part of it.

1           CHAIRMAN JAUQUET: -- that might come in  
2 because of it.

3           MS. MUNDUS: The monitoring period, and  
4 then conditional approvals.

5           CHAIRMAN JAUQUET: Okay. So, if we say  
6 conditional approval with regard to noise levels  
7 related to the new window wall.

8           MS. MUNDUS: Yeah. Or, well, disruption to  
9 the public. I mean --

10          CHAIRMAN JAUQUET: Oh, well, that's what I  
11 mean. Disruption to the public is something  
12 other than --

13          MS. MUNDUS: -- all it takes one flying  
14 Martini glass at that window and it's going to  
15 end it. That's, you know --

16          CHAIRMAN JAUQUET: Disruptive activity?

17          MS. MUNDUS: What Peter is saying is that  
18 he's worried that the bar is physically going to  
19 carry over onto the sidewalk.

20          MR. BEAVER: Right.

21          MS. MUNDUS: Hopefully, your patrons are  
22 not glass-flingers, but if happens, it's going to  
23 affect your conditional approval. Right; is that  
24 what you're saying, Peter?

25 CHAIRMAN JAUQUET: Yeah, that would be --

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1 that would be -- so noise and --

2 MS. MUNDUS: Disruption.

3 CHAIRMAN JAUQUET: -- disruptive -- just  
4 say a disruptive condition related to the  
5 activity at the window wall, something on that  
6 order?

7 MS. MUNDUS: Because using -- using  
8 architecture --

9 MR. SALADINO: I'm sorry for interrupting.  
10 How do you even define that? How do you even  
11 define that?

12 CHAIRMAN JAUQUET: Well, how do you define  
13 it? You've heard our discussion. How would you  
14 define it?

15 MR. SALADINO: I think throwing a martini  
16 glass --

17 MS. MUNDUS: I'm sorry, John, but we can't  
18 have a back and forth --

19 MR. SALADINO: I'm sorry.

20 MS. MUNDUS: -- between every guy who

21 stands up in the audience.

22 MR. SALADINO: I'm sorry. I'm sorry.

23 MS. MUNDUS: Right now, we're having  
24 dialogue.

25 CHAIRMAN JAUQUET: Well, you could get up

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1 and --

2 MR. SALADINO: I apologize, I apologize.

3 MS. MUNDUS: So, I guess what Peter's  
4 concern is, the way I understand his concern --

5 CHAIRMAN JAUQUET: Yeah, that would be it,  
6 the --

7 MS. MUNDUS: -- is that normally you -- an  
8 architect uses the structure of architect to  
9 control the use of the space, and the people, and  
10 the occupants, and with a 12-foot opening, there  
11 is no control. And I'm satisfied personally that  
12 the small knee wall formed by those stationary  
13 windows does help the flow of people. But how do  
14 we -- that's a good point. How do we control,  
15 you know, what comes flying out of a 12-foot  
16 opening onto the sidewalk? So that's the

17 struggle right there.

18 CHAIRMAN JAUQUET: And we're going to call  
19 that disruptive activity, period?

20 MS. MUNDUS: Well, that's -- we'd have to  
21 be a little more objective about quantifying it,  
22 because "disruptive" could mean --

23 CHAIRMAN JAUQUET: Yeah, I know, could mean  
24 anything.

25 MS. MUNDUS: -- one thing to one person and

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1 another thing to another person. For example,  
2 when the Brewery had their place in the park,  
3 there were a bunch of people that came forward  
4 and said they didn't like it, it was distasteful,  
5 that alcohol was served before their children in  
6 the park. That's subjective. In their mind, it  
7 was -- it was disruptive.

8 CHAIRMAN JAUQUET: It is subjective.

9 MS. MUNDUS: I mean, this is a bar and  
10 it's -- I don't know what to say. But it's too  
11 bad that Joe had to leave, because we could use  
12 his help right now in wording that.

13 MR. BURNS: Why can't we move to accept it?

14 MR. DOWLING: A resolution?

15 MR. BURNS: And review it on the 20th with  
16 Joe's --

17 CHAIRMAN JAUQUET: Pending a resolution  
18 with regard to these issues?

19 MR. DOWLING: Yes.

20 MS. MUNDUS: Yeah, that would --

21 CHAIRMAN JAUQUET: Okay? All right.

22 MS. MUNDUS: Yes. We could hash and  
23 rehash, but we won't be able to come up with the  
24 right wording that's going to meet the letter of  
25 the law.

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1 MR. DOWLING: Let the guy we pay do it.

2 MS. MUNDUS: Right.

3 MR. BURNS: I'll move that, if that's  
4 acceptable.

5 MS. MUNDUS: But I think, you know, in  
6 general, I think it's good looking, it's stylish,  
7 and I think it's going to be a great addition to  
8 Greenport. That's what we're here for, is to

9 weigh the greater good of Greenport against every  
10 individual application. I think it's an asset.

11 CHAIRMAN JAUQUET: Okay. So I'm going to  
12 start that motion over. So this is a motion to  
13 accept the --

14 MR. DOWLING: To approve.

15 CHAIRMAN JAUQUET: To approve the  
16 application to repair and construct the front of  
17 27 Front Street with the plan with the folding  
18 walls, the two-and-a-half foot permanent knee  
19 wall, with a conditional upon the -- what are we  
20 calling it?

21 MR. DOWLING: Just mention the -- just talk  
22 about the resolution.

23 CHAIRMAN JAUQUET: Conditional upon the  
24 resolution with regard to revisiting the facility  
25 in nine months to a year with regard to our

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1 concern about noise and any -- any possibility of  
2 disruptive activity that could result from the  
3 opening of the wall. And we're going to -- do I  
4 have a second on that motion?

5 MR. BURNS: Second.

6 CHAIRMAN JAUQUET: All in favor?

7 MR. BURNS: Aye.

8 MR. DOWLING: Aye.

9 MS. MUNDUS: Aye.

10 CHAIRMAN JAUQUET: And I'm going to say nay  
11 on that one. And so it's carried.

12 MR. BURNS: Carried.

13 CHAIRMAN JAUQUET: Okay.

14 MR. SCHWARTZ: All right. Thank you.

15 MR. BURNS: Thank you, gentlemen.

16 MR. BEAVER: Thank you very much.

17 MR. AVELLA: You won't be disappointed, I  
18 assure you.

19 CHAIRMAN JAUQUET: Good luck. All right.  
20 You guys want to --

21 MR. SALADINO: I do.

22 CHAIRMAN JAUQUET: Okay.

23 MR. SALADINO: You're going to let the  
24 public speak? John Saladino, Sixth Street.  
25 I'm a little confused about the process

1           that just went on here now. I'm not sure. I'm  
2           not sure -- I'm not sure if the Board didn't  
3           overstep its bounds, I mean, to single out a  
4           single business, when the majority, the  
5           overwhelming majority of the other businesses in  
6           town that are in the same service business do the  
7           same thing.

8                     The Chairman was concerned about reaching  
9           into a restaurant and taking food off of  
10          somebody's plate. I eat out every day, I have  
11          yet to see that. I don't know your experience,  
12          but I have yet to see that.

13                    How do you reconcile the fact that the  
14          restaurants, the three restaurants down the  
15          street have outdoor seating, where people are in  
16          closer proximity to somebody's food than they are  
17          reaching over a barrier into the Rhumblin? And  
18          the people that choose to sit at those tables,  
19          it's their choice to sit there, and run the  
20          unlikely risk that somebody's going to take food  
21          off their plate.

22                    I think you're being a little bit  
23          arbitrary. I think you're -- I think with  
24          anyplace that serves liquor, you run the risk of  
25          a broken glass. I think to say "disruptive

1 behavior," I've been disruptive my entire life  
2 and I still haven't put a definition on that.  
3 What's disruptive to you might be routine to  
4 Mr. Burns. I don't know. How can you even say  
5 that? I don't understand how you could put those  
6 limitations on the business, plus the Village  
7 Code decides what's right and what's wrong. If  
8 the music is too loud, it's up to the Building  
9 Inspector or the Code Enforcement Officer to say,  
10 "Well, no, this is too loud." In my experience,  
11 you can decide if there's music loud outside, you  
12 can say yes or you could say no. As far as the  
13 music coming from inside, because the door is  
14 open or a door is closed --

15 (Firehouse Siren Sounded)

16 I think that's -- I don't see any  
17 consistency to the process here. I see -- I see  
18 restaurants with outdoor music, with outdoor  
19 tables. I'm not sure you're saying we're  
20 starting fresh today. Is this it, today's the  
21 day we're drawing the line and nothing is

22 crossing that line over today? If you're not  
23 saying that, then how do you allow any of the  
24 other stuff that's going on in the Village?

25 I understand you're not in the enforcement

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1 end of the deal, I understand that. I understand  
2 that. But, by not enforcing what's going on  
3 already, how do you put unreasonable restrictions  
4 on prospective businesses? I don't understand.

5 MS. MUNDUS: Is that a question for a  
6 response, or a statement?

7 MR. SALADINO: That was kind of rhetorical.  
8 I don't understand a lot of stuff, so that was  
9 rhetorical.

10 MR. DOWLING: So if I -- you know, your  
11 question -- your statement about the sound of  
12 music, so since I've been on the Board, because  
13 there are places that do have outside music that  
14 aren't supposed to, because it's in Village Code,  
15 you cannot have outside music sources. So  
16 everybody's that come in front of us, since I've  
17 been on the Board, we've said -- we basically try

18 to make them understand that it's in the code,  
19 you can't have it, because -- so anybody new  
20 coming in front of us, we're saying you can't  
21 have it. Anybody old, we're trying to get them  
22 to stop doing that.

23 MR. SALADINO: Well, I dispute that. I  
24 dispute that, because just now, as  
25 well-intentioned as the application that came

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1 before you for 110 Front Street, and I have no  
2 opinion about that application, but I listened,  
3 your concern was floor plan and signage. You  
4 made no mention of music, no mention of a lot of  
5 things that I've seen other applicants be --

6 MS. MUNDUS: There's a big difference. We  
7 were -- but we were earlier in discussion on  
8 whether or not to accept his application, which  
9 all of those questions will come when he comes  
10 before us. Frisky Oyster had already been an  
11 accepted application, and we were discussing  
12 whether or not we were going to approve it or  
13 not. He's in the development stage, this was in

14 the approval stage. And I don't think there's  
15 anything unhealthy at all about having  
16 discussion. In fact, three people voted for it,  
17 one person voted against it.

18 MR. SALADINO: You're preaching to the  
19 choir.

20 MS. MUNDUS: So, right.

21 MR. SALADINO: I'm all for discussion,  
22 but --

23 MS. MUNDUS: And we all learn from each  
24 other, and we also learn from the community. And  
25 the purpose of the Planning Board is to weigh the

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1 greater good of the community against each  
2 individual applicant.

3 MR. SALADINO: That's true, but you can't  
4 have preconceived notions that, you know, you  
5 have to weigh -- you have to put your emotions  
6 aside and do what's right for the community.

7 MS. MUNDUS: Right.

8 MR. SALADINO: And sometimes my observation  
9 is that doesn't happen, and I'm not saying that

10 individual, and that's as far as the Frisky  
11 Oyster. I think it would be crazy not to approve  
12 their application. I think they're a big asset  
13 to the Village.

14 MS. MUNDUS: Right.

15 MR. SALADINO: I don't think -- I don't  
16 think there's many Martini glasses getting thrown  
17 around in the Frisky Oyster. You know, people,  
18 they pay too much for a Martini to be throwing it  
19 around.

20 So -- and the other thing I would like to  
21 say is I'm a little concerned. I have never seen  
22 in the middle of a process an extension given to  
23 a use evaluation to even decide if it deserves a  
24 use evaluation or not, you know, with one of the  
25 applications. I don't understand how you stop

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1 the process, as opposed to just -- and then  
2 continue it. I don't understand that. I haven't  
3 seen that before.

4 MS. WINGATE: It's written in the code  
5 exactly that way. That's why we did it exactly

6           that way.

7           MR. SALADINO: Have we ever had a -- am I  
8           allowed to talk to, Eileen?

9           MR. DOWLING: Sure.

10          CHAIRMAN JAUQUET: Yeah, you can.

11          MR. SALADINO: Have we ever had a situation  
12          where that happened before?

13          MS. WINGATE: No, but we wanted to  
14          follow --

15          MR. SALADINO: That's what I thought.

16          MS. WINGATE: We wanted to follow the  
17          process, and that's what the code book says and  
18          that's what we've done.

19          MR. SALADINO: Well, actually, the code  
20          book says she never should have opened without a  
21          use evaluation.

22          As long as we're talking about the code, as  
23          long as -- Eileen, you brought it up. As long as  
24          we're talking about the code, she should have  
25          never opened before she had a use evaluation, if

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1           it was an approved operation for that zoning.

2 And she never should have opened if that  
3 manufacturing operation isn't zoned for that.  
4 So, if we're talking about the code, let's talk  
5 about the code. If we're talking about what's  
6 right and what's happened in the past, let's talk  
7 about that.

8 MS. MUNDUS: Well, we're talking about the  
9 Planning Board, we're not talking about  
10 enforcement, that's another whole issue. And  
11 enforcement is through another --

12 MR. SALADINO: I didn't start that  
13 conversation.

14 MS. MUNDUS: Right. We are doing exactly  
15 what the code says we should do, because it's out  
16 of our scope. There's nothing for us to even  
17 talk about, because it needs a variance. So  
18 that's why there's a time hold on it. That's  
19 what the rules say, and that's what we thought,  
20 we were doing the right thing.

21 MR. BURNS: We are the Planning Board and  
22 we deal with what comes before us.

23 MR. SALADINO: I certainly understand.

24 MR. BURNS: We don't want it around the  
25 community, like some people do and --

1           MR. SALADINO: And you don't think, as the  
2           Planning Board -- and this is not rhetorical.  
3           You don't think, as the Planning Board, the  
4           opinion of the Planning Board about business, and  
5           how it goes about the process of being a  
6           business, and going into business, and how that  
7           affects the community? Because I've got to be  
8           honest with you, I'm not going to open a  
9           business. My wife owns a business in town, but  
10          that's her business. If I was going to open a  
11          business, I wouldn't even bother coming in front  
12          of you guys, I have to be honest with you. I  
13          would just do it and drag it out for the next two  
14          years, and if I had a good business plan, then I  
15          would come. And then --

16          MS. MUNDUS: Yeah, except now we have a  
17          Code Enforcement Officer and before we didn't.  
18          So you may find yourself in a different --

19          MR. SALADINO: Well, actually, we had a  
20          Code Enforcement Officer, and then we had one  
21          before the prior Code Enforcement Officer. We  
22          did, we did. If we're going to be honest, let's

23 be honest, and I'll name them if you want to.  
24 We've had this Code Enforcement Officer for the  
25 last two-and-a-half months or three months.

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1 MR. BURNS: I think you're talking to the  
2 wrong Board. You need to talk with somebody who  
3 has code enforcement.

4 CHAIRMAN JAUQUET: Well, you're trying to  
5 get us to a better place, right?

6 MS. MUNDUS: You don't understand.

7 MR. SALADINO: No, I --

8 MS. MUNDUS: It's a catch 22, John.

9 MR. SALADINO: No, I do understand.

10 MS. MUNDUS: We don't have any influence at  
11 all unless they come before us.

12 MR. SALADINO: I do understand.

13 MS. MUNDUS: When they come before us, then  
14 you have --

15 MR. SALADINO: But I also see, from my own  
16 experience here -- and I truly appreciate you  
17 guys listening to me, because it's not my  
18 experience that we get listened to a lot. I do

19 know that this Board and prior Boards, previous  
20 Boards, have no problem offering their opinion.  
21 I just thought this was an important thing that a  
22 Board might offer their opinion about. I have no  
23 problem offering my opinion. I'm on a statutory  
24 Board and I offer my opinion all the time to the  
25 Village Board and stuff. If I think something's

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1 wrong -- I'm standing in front of you now  
2 because --

3 MS. MUNDUS: Have you been to all the other  
4 meetings where this was in a dialogue? Because  
5 this was the third one, is that right, for North  
6 Fork Fish -- Smoked Fish?

7 MR. SALADINO: I have.

8 MS. MUNDUS: So you cannot say that we have  
9 not talked about enforcement and violation ad  
10 nauseam for all of those.

11 MR. SALADINO: I just don't understand. I  
12 just don't understand why there's no conversation  
13 between this Board --

14 MS. MUNDUS: There was no platform for

15 discussion, because there was nothing for us to  
16 even do tonight.

17 MR. SALADINO: -- and the Board that  
18 authorizes enforcement. I just don't understand  
19 why there's no conversation. It's almost like  
20 you're absolving yourself from that response --  
21 from that --

22 MR. SWISKEY: I know nothing.

23 CHAIRMAN JAUQUET: You know, we could -- we  
24 could talk to the Code Enforcement Officer, now  
25 that we have one.

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1 MR. SALADINO: Again, I thank you for  
2 listening to me, and someone else wants to talk.

3 CHAIRMAN JAUQUET: You know, we're getting  
4 our sea legs, so to speak, as the Board, and, you  
5 know, maybe we should --

6 MR. SALADINO: There's no doubt in my mind  
7 that it bothers you guys as much as it bothers  
8 me. There's absolutely no doubt in my mind that  
9 you, as a Board, are upset about the process as I  
10 am. If I'm wrong, I apologize, but that's my

11 observation. And the fact that it continues --

12 CHAIRMAN JAUQUET: Well, let me ask  
13 you this.

14 MR. SALADINO: -- I'm almost insulted by it.

15 CHAIRMAN JAUQUET: Let me ask you this.

16 MR. SALADINO: Yes.

17 CHAIRMAN JAUQUET: Would it be satisfactory  
18 -- it appears to me that it would be satisfactory  
19 to you, in your way of thinking, and maybe the  
20 way the law -- the way these Boards are run and  
21 the way the law should be put down, is that, you  
22 know, the Fish House should be shut down.

23 MR. SWISKEY: Basically, yeah.

24 CHAIRMAN JAUQUET: And anybody else who's  
25 in violation should also be shut down.

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1 MR. SALADINO: Or cited.

2 CHAIRMAN JAUQUET: I don't know who else is  
3 out there that's --

4 MR. SALADINO: Chairman, I'm a Boy Scout.

5 CHAIRMAN JAUQUET: But, you know --

6 MR. SALADINO: I played baseball my whole

7 life. I play by the rules.

8 CHAIRMAN JAUQUET: No, but what do you --

9 MR. SALADINO: You can't play without the  
10 rules.

11 CHAIRMAN JAUQUET: Yeah, but you're  
12 agreeing --

13 MR. SALADINO: So, if this is the rule --

14 CHAIRMAN JAUQUET: But you're agreeing with  
15 the statement I made.

16 MR. SALADINO: Absolutely.

17 CHAIRMAN JAUQUET: Yeah.

18 MR. SALADINO: Absolutely

19 CHAIRMAN JAUQUET: So --

20 MR. SALADINO: Without rules, it --

21 CHAIRMAN JAUQUET: I mean, what do you do?  
22 The Code Enforcement Officer puts a padlock on  
23 the door, and we're the ones that asked them to  
24 do that, is that more or less --

25 MS. MUNDUS: That's not the scope of the

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1 Planning Board, that's the whole point.

2 CHAIRMAN JAUQUET: Isn't it?

3 MS. MUNDUS: That is not the scope of the  
4 Planning Board.

5 CHAIRMAN JAUQUET: Well, John is saying  
6 that it is and --

7 MR. SALADINO: No, I'm not saying that.  
8 I'm saying that you should be as disappointed in  
9 -- statutory Boards, whether it be Zoning, HPC,  
10 Planning, whether it's a Council, the CAC,  
11 whatever it is, you offer recommendations, you  
12 follow the code, you offer personal opinions,  
13 personal opinions always go into what happens.  
14 But if nobody listens and nothing is accomplished  
15 by what you're doing, or the rules are  
16 circumvented or ignored by the powers that be,  
17 all we are are paper tigers then. Why are we  
18 even showing up? Why?

19 CHAIRMAN JAUQUET: Yeah.

20 MR. SALADINO: You know, if I'm  
21 oversimplifying that, if I'm, you know -- but, to  
22 me, I understand there's rules. I understand  
23 there's a mandate for your Board, there's a  
24 mandate for the ZBA, there's a mandate for the HPC.

25 MR. BURNS: May I ask, instead of talking

1 in generalities, why don't you tell us what  
2 you're troubled with, about, what specific?

3 MR. SALADINO: I thought I did.

4 CHAIRMAN JAUQUET: He did.

5 MR. SALADINO: I thought I did. I  
6 thought I -- for the last seven-and-a-half years,  
7 I thought I told everybody that was willing to  
8 listen.

9 MR. BURNS: What specific instance? What  
10 specific --

11 MR. SALADINO: Tonight?

12 MR. BURNS: Yeah.

13 MR. SALADINO: One issue?

14 MR. BURNS: Not just tonight.

15 MR. SALADINO: Well, I could give you one  
16 issue tonight. You have a business that opened  
17 up. I even had a conversation with the Attorney  
18 in front of you people, this Board. I don't want  
19 to say you people, this Board, and I asked, and  
20 not specific to one applicant. If a business  
21 came to town, rented a store front, opened up,  
22 conducted business without a use evaluation, I  
23 asked the Attorney his opinion, he said that

24 would be illegal.

25 MR. BURNS: Which one are you talking

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1 about?

2 MR. SALADINO: Well, the application that I  
3 had the talk with the Attorney about was a  
4 fictitious business, because we agreed, him and I  
5 agreed not to talk about a specific application.  
6 If you want a specific application, there was one  
7 tonight, the Fish House. The landlord has full  
8 knowledge of the Village Code, is a sitting  
9 Trustee. She rented her building to an applicant  
10 who opened up and conducted business without a  
11 use evaluation in violation of the Village Code.  
12 Should I go on?

13 MR. BURNS: Once again, I have to say, that  
14 really is not something we can do anything about  
15 immediately. We've done what we could about it,  
16 the extent of our authority.

17 MR. SALADINO: Well, Mr. Burns, then that  
18 brings us back to, if you're okay, if this Board  
19 as a Board --

20 MR. BURNS: I didn't say that.

21 MR. SALADINO: If this Board --

22 MR. BURNS: I didn't say that.

23 MR. SALADINO: If this Board is okay with  
24 that and willing to let that perpetuate, willing  
25 to let that go on, then I'm going to sit down.

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1 What I had said was, was that perhaps this Board  
2 should voice it. The prior Board did.

3 CHAIRMAN JAUQUET: Did they --

4 MR. SALADINO: Well, you guys can work that  
5 out. I don't know.

6 CHAIRMAN JAUQUET: Did they ever shut  
7 anybody down after they opened up. Did the old  
8 Board ever shut anybody down?

9 MR. SALADINO: I'm not going to -- I'm not  
10 going talk about that for the record. If you  
11 want to talk to me after the meeting about the  
12 record, I'll explain it to you. Off the record,  
13 I'll explain to you what I meant by that, but --

14 CHAIRMAN JAUQUET: I'm just asking. You  
15 know, we want to do the right thing, and, you

16 know, we're slowly, I think, getting there.

17 MR. SALADINO: I'm on the CAC. We make  
18 recommendations and they're voted on by the  
19 Village Board, and they're passed by resolution.  
20 When an applicant doesn't do what's in that  
21 resolution, doesn't fulfill the requirements of  
22 his permit, I personally make a complaint.

23 MS. MUNDUS: But that's the job of a  
24 Citizens Advisory Committee, is to advise. The  
25 job of the Planning Board is not. We review the

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1 ones that come in front of us and --

2 MR. SALADINO: I didn't make --

3 MS. MUNDUS: Nobody here is happy with  
4 this. There's three or four businesses that are  
5 ongoing here that have not come before the  
6 Planning Board for approval, but that's just, you  
7 know --

8 MS. WINGATE: Two.

9 MR. DOWLING: Two.

10 MS. WINGATE: Two.

11 CHAIRMAN JAUQUET: There's was only two.

12 MS. MUNDUS: Two.

13 MR. SALADINO: I would normally at this  
14 point ask you a question, but I don't want to put  
15 it on the record. I don't want to put it on the  
16 record. I don't want embarrass anybody. But,  
17 normally, I would ask a question at this time.  
18 But if that's your mandate and you want to adhere  
19 to it, the letter of the law, I know personally,  
20 me, if I'm unhappy with something that me, as a  
21 committee member, recommended or something, I'd  
22 make a complaint.

23 MS. MUNDUS: Did you notice that the Code  
24 Enforcement Officer came to the meeting last  
25 week, and he was here, and we voiced our concerns

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1 directly to the Code Enforcement Officer last  
2 week? So for you to say that we're just sitting  
3 here doing absolutely nothing is crazy.

4 CHAIRMAN JAUQUET: Well, he's suggesting --

5 MR. SALADINO: Have you guys ever attended  
6 a Village Board meeting? I stood up at the  
7 Village Board -- I apologize for raising my

8 voice. I stood up at a Village Board meeting and  
9 voiced this opinion, and was told that it's the  
10 culture of the Village. I was told that this is  
11 -- has been the culture of the Village for the  
12 last God knows how long, and now that we have a  
13 Code Enforcement Officer, it's going to change.  
14 We've had a Code Enforcement Officer for the last  
15 three months.

16 If there was somebody from the Building  
17 Department here that was willing to answer, I  
18 would ask how many violations were written, or is  
19 there a learning -- is there a -- is there an  
20 introduction curve? Because I know people that  
21 had a conversation with the Code Enforcement  
22 Officer and he says, "Well, we really don't want  
23 to write any summonses." So am I in favor of  
24 violations? Absolutely not. I hate it when I  
25 get a ticket, I hate it, but that just motivates

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1 me to follow the law.

2 I apologize. I've taken up enough of your  
3 time. I'm going to sit down.

4 MS. WINGATE: John, Ed Ward has been doing  
5 an outstanding job.

6 MR. SALADINO: There's no doubt in my mind.  
7 There's no doubt in my mind.

8 MS. WINGATE: And I invite you tomorrow to  
9 come and view the stack of violations that he has  
10 been --

11 MR. SALADINO: Then how come they're not on  
12 the report? I read your report every month. How  
13 come they're not on that report?

14 MS. WINGATE: Because he's writing his own  
15 report.

16 MR. SALADINO: Well, how come his report is  
17 not in the work session?

18 MS. WINGATE: It was. It was.

19 MR. SALADINO: Well, not the report that's  
20 online. And by law, any report that's delivered  
21 at a work session should be provided to the  
22 public.

23 MS. WINGATE: I know that he did a report.  
24 Last month, we had a learning curve on how his  
25 report and my report were going to start to

1           blend. And I think that November's report should  
2           be very clear, and we've worked out some of the  
3           details. Ed's been -- Ed's been really doing a  
4           lot. There's all kinds of --

5           MR. SALADINO: There's no -- there's no  
6           doubt. I'm not here to cast aspersions on him,  
7           there's no doubt in my mind. But, also, I have  
8           mentioned, there's not a person in this room  
9           right now, and there's not a person in this  
10          Village that doesn't know that everybody who's  
11          not represented, whether it be a Department Head,  
12          or a Code Enforcement Officer, or -- doesn't take  
13          their cue from the Mayor and Village Board.  
14          Everybody knows that, and I've said that for the  
15          record. So, you know, I'm not saying anything  
16          out of turn here. So, if somebody's not doing  
17          their job, it's because of one or two scenarios.  
18          One, they have their own agenda, or second, it's  
19          the Village Board's agenda.

20          I know this has nothing do with you, I'm  
21          just responding to Eileen. Again, I apologize  
22          for taking a lot of your time. Thank you for  
23          listening.

24          MR. BURNS: Thank you.

25 MS. MUNDUS: Thank you.

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1 MR. SWISKEY: I'd like to say something.  
2 William Swiskey, 184 Fifth Street.

3 And just as an aside to Eileen first, I  
4 asked the Mayor, I asked Mr. Pallas at the last  
5 regular meeting, which was what, a Monday ago or  
6 so, how many violations have been written. They  
7 couldn't tell us. And as far as violations  
8 showing up on work session reports, they're just  
9 not there. In other words, the Mayor said they  
10 were, but they weren't.

11 MS. WINGATE: I don't know that, Bill. I  
12 will go --

13 MR. SWISKEY: I read the report, Eileen.

14 MS. WINGATE: I will go home tonight and  
15 look for it.

16 MR. SWISKEY: Look for it online, it's not  
17 there.

18 MS. WINGATE: I know that last month we had  
19 a difficult time blending -- blending Code  
20 Enforcement with Code Enforcement. Look at this

21 month's and I bet you'll be pleasantly surprised.

22 MR. SWISKEY: You're talking about  
23 November? That won't even be available for three  
24 weeks.

25 MS. WINGATE: We're writing it as we speak.

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1 I can't answer for what was there last month. I  
2 know what I handed in.

3 MR. SWISKEY: I know what was there,  
4 because I read it, it's an official record.

5 But, anyway, to get back to the Planning  
6 Board. You know how you do this, Ms. Mundus, you  
7 do it the same way I do it. If you see a  
8 violation you feel is a Village Code violation,  
9 and I did this to the Trustee, and I'll say that,  
10 when she was sandblasting her building or power  
11 washing, you go down and you put your name on an  
12 official complaint and then they have to  
13 investigate. And this Board can tonight vote for  
14 a resolution from this Board to the Building  
15 Inspector that we think there's a code violation  
16 down here, this is an official complaint, please

17 investigate. That's how you get action.

18           You've been washing around it. You either  
19 do it or don't. If you don't want to do it, just  
20 sit there and just play dumb, because that's what  
21 you've been doing. You have the power to  
22 basically tell her to do her job. If she  
23 doesn't, then you send a letter to the Village  
24 Board, she's not doing her job, and then they  
25 have to deal with it. And if they don't want to

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1 deal with it, well then there's nothing you can  
2 do with it. But you have an option, so don't  
3 tell me you don't have an option, Mr. Jauquet,  
4 because you do. And when I sat here and I  
5 listened to that, like that's wishy-washy, and I  
6 hate wishy-washy.

7           And you did shut down that surf shop,  
8 didn't you, Mr. Dowling? We did shut down that  
9 one surf shop, didn't we? So we can't shut down  
10 a Trustee who's in clear violation? Give me a  
11 break.

12           And what I saw what went on with the Frisky

13 Oyster tonight, if the music's too loud, that's a  
14 code violation. If they're breaking any State,  
15 Village ordinance, that's already in the  
16 ordinance. So I don't know what kind of special  
17 circumstance you're trying to add to that, but it  
18 made no sense at all. Thank you.

19 MR. HOLLID: Good evening. I'll make this  
20 pretty quick. Joe Hollid, 415 South Street.

21 I don't care about the Code Enforcement  
22 now, because you're the Planning Board. This is  
23 what it comes to. The Planning Board decides  
24 what they have to decide, or make issues with  
25 what they have issues with.

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1 As far as the Frisky Oyster, I think it's  
2 going to change the look of the Village, it's  
3 going to start changing. There's not enough room  
4 there for -- the people are going to be  
5 congregating outside that open area and then  
6 people are going to have to go around them to get  
7 past, in the summer especially. Everybody's  
8 going to be waiting to get on line, or whatever,

9 to get in there. I don't think it's -- I don't  
10 think it's a good idea to have that. And I agree  
11 with you, Peter, I don't think it -- it just  
12 changes the look.

13 I don't want to be like Southampton or even  
14 Fort Lauderdale. I don't like that look. I  
15 think even Rhumblin looks -- I think it looks  
16 much better. Rhumblin looks better that way.  
17 They had it where -- when they had the Maritime,  
18 they had it open, they had -- when they had the  
19 drinks coming out. Again, I don't know that  
20 that's a good idea either, because people are out  
21 there and they're congregating right outside  
22 where they're getting drinks. So, again, this  
23 changes the whole look of the Village, to me  
24 anyway, the way it's looking now.

25 I haven't lived here long, but I lived in

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1 Southold a long time, and I came here because I  
2 needed to really -- my kids, my one son has a  
3 business in Greenport here, and I'm just -- I'm  
4 just kind of -- it's just unusual that you have

5 no say really in code enforcement, which, again,  
6 I don't like to bring it up. But there doesn't  
7 seem to be any cohesion with the Village Board,  
8 and you, and the ZBA. Maybe they do have --  
9 maybe they do have meetings with the Mayor. I  
10 think that should happen, because then it  
11 would -- seems to me it would be better, a better  
12 thing, a better thing all the way around for the  
13 Village. And I don't know whether the Mayor has  
14 the final word, but I'm sure he does.

15 And I'm just -- I don't like to say I don't  
16 understand, because I understand what's going on,  
17 and I just -- I just don't agree with some things  
18 that I hear. And when I hear all this going back  
19 and forth with the Frisky Oyster and those bifold  
20 doors, is the outside part of that bifold when  
21 that's open, is that inside the building front  
22 itself?

23 CHAIRMAN JAUQUET: (Nodded yes.)

24 MR. BURNS: (Nodded yes.)

25 MR. HOLLID: It is, okay. Well, that's one

1 thing that's not too bad. But just very  
2 disappointed in the fact also with the --  
3 with the Smoked Fish House, how that could -- how  
4 that could stay open with the violations that are  
5 there, then. That should not be open at this  
6 point and shouldn't have been. So it should be  
7 -- it should not be even now.

8 So that's pretty much -- I just want to get  
9 that off my chest. And I like to come to the  
10 meetings, because I like to see things, progress  
11 being done, and I think there was progress,  
12 whether -- I just don't like the idea of that  
13 folding door deal, that's all. Thank you for  
14 listening.

15 MS. MUNDUS: Thank you.

16 CHAIRMAN JAUQUET: Thanks.

17 MR. BURNS: Thank you.

18 CHAIRMAN JAUQUET: All right. Item #4 is  
19 the next work and regular session is scheduled  
20 for November 20th, 2014. We're going to have a  
21 motion to schedule that meeting for 11/20/14. Do  
22 I have a second?

23 MR. DOWLING: Second.

24 CHAIRMAN JAUQUET: All in favor?

25 MR. BURNS: Aye.

1 MR. DOWLING: Aye.

2 MS. MUNDUS: Aye.

3 CHAIRMAN JAUQUET: Aye.

4 Number 5 is a motion to schedule the next  
5 work session for December 19th, 2014. All in  
6 favor?

7 MR. BURNS: Aye.

8 MR. DOWLING: Aye.

9 MS. MUNDUS: Aye.

10 CHAIRMAN JAUQUET: Aye. So moved.

11 And #6, a motion to adjourn. All in favor?

12 MR. BURNS: Aye.

13 MR. DOWLING: Aye.

14 MS. MUNDUS: Aye.

15 CHAIRMAN JAUQUET: Aye.

16 (Whereupon, the meeting was adjourned at

17 6:26 p.m.)

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

STATE OF NEW YORK )

) SS:

COUNTY OF SUFFOLK )

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

THAT, the above and foregoing contains a  
true and correct transcription of the proceedings  
taken on November 6, 2014.

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

IN WITNESS WHEREOF, I have hereunto

18 set my hand this 21st day of November, 2014.

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Lucia Braaten

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