VILLAGE OF GREENPORT

PLANNING BOARD

WORK AND REGULAR SESSION

December 18, 2014

5:00 p.m.

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

Appearances:
Peter Jauquet – Chairman
Bradley Burns
Chris Dowling

Joseph Prokop, Village Attorney
Eileen Wingate, Village Building Inspector
(Whereupon, the meeting was called to order
at 5:12 p.m.)

CHAIRMAN JAQUET: This is the December
18th, 2014 work and regular session meeting of
the Planning Board of the Village of Greenport.

Item #1 is continued discussion and a
possible motion, dependent upon the conclusions
of the ZBA on an application for a use evaluation
of the North Fork fish facility located at 414
First Street. The ZBA may be forwarding an
opinion on the use variance. Section -- District
1001, Section 4, Block 7, Lot 5.

I guess we haven't gotten their opinion on
the fish house at this point, so we're going to
pass on this one. I don't know if there's any --
there wouldn't really be any continued discussion
anyway, so --
All in favor?

MR. BURNS: Aye.

MR. DOWLING: Aye.

CHAIRMAN JAUQUET: Aye.

Item #2 is further discussion on an application for a site plan review for a new structure to be located at — on Sterling Street. The owner is Osprey Zone Marina, whose principal is Paul Henry. The applicant is Robert Brown, Architect, P.C.

The point of discussion is compliance with the existing site plan that was approved, but where a pumpout specification on the plan had not
been installed.

Now, should I read this or --

MS. WINGATE: I don't think you have to.

CHAIRMAN JAUQUET: I mean, I haven't read this yet. So this is from -- did you guys see this?

MR. DOWLING: No.

CHAIRMAN JAUQUET: I could just read this out loud, right? Okay.

So we were given a note here from Amy Martin, who's the Permit Agent for Osprey on this property, and it's dated today, for tonight's Work and Regular Session 12/18/14 meeting. It is to the Building Department, to Eileen. And it says:

"As per our conversation, we were surprised to see both Stirling Square and Osprey on tonight's agenda. Our presubmission conferences on both were closed at the last meeting, and neither have made applications to the Board for further consideration. We plan to have Stirling submitted by January 13th, and await info from
Mr. Henry and his Attorney on when their application is to be submitted.

Please convey our concern to the Planning Board that these should not have been on the published agenda. As a former member of the Planning Board, I feel this is poor practice, and may cause inconvenience to the public who wish to attend these conversations when these conversations continue. We expect neither application will be discussed further publicly until the formal applications have been made."

That doesn't really address what we have on the Planning Board for Osprey, but -- and I put that on there, because I'm not sure what the -- how the pumpout should -- how we should proceed on that. And I just wanted to discuss that with you before I possibly call Osprey to find out why that pumpout isn't in there because of the plans.

MR. DOWLING: But it is definitely on the site plan.

CHAIRMAN JAUQUET: Well, it's on the site
plan, yeah. And, you know, there might be a -- I didn't understand. I didn't really get a good reason last time, you know, because we were discussing, you know, more than just that. So I didn't really come away from it with what he actually -- why he didn't but that in, and maybe there's a reason. That's all I'm saying. So maybe --

MR. DOWLING: He said his reason was he said he didn't know he had to.

CHAIRMAN JAUQUET: Well, yeah.

MR. DOWLING: Even though the guys who were right here said that he knew.

CHAIRMAN JAUQUET: Yeah.

MR. DOWLING: Either way, if it's on the --

CHAIRMAN JAUQUET: Well, I --

MR. DOWLING: If it's on the site plan, he's got to put it in.

CHAIRMAN JAUQUET: Yeah. I thought that if he can put it in -- I think there may be something with regard to hooking it up to --
MR. BURNS: Sewer.

CHAIRMAN JAUQUET: -- the sewer system.

And, you know, that doesn't mean he couldn't have done that, you know.

MR. DOWLING: Yeah. I think the problem we have here is that he -- it was on the site plan, saying he was supposed to do it.

CHAIRMAN JAUQUET: Right.

MR. DOWLING: And then he didn't do it, saying, "Oh, it was just too difficult. I'd have to do this mobile cart," and all this stuff. He said he was going to do it, and then he said, "It was too difficult, I'm not doing it."

CHAIRMAN JAUQUET: Right.

MR. DOWLING: You know, my feeling is --

CHAIRMAN JAUQUET: So I was thinking that --

MR. DOWLING: -- and we've taken a lot of other people through the ringer and said if it's on the site plan, it's got to be installed. They've got to conform with the previous site plan before they ask for another one.

CHAIRMAN JAUQUET: Right.

MR. DOWLING: Now, for him to say that "I'm
going to" -- "I'm putting it in the next site plan," it's on the next site plan, I mean, so far, he's proven that he can't put everything on the site plan.

CHAIRMAN JAUQUET: Right.

MR. DOWLING: You know, so I don't know. Do we believe him that he's actually going to put it in?

CHAIRMAN JAUQUET: Well, so I was thinking, you know, I'll call him and find out what his thinking is. And it could be that he hooks up to the sewer system as part of his pumpout scheme before he does anything else, before that application comes in. Like Amy Martin is saying --

MR. DOWLING: Right.

CHAIRMAN JAUQUET: -- it's not in yet, you know, whatever. So I guess I'll -- do you think the thing to do is to call him?

MR. DOWLING: Yeah, I mean, call him.

CHAIRMAN JAUQUET: Yeah. And then we -- I don't know. Then I'll just tell you what --
MR. BURNS: In the meantime, I move we table it.

CHAIRMAN JAUQUET: Okay. So what am I supposed to do to Amy? Do I have to respond to this?

MR. PROKOP: I would respond to it. I mean, all I --

CHAIRMAN JAUQUET: I mean, she could say whatever she wants.

MR. PROKOP: What is the status of the application in Stirling Square?

CHAIRMAN JAUQUET: Well, there was a possibility that -- you know, I still have questions about the old -- the old -- the existing site plan at Osprey, and that, you know, that's different from what she's saying in this letter. And the ZBA is imminently coming up with a decision on the Fish House. So, if -- you know, it wasn't a -- we were not remiss in putting that on the agenda.

MR. PROKOP: I mean, Stirling Square and
Osprey Zone, are we waiting for information from both of those applicants?

CHAIRMAN JAUQUET: Yeah. Well, we're awaiting information on these applications, not from the applicants. Well, in one case, yes. On the pumpout on Osprey, yes, we're waiting -- we're talking about this issue that exists on an existing site plan, not the one that's --

MR. DOWLING: I guess we are in between the presubmission --

CHAIRMAN JAUQUET: Yeah, so we're still discussing it.

MR. DOWLING: -- conference and the actual application phase.

MR. PROKOP: Oh.

MR. DOWLING: So he hasn't submitted an application yet.

MR. PROKOP: I would -- what I would do is I would send a letter to her saying that, "Pursuant to your request, the matters have been removed from the future agendas of the Planning
Board. Please let us know when you would like to have these applications considered." And just get it off our -- I mean, that would be my recommendation, just get it off of our agenda so they don't keep carrying along.

CHAIRMAN JAUQUET: Yeah.

MR. BURNS: I move we do that.

CHAIRMAN JAUQUET: Huh?

MR. BURNS: I move we do that.

MR. DOWLING: Okay.

CHAIRMAN JAUQUET: Do what?

MR. BURNS: Have the --

CHAIRMAN JAUQUET: Remove these from the --

MR. DOWLING: Remove this from the agenda until they submit an application.

MR. BURNS: Joe will write us a letter.

MR. PROKOP: Peter can.

MR. BURNS: Peter?

MR. PROKOP: Yeah.

CHAIRMAN JAUQUET: Write a letter?

MR. PROKOP: Telling her that the Planning
Board voted to remove these from the agenda
until -- you know, "Please, let us know when you
would like to have further consideration on these
matters."

CHAIRMAN JAQUET: Yeah, but the -- an
issue with one of them is still -- is on the
agenda.

MR. DOWLING: Well, the Board --
technically, until they submit an application.

CHAIRMAN JAQUET: Oh.

MR. DOWLING: We just have an issue with
that property.

MR. BURNS: We can't do anything until they
come forward with something.

CHAIRMAN JAQUET: Yeah, but what about

compliance with the existing site plan?

That's --

MS. WINGATE: We can give it to the Code
Enforcement Officer.

MR. PROKOP: So there's no -- that's the
problem. Which one is that?
CHAIRMAN JAUQUET: Osprey.

MR. DOWLING: That's Osprey.

MR. PROKOP: Okay. So what I would do is I would keep Osprey Zone on, because there's a potential of a violation of the existing site plan.

CHAIRMAN JAUQUET: Okay.

MR. PROKOP: So I would keep Osprey Zone. So the letter that I'm recommending is to notify, "Please" -- you know, "Please be informed that the Planning Board voted to remove Stirling Square from the Planning" -- "future Planning Board agendas. Please" -- "please, let us know when the applicant would like further consideration on this application."

And then the second paragraph would be, "With regard to Osprey Zone, the Planning Board intends to keep this matter on the agenda due to a" -- "due to the potential for a site plan violation."

CHAIRMAN JAUQUET: Okay.
MR. PROKOP: And then we should give it to -- we should --

CHAIRMAN JAUQUET: Am I writing that letter, or are you?

MR. PROKOP: I think that you should do it.

CHAIRMAN JAUQUET: Okay.

MR. PROKOP: I mean, I don't think it has to come from an attorney. And then -- or an email. And then -- and then I think you should also say that the Osprey Zone matter has been referred to Code Enforcement for review. If you shoot me an email, I'll respond with the language.

CHAIRMAN JAUQUET: Okay.

MR. PROKOP: To do everything.

CHAIRMAN JAUQUET: Okay, that sounds good.

MR. PROKOP: So what I -- so what I just said, I would make a motion to -- if everybody agreed to that, I would make a motion to do that, if that's okay.

CHAIRMAN JAUQUET: All right. I'm going to make a motion. Do we have -- well, I guess we should make a motion on each one, right?

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MR. PROKOP: Sure, you can do that.

CHAIRMAN JAUQUET: So, okay. I'll make a motion that we're going to take Osprey Zone off the agenda, the current application off the agenda, until they're ready to complete their application.

MR. PROKOP: I think it's Stirling Square.

MR. BURNS: It's Stirling Square.

CHAIRMAN JAUQUET: I mean, Stirling Square.

Okay. So I'm going to make a motion to take Stirling Square off the agenda until the -- until they're finished with their application. Do I have a second?

MR. BURNS: Second.

CHAIRMAN JAUQUET: All in favor?

MR. BURNS: Aye.

MR. DOWLING: Aye.

CHAIRMAN JAUQUET: Aye.

And we'll take -- then another motion I'll make to take Osprey Zone off the agenda until they're finished with the application for -- until they're finished with the new application.

MR. PROKOP: I think Osprey Zone we were
going leave on for potential --

MR. DOWLING: We're going to leave on.

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CHAIRMAN JAUQUET: Oh, okay. So --

MR. DOWLING: For the site plan.

CHAIRMAN JAUQUET: Okay.

MR. BURNS: And refer that to the --

CHAIRMAN JAUQUET: So do we have to make a motion to refer them to the --

MR. PROKOP: Yes, I would.

MR. BURNS: Yeah.

CHAIRMAN JAUQUET: So I'll make a motion to refer the Osprey Zone application and the issue with the existing site plan pumpout to the Code Enforcement. Do I have a second?

MR. BURNS: Second.

CHAIRMAN JAUQUET: All in favor?

MR. BURNS: Aye.

MR. DOWLING: Aye.

CHAIRMAN JAUQUET: Aye.

And let's see. So I guess we can go on to #3, which is a possible further -- oh, that's --
we just did that.

MR. DOWLING: Stirling Square is done.

CHAIRMAN JAUQUET: Item #4 is discussion and possible motion to approve an application for a new home on a vacant lot on Bridge Street. The owner/applicant is Edward V. Werthner. The project is a single-family house of approximately 1,575 square feet. A zoning variance is being sought. This is Section 1001 -- District 1001, Section 2, Block 2, Lot 8.4. Are they here?

MR. BURNS: Right here.

MR. WERTHNER: Yeah. I'm Ed Werthner.

CHAIRMAN JAUQUET: If you could get up and just --

MR. WERTHNER: Sure.

CHAIRMAN JAUQUET: Just explain what you're doing. We have some of the materials here.

MR. WERTHNER: I'm trying to build a historic three-bedroom house on a vacant lot, and I have a variance to the front yard, 20 feet; I think the Town says 30. And in the backyard,
there'll be a difference of 28 feet, 27.98 feet
in the back, okay? And each side will be 20 feet
off the house. And that's basically it. And I
need those variances for that project.

There was a deck in the original one in the
back, which I removed, to create a larger
distance between the south border of the
property.

MR. PROKOP: So this was adjourned last
night at the Zoning Board meeting. It was

considered. There's some changes that need to be
made in the plans and then updated plans have to
be submitted. And so no action was taken by the
ZBA.

MR. WERTHNER: I went to Peconic Surveyors
and we took care of that, and I'll have a stamped
copy of the changes that were made, and they'll
be directed to the Building Department.

MR. BURNS: Does that conclude the ZBA
action? Would that --

MR. PROKOP: No. They're going to -- so
they'll reconsider it in January. Whatever their 
meeting is in January, they'll reconsider it, and 
then it will come back here again.

CHAIRMAN JAUQUET: Okay.

MR. PROKOP: There's nothing we can do 
until the ZBA makes a decision.

CHAIRMAN JAUQUET: I see. Okay. So we're 
going to table this until --

MR. BURNS: I move we table.

CHAIRMAN JAUQUET: I second. All in favor?

MR. BURNS: Aye.

MR. DOWLING: Aye.

CHAIRMAN JAUQUET: Aye.

MR. BURNS: Thank you.

MR. WERTHNER: Have a good evening.

MR. BURNS: A new building is always an 
exciting thing.

MR. WERTHNER: We'll get there.

CHAIRMAN JAUQUET: He'll get there.

MR. WERTHNER: I'll use it as an ice 
skating pond. Good night.
MR. BURNS: Good night.

CHAIRMAN JAUQUET: Thank you.

MR. DOWLING: Moving along here.

CHAIRMAN JAUQUET: Item 5 is a discussion and possible motion on an application for a use evaluation of applicant, Jim Olinkiewicz's proposal to remodel a nonconforming multi-unit dwelling building into a mixed-use residential-professional use building. At the request of the Planning Board, the ZBA has provided an interpretation of Section 150-9(A)(18). The building is located at 211 Carpenter Street. The property is zoned CR, Commercial Retail; District 1001, Section 4, Block 10, Lot 11.

So they clarified the --

MR. DOWLING: Did you get that?

CHAIRMAN JAUQUET: Yeah. Did you see --

MR. DOWLING: Right. I got that email. But was it signed and everything, is that all official?
MS. WINGATE: Yes, all signed, all official.

CHAIRMAN JAUQUET: Yeah.

MR. BURNS: So they say it's allowable.

CHAIRMAN JAUQUET: They said, "The Zoning Board of Appeals of the Village of Greenport determines, after due deliberation and discussion about the request for an interpretation of the language of Section 150-9(A)(18), 'existing as of July 1st, 2002,' refers to the existence of a building and not the existence of a business activity on that property or the apartment itself." So that to me sounds like it's a clean slate and they can do a CR use, which allows --

MR. PROKOP: They determined that the -- there's a reference in the code that something had to be preexisting before 19 -- 2001. And what the ZBA determined was, by the interpretation, was that it was that the building had to be preexisting, not the apartment.

MR. DOWLING: Not the use.

CHAIRMAN JAUQUET: Not the use, right. So
MR. PROKOP: So they're clear to go back to whatever the code uses are for CR.

CHAIRMAN JAUQUET: Right. And mixed use is allowed; is that right?

MS. WINGATE: Yes.

CHAIRMAN JAUQUET: So are we ready to --

MR. BURNS: Is there any other impediment to our approving Mr. Olinkiewicz's proposal?

MR. PROKOP: Did he submit it? Is there any submitted?

MR. BURNS: Do we have it submitted?

MS. WINGATE: Sure.

CHAIRMAN JAUQUET: Yeah, there was. Yeah. I don't have it in front of me, but that's what we looked at last time.

MS. WINGATE: Wait, wait, wait. It was -- it goes back to October. Here are his plans. Here's the application. You can borrow these. You want a copy, too?

MR. BURNS: October 17th.

CHAIRMAN JAUQUET: Right.

MS. WINGATE: Here's the survey.

CHAIRMAN JAUQUET: I'll look at yours to
there was an issue with the right-of-way,
which --

MR. BURNS: Yeah.

MR. PROKOP: -- no one gets to use the parking anymore.

MR. PROKOP: Yeah, that was the issue.

There was the side -- there was a problem with the parking lot.

CHAIRMAN JAUQUET: And so your plan is -- let's just talk about this for a second.

MR. OLINKIEWICZ: James Olinkiewicz, 211 Carpenter Street. Merry Christmas, Happy New Year, right? May everybody have a holiday -- a Happy Holiday. Now business.

So my intention is to put an office professional downstairs, as which is acceptable usage in the code for the CR District. There is no off-street parking requirements, because the building is prior to 1991.

With the interpretation from the Zoning
Board, I am -- the building, because it is prior to 2002, is able to have an accessory apartment upstairs. So I filed the plans for a commercial use on the first floor with an accessory apartment upstairs.

I have not tracked down a renter for the first floor. I've talked to a few people about it, but I needed to find out what the determination from the ZBA was before I decided to sign on a commercial business. And we'll have to come back here to see you guys for a use application once we -- once I find out who's going to rent the place.

CHAIRMAN JAUQUET: Right.

MR. OLINKIEWICZ: But I came here just to go over the ability to make -- build an apartment upstairs, as well as the usage downstairs for the commercial usage, which, according to the zoning, I'm able to do so.

MR. BURNS: Well, maybe our concern would be the site plan itself, avoiding --
MR. OLINKIEWICZ: It does say --

MR. BURNS: Avoiding the right-of-way

and --

MR. OLINKIEWICZ: Well, the zoning code

says for the apartment upstairs, "Notwithstanding

anything in Chapter 150 to the contrary,

accessory apartment dwelling units, as permitted

by the subsection, shall not be subject to site

plan approval." So being that it's definitively

in the code that we just went to the ZBA for to

find out in this Section -- where am I at --

150.9, for the approval to have the apartment

upstairs, it also states clearly that I don't

have to have site plan approval for that

apartment.

MR. BURNS: You've got a right-of-way next
to it leading down to the stores, though.

MR. OLINKIEWICZ: I have a right-of-way,

yes. Frank and Joe have the usage of the

driveway that's alongside the building to get

back to where they use their businesses. I mean,
there's no parking at the spot site, which is not relevant, again, to the code. And there's tremendous amounts of other businesses in the Village that don't have any parking.

It was brought up, what about workers or people living there, but then you look at the other businesses along the Village that have -- BBQ Bill's, as an example, got a 120-seat restaurant, he doesn't have a lick of parking, right? So he's in the Commercial District. So there's so many other businesses that have absolutely no parking and aren't -- aren't held to that.

And so, for a site plan, I mean, we have to keep the driveway free so that they can go in and out and use it. I mean, they have the right of ingress and egress across it. They don't own it, I own it, but they can use it. So we have to keep that thoroughfare open, unless we're taking deliveries and stuff like that, but parking will have to be some other place for tenants and the
Mr. Burns: Does that make sense to you guys?

Mr. Townsend: Yeah. That's -- I'm Joseph Townsend, the owner of one of the buildings that is accessed from Carpenter Street via that right-of-way. And, apparently, from what I'm hearing, he's applying for permitted uses. And the only -- our only concern is that the access remain clear.

Chairman Jauquet: That's ours, too.

Mr. Townsend: To the backs of our building.

Chairman Jauquet: And that's what we're --

Mr. Burns: And that sounds like --

Chairman Jauquet: That's what we're demanding in the plan, that it be enforced by whomever, and that you guys cooperate, and your tenants.

Mr. Townsend: Right, a two-way street.

Mr. Olinkiewicz: It is. The only thing, I
thought about that a little bit on how to resolve that. I mean, one would be that, if they're willing, I would put a chain up across the driveway, and if they got a delivery, they would go out, take the chain out, and people could back right in. This would prevent people from being able to pull into the driveway and still keep it free for them for their usage.

CHAIRMAN JAUQUET: But the people using it right, the only -- the only additional pressure on this is going to be your tenants.

MR. OLINKIEWICZ: Correct.

CHAIRMAN JAUQUET: Understanding what the rules are.

MR. OLINKIEWICZ: Correct.

CHAIRMAN JAUQUET: And then, you know, I'm sure they'll --

MR. OLINKIEWICZ: Correct. I'm just trying to find a way that they would be comfortable, whether I put a chain up, whether -- I mean, I'll put signs up "No Parking in Driveway," all of
CHAIRMAN JAUQUET: Well, you know, you can do that, if need be.

MR. OLINKIEWICZ: Right. Need be, put the chain up with a lock.

MR. PROKOP: We can't have a chair. We can't have a chair there. It's emergency egress to the back of the buildings.

MR. TOWNSEND: Absolutely.

MR. PROKOP: In no way can you put a chain.

CHAIRMAN JAUQUET: Yeah. I don't see why you'd need to do that, unless it becomes a problem. You can't do it.

MR. TOWNSEND: Okay. Thank you. Good luck. Merry Christmas. I have to run, I'm sorry. Thank you.

CHAIRMAN JAUQUET: Okay.

MR. BURNS: Thank you.

CHAIRMAN JAUQUET: Bye, Joe.

MR. OLINKIEWICZ: So, right. I mean, we don't put a chain, we figure something out.

CHAIRMAN JAUQUET: You talk to them.

MR. PURITA: Can I --

CHAIRMAN JAUQUET: Sure.

MR. PURITA: Frank Purita. Can I say
something? I think if we could stipulate somehow that this at all times would be free and clear as far as the right-of-way.

MR. PROKOP: It will be a condition on the approval. If there is an approval, it would be a condition -- as a condition.

MR. PURITA: Well, something else also I'm concerned. That driveway, there was a "no parking" sign on the east side of this, by STIDD's. It had -- the sign disappeared, I don't know, but I can't pull out, or my drivers, or my deliveries.

MR. OLINKIEWICZ: Right. They can't back in. They can't back in, because somebody removed the sign right across the street right by the guy who builds the chairs or something.

CHAIRMAN JAQUET: And that sign was a --

MR. PURITA: It was a "no parking" sign.

MR. DOWLING: Opposite side of the street.

Both sides of the street no parking.

CHAIRMAN JAQUET: But that was a Highway
MR. OLINKIEWICZ: Right. It had come from the --

CHAIRMAN JAUQUET: Is that a Village?

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MR. OLINKIEWICZ: -- Fire hydrant down at the --

CHAIRMAN JAUQUET: Is that a Village thing or --

MS. WINGATE: There was a rearrangement of signs.

CHAIRMAN JAUQUET: But the Village controls that?

MS. WINGATE: The Village, yes.

CHAIRMAN JAUQUET: What department controls that in the Village?

MS. WINGATE: Road Department.

CHAIRMAN JAUQUET: The Road Department?

MR. PURITA: The thing is --

CHAIRMAN JAUQUET: I know what you're saying.

MR. PURITA: -- somebody can't -- I can't
back out. And there's times, like Venetia, who
helps me out, she's stuck there, or I'm stuck
there, and I get all my deliveries.

    MS. WINGATE: I'll walk by and deliver it,
or have Pete come buy so you can show him.
    MR. PURITA: That would be great.
    MR. OLINKIEWICZ: So being that it's an
ingress and egress, and Frank and I had talked

about it, so his deliveries will back in and do
the deliveries, and then pull out; go back in and
pull out. If I have to drop something off in one
of the apartments, or my garbage man has to come
in and back up to pick the garbage for the
tenants or the commercial, they'll back in and
pull out. It would be an open ingress and egress
for everybody to use.

    MR. PURITA: Well, the way --
    MR. DOWLING: Where would the garbage be on
the site?
    MR. PURITA: I mean, we haven't -- go
ahead, sorry.
MR. OLINKIEWICZ: What was that?

MR. DOWLING: Where would garbage be on the site?

MR. OLINKIEWICZ: Right behind the back of the property. There's five feet between the back of the house, and there's the -- Frank's property. And so he has his garbage dumpsters right there that back to it, so I would put our cans right there on the back of that house right adjacent to where his garbage is.

MR. PURITA: Again, my only problem with that -- first of all, it's only five feet. But

my only problem with that is this right-of-way. You know, we have it in our -- the way it's deeded to us, me and Joe, our two buildings, it's supposed to be free and clear at all times. So, if I've got a garbage truck or I got some -- you know, it shouldn't be an inconvenience to me.

MR. OLINKIEWICZ: The deed doesn't say it would be clear at all times.

MR. PURITA: Yes, it is -- it does.
MR. OLINKIEWICZ: It says open right-of-way. So if there's a delivery or picking up garbage, it's the same thing as what happens on their property.

CHAIRMAN JAUQUET: What's the garbage issue?

MR. OLINKIEWICZ: Well, my garbage cans for my tenants are going to be behind the back of the house. The garbage man is going to have to walk down the right-of-way, grab the cans and take them out, or back the garbage truck in to load the cans.

CHAIRMAN JAUQUET: Then what's the problem with that, if it's just a temporary --

MR. PURITA: I'd prefer -- there is how much property on the side, six feet, right?

MR. OLINKIEWICZ: On which side?

MR. PURITA: On the west -- the north side of that.

MR. OLINKIEWICZ: There's three feet on the north side.
MR. PURITA: Three feet.

CHAIRMAN JAUQUET: What's the problem with that?

MR. DOWLING: Three feet? On the north side, it said 1.2 and 1.4.

MR. OLINKIEWICZ: Oh, 1.2 and -- 1.2 and 1.4.

CHAIRMAN JAUQUET: What's the difference between a garbage truck making a pickup and your people doing pickup and drop-offs on the same -- you know, it's very -- it's a 10-minute deal. You know, maybe it's -- that's what the right-of-way is for.

MR. OLINKIEWICZ: Right.

MR. PURITA: Well, I could go over that with him.

MR. OLINKIEWICZ: Right.

MR. PURITA: I mean, it would seem, the way it's written --

MR. OLINKIEWICZ: I own the property and I couldn't use the back to pick up my garbage.

CHAIRMAN JAUQUET: You don't want to look
at the garbage cans?

MR. PURITA: It's the right-of-way that I'm more concerned about.

MR. PROKOP: The work on the inside upstairs, the -- where you have designated the living room, are there interior walls that you're going to be remove?

MR. OLINKIEWICZ: There are right now. There should be a demolition there. There's two walls that have to come out. There's an existing bathroom and --

MR. PROKOP: And are you going to get a demolition permit or a building permit?

MR. OLINKIEWICZ: We will. I have to wait until I get an approval to be able to build the apartment before I --

MR. PROKOP: Okay. So my question is, are you going to do it? There's not going to be any issue about that?

MR. OLINKIEWICZ: No, because we're going to just -- we'll just take that garbage out with a pickup truck, so we'll fill up bags.

MR. PROKOP: Are you going do get a building permit to remove these walls?
MR. OLINKIEWICZ: Yes, yes.

MR. PROKOP: So there's not going to be any issue with it?

MR. OLINKIEWICZ: There's going to be no issue with that.

CHAIRMAN JAUQUET: The footprint stays the same?

MR. OLINKIEWICZ: The footprint stays the same, nothing happens outside.

CHAIRMAN JAUQUET: And those offices that you've got listed in your plan with that, are those -- is that space going to be one tenant?

MR. OLINKIEWICZ: That will be one tenant, yes.

CHAIRMAN JAUQUET: One lease?

MR. OLINKIEWICZ: One lease, one tenant for the two offices, the meeting room and their --

CHAIRMAN JAUQUET: Okay.

MR. OLINKIEWICZ: -- kitchen area.

CHAIRMAN JAUQUET: Yeah.

MR. PROKOP: Does the building have to come up to the building code?
MS. WINGATE: Absolutely.

CHAIRMAN JAQUET: Oh, yeah.

MR. PROKOP: Not the existing building code but the building code --

MS. WINGATE: Existing building code, he needs a fire suppression system.

MR. OLINKIEWICZ: Right.

MR. PROKOP: On the second floor?

MS. WINGATE: On the whole building.

MR. PROKOP: Oh, the whole building.

MR. OLINKIEWICZ: The whole building.

MR. DOWLING: That's not in here, is it?

MR. PROKOP: What about the egress, does he need one? Does he need two or just the one on the residential space? Does he need two egresses?

MS. WINGATE: He needs -- he needs two egresses, window, window in each bedroom and the door.

CHAIRMAN JAQUET: Can you guys work out the garbage thing?
MR. OLINKIEWICZ: Sure.

MR. PURITA: Well, I'm sure me and him could work it out. I'm not saying how the tenants can work it out, so hopefully.

CHAIRMAN JAUQUET: I don't -- so what --

MR. PURITA: It depends on the tenants that are going to work it out. I can make the best deal with Jim right now, because, you know --

CHAIRMAN JAUQUET: Well, what's the issue, is it an aesthetic one?

MR. PURITA: Well, I'm just concerned. First of all, you can see how tight. There's no, you know --

CHAIRMAN JAUQUET: It's a tight squeeze to get a truck there.

MR. PURITA: It's a tight squeeze.

MR. OLINKIEWICZ: Right. It's a tight squeeze to back a truck up in there now anyway. I mean, most of the time, Frank's trucks park out on the street and then wheel it to the back, because it's tight for them to back up. That
could probably help alleviate it by the parking, no parking put across the street, so they could swing it without hitting the front of the cars. But the parking across the street now makes it impossible for any trucks to even back in there. So they park in front of 211 Carpenter, they unload and they truck it in, they dolly it in.

CHAIRMAN JAUQUET: Hand truck in.

MR. OLINKIEWICZ: Hand truck it in. That's what 99% of the delivery is now. I haven't been there for the garbage pickup. I don't know if they wheel the dumpster all the way out to the road and then they pull it all the way back, or they back in, I haven't seen that yet.

CHAIRMAN JAUQUET: How does your -- your garbage is back there, isn't it?

MR. PURITA: Yeah.

CHAIRMAN JAUQUET: How does it -- how does it get transported, then?

MR. PURITA: It gets pulled towards the street.
CHAIRMAN JAUQUET: By hand?

MR. PURITA: Yup.

CHAIRMAN JAUQUET: Oh, okay. I mean, your guys are probably going to end up doing the same thing.

MR. OLINKIEWICZ: Sure. Yeah, sure.

CHAIRMAN JAUQUET: Is that how you do yours? You get all -- who does -- how do you arrange garbage pickup for your tenants; do they do it?

MR. OLINKIEWICZ: Mostly, it's Mattituck Sanitation, or they do it -- Mattituck Sanitation pulls up, they wheel it out to the road and dump it in the truck, and they wheel it back, they do that.

MR. BURNS: He's got a problem. Frank, how can we help you with it? I don't understand.

MS. WINGATE: When did the sign disappear?

MR. PURITA: Okay. It's at least -- it was actually laying in there up to about maybe two or three years ago. It had fallen.
MS. WINGATE: That long?

MR. PURITA: It might still be there. It might just be laying --

CHAIRMAN JAUQUET: Yeah.

MR. PURITA: It was up -- there's a picket fence.

MS. WINGATE: Yes.

MR. PURITA: I had tried to put it up a few times, but I gave up. And then recently, someone was playing with those signs back there.

MS. WINGATE: Yes.

MR. PURITA: And I don't know what that's all about.

MR. OLINKIEWICZ: Yeah. They put them on each side of the fire hydrant.

MR. PURITA: Yeah. I don't know what's going on.

CHAIRMAN JAUQUET: So who parks there, visitors to the Village?

MR. OLINKIEWICZ: No. Most of the workers at the --
CHAIRMAN JAUQUET: Or STIDD's?

MR. PURITA: It's not just STIDD's, it's some other merchants, as well as, you know --

CHAIRMAN JAUQUET: Well, that's really -- I mean, is the Road Department -- would they be amenable to, you know, putting the signs back up and making some other additional kinds of things?

MS. WINGATE: I can't speak for them, but --

CHAIRMAN JAUQUET: But do they do that?

MS. WINGATE: I could bring it to their attention.

MR. PURITA: I mean, if you look on Carpenter, they go further up. You'll --

MS. WINGATE: All these parking rules and regulations are part of the code. So, if we go to the code and we read all about Carpenter Street, it has rules and regulations. Now we just have to ask them to assign signs to relay that information.

MR. OLINKIEWICZ: And enforce it.

MS. WINGATE: And we could get there.

CHAIRMAN JAUQUET: Okay. I mean, now, with
his tenants, it's more critical for that access
to be enforced, I mean, the parking to be
enforced, the non-parking, right?

MR. DOWLING: Yup.

MR. PURITA: Yeah.

CHAIRMAN JAUQUET: So what do you want to
-- are we ready to act on this with the
conditions? What are the conditions? I think
we're, you know --

MR. PROKOP: Well, I think that one is that
the right-of-way stay clear at all times.

CHAIRMAN JAUQUET: Right.

MR. PROKOP: Stay clear and free of
obstructions at all times. The second one that I
would recommend is that there's no residential
use of the first floor.

MR. OLINKIEWICZ: The only thing that I
have on the first floor that dealt with the
upstairs apartment was that half bath as you came
in the side door. I was going make that a
laundry room for the washer and dryer for the
apartment upstairs. There's no residential
sitting or sleeping quarters, or anything else
like that.

CHAIRMAN JAUQUET: That doesn't -- but that doesn't mean --

MR. OLINKIEWICZ: I mean, it doesn't have to be there. I can take it out, it's not a big deal, but make it a mudroom. But it's just --

CHAIRMAN JAUQUET: Is that in the front or the back?

MR. OLINKIEWICZ: It's in the back. You come in the rear back door --

CHAIRMAN JAUQUET: Yeah, I remember that.

MR. OLINKIEWICZ: -- and there's a -- we took a chunk out of that room downstairs so it couldn't be used as a living room. We did the access to the basement from the office inside. And so there's a five-foot corridor that, if you come in and go up the back stairs, so you have a -- you know, the stairs in the back for ingress and egress, and also the front stairs for ingress and egress.

CHAIRMAN JAUQUET: It's that L-shaped
entry, yeah.

MR. OLINKIEWICZ: Right. So you have to
the right there, as you come in the door, there
was a half bath there. So I just figured I would
either, A, you could leave it as a half bath, if
somebody came in the house and wanted to use the

bathroom quick; or, B, we could put a washer and
dryer in there for the tenants upstairs, because
it's not really any --

CHAIRMAN JAUQUET: I don't know. I'm not
so crazy about that.

MR. DOWLING: I think the problem is that's
now putting residential use on the first floor.

CHAIRMAN JAUQUET: Because, you know --

MR. OLINKIEWICZ: Would that be considered
as you walk through the hallway to go upstairs
also? I mean --

CHAIRMAN JAUQUET: It's access. It's
access, period, and not --

MR. DOWLING: It's access for the residents
to use.
CHAIRMAN JAUQUET: I don't like the idea of mixing the residential and the, you know --

MR. OLINKIEWICZ: Okay. So we just don't -- you could take that room out and don't put anything there?

CHAIRMAN JAUQUET: Well, make it a closet for this office or something.

MR. OLINKIEWICZ: Okay.

MR. PURITA: Just can I ask one other thing? Speaking of egress, how do we access the upstairs apartment?

MR. OLINKIEWICZ: You can go in the front or you can go in the back.

MR. PURITA: The back door, it's going to be a problem again with that right-of-way.

MR. OLINKIEWICZ: What, people walking down the right-of-way and going into their apartment?

MR. PURITA: Well, first off, if someone's -- if there's a truck parked there, you can't even open that outside if you've got a screen door.
CHAIRMAN JAUQUET: Well, it's a right-of-way. It's not -- you know, it's accessible to -- it's not just cars. You know, people can walk. I mean, I don't see a problem with that. You're --

MR. DOWLING: I think the main thing is, you know, you can't have bikes leaning up against the wall, things like that.

CHAIRMAN JAUQUET: Yeah, that's true.

MR. DOWLING: No garbage cans, nothing that they can access.

CHAIRMAN JAUQUET: It's got to be really clear. But there's room for your garbage cans around the back.

MR. OLINKIEWICZ: Right, sure, yeah.

CHAIRMAN JAUQUET: And, you know, if --

MR. OLINKIEWICZ: The right-of-way needs to stay open for both of us.

CHAIRMAN JAUQUET: I mean, if the --

MR. OLINKIEWICZ: He's got to pull into his place, and my tenants would have to walk in and
go into their place. It's the same thing.

CHAIRMAN JAUQUET: Right, yeah.

MR. OLINKIEWICZ: Right?

CHAIRMAN JAUQUET: But, also, you know,

if --

MR. PURITA: We're going to have to look at the layout. That's -- we can do it then.

CHAIRMAN JAUQUET: Well, I'm just saying, if there's a view nuisance, because you're looking at his garbage cans, or the bikes, or whatever for their tenants, then --

MR. PURITA: Well, it's a commercial --

CHAIRMAN JAUQUET: Wait. Wait, I'm not done. Then you should --

MR. PURITA: It's a commercial space back there, so, I mean, I have dumpsters back there, so it's -- I don't think this is going to be an issue, you know, as long as they're covered and

you know, with reference --

CHAIRMAN JAUQUET: Well, yeah, I mean --

MR. PURITA: I mean, I take -- I make sure
they're covered and whatever.

CHAIRMAN JAUQUET: I mean, maintenance of
the property is part of the code in the Village
and it underlies all of this.

MR. OLINKIEWICZ: Right.

CHAIRMAN JAUQUET: And, you know, the
maintenance of the right-of-way has to be -- is
an issue, too, isn't it, the --

MR. OLINKIEWICZ: No, because being --

CHAIRMAN JAUQUET: I mean, you got to keep
it --

MR. OLINKIEWICZ: You know, being that I'm
the owner of the property, it's my responsibility
to keep the right-of-way clear.

CHAIRMAN JAUQUET: Clear and maintained. I
mean, everybody's got to make it --

MR. OLINKIEWICZ: Maintained, so if there's
more than three inches of snow, four inches of
snow --

CHAIRMAN JAUQUET: Right.

MR. OLINKIEWICZ: -- I got to plow it, I
got to take care of it, because it's on my
property. They have the right to drive across it to go to his property, pick up stuff, get deliveries and drive back out.

CHAIRMAN JAUQUET: Okay. So are we ready to do this?

MR. DOWLING: Well, I think we need to -- we need to see a revised site plan with -- he's got to remove this -- the bathroom stuff from the lower -- from the design, the plan, right?

CHAIRMAN JAUQUET: Right.

MR. DOWLING: And what do you have? You have the --

CHAIRMAN JAUQUET: I have a stacked laundry. You should make that -- I don't know what you're going to do with it. Make it a --

MS. WINGATE: There were two sets of plans, and I just kind of pulled them out of my file. I don't know if I gave you all those copies. Check the dates.

MR. BURNS: I think I got an old one. This one has two baths on the first floor.

MS. WINGATE: Yes, that would be an old one.

CHAIRMAN JAUQUET: Yours has two bathrooms
MR. DOWLING: Yeah.

CHAIRMAN JAUQUET: Mine has one, but it has the stacked laundry downstairs. Your most recent plan has the laundry?

MR. OLINKIEWICZ: The stacked laundry downstairs. We amended it because to take that bathroom out and to put the wall for the walkway, and put the ingress and egress to the upstairs apartment.

CHAIRMAN JAUQUET: Right. What would you do with that space, just make it part of the office?

MR. OLINKIEWICZ: Make it a -- yeah, part --

CHAIRMAN JAUQUET: Okay.

MR. OLINKIEWICZ: I'd move it over to be part of the office. I don't know if you can make that a stipulation if you're determining it now or --

CHAIRMAN JAUQUET: Well, I think we could.
MR. OLINKIEWICZ: I mean, it's a --

CHAIRMAN JAUQUET: Can't we? We can do that. The condition that this --

MR. DOWLING: Stacked laundry.

CHAIRMAN JAUQUET: -- this stacked laundry becomes part of the office space. The stacked laundry notation room becomes part of the office space or --

MR. DOWLING: Do we need to see a new site plan for that?

MS. WINGATE: Excuse me?

MR. DOWLING: Then we'd have to -- he's got to move, I mean --

CHAIRMAN JAUQUET: We can make it conditional, can't we?

MR. PROKOP: Yeah, we can make it conditional, yes.

CHAIRMAN JAUQUET: The question is should that be office space, or should that be storage for your tenants? I mean, stuff is going to pile up there, I don't know, if it's tenant space.
MR. PROKOP: It can't be part -- it can't be used by whoever's upstairs.

CHAIRMAN JAQUET: Okay. Then it's got to be office, okay.

MR. OLINKIEWICZ: Yes, part of the office.

CHAIRMAN JAQUET: So I'm going make a motion that we --

MR. DOWLING: Include it part --

CHAIRMAN JAQUET: And I'm going to make --

MR. DOWLING: Revise their plans, too.

CHAIRMAN JAQUET: Right.

MR. PROKOP: And the conditions I have is that the right-of-way stays clear and free of any --

CHAIRMAN JAQUET: That's the first one, the right-of-way remains clear. And?

MR. PROKOP: Second one is no residential use of the first floor.

CHAIRMAN JAQUET: Right.

MR. PROKOP: Three is remove the existing half bath and the stacked laundry from the plans,
and make the first -- make that area of the first floor part of the office, first floor office use. And then the fourth one, which we normally put in, is that there's a return to the Planning Board -- I'm sorry.

MS. WINGATE: I'm cold, my nose.

MR. PROKOP: There's a return to the Planning Board on the December calendar, December 2015, for review. Do you want to include that, or no?

MR. BURNS: Can what?

CHAIRMAN JAQUET: No. He wants us to review it in a year. He'll be done by then.

MR. BURNS: Oh, yeah.

MR. PROKOP: So bring it back in 2015, just to see if there's any issues?

CHAIRMAN JAQUET: Okay, we can do that. All right. So I'm going to make a motion that we approve the --

MR. OLINKIEWICZ: Can I ask one quick question?
CHAIRMAN JAUQUET: Yeah.

MR. OLINKIEWICZ: If we're going to move the wall anyway and make that part of the downstairs office, can I leave it half bath for the downstairs office also? I mean, we're going to move a wall, a wall into the office, why tear it out? It will become part of the office for their usage, so they can have one-and-a-half bath on the first floor, so somebody in their office, they can have it as a private bathroom. But it seems a shame to tear the whole thing out if it's going to be in the office space and can't be used.

CHAIRMAN JAUQUET: Yeah.

MR. BURNS: Makes sense.

MR. DOWLING: I'm fine with that.

CHAIRMAN JAUQUET: I mean, that's okay, if you want to make more of a better utility of the space.

MR. OLINKIEWICZ: Better use of it for that. Thank you.
CHAIRMAN JAQUET: Okay. So I'm going to make a motion that we approve the -- the --

MR. DOWLING: Application.

CHAIRMAN JAQUET: The application for 211 Carpenter Street, with the following conditions:

One, that the right-of-way remains clear and in good maintenance.

Number two, that there's no residential uses on the first floor, other than that stairway entry access.

Number three, that the area where the current stacked laundry is in that entryway area for the residential is removed and becomes part of the office space.

And that it's okay that the particular space becomes a half bath for the office space.

And number five, that we'll return to this plan in December 2015 for review of the results.

Do I have a second?

MR. BURNS: Second.

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

MR. DOWLING: Aye.

CHAIRMAN JAUQUET: Aye.

MR. BURNS: There's no way that we can do anything about the signs on the street?

MR. PROKOP: No. It's up to the Village. We have to straighten it out in the Village.

But, I mean, if there's anything to straighten out, it has to be reviewed by the Village.

CHAIRMAN JAUQUET: So how does that sound?

MR. PURITA: Sounds good.

CHAIRMAN JAUQUET: Number 6 is a motion to schedule the next work session for January 22nd, 2015.

MR. BURNS: Thanks, Frank.

CHAIRMAN JAUQUET: Thanks. All in -- do I have a second?

MR. DOWLING: I second.

CHAIRMAN JAUQUET: All in favor?

MR. BURNS: Aye.

MR. DOWLING: Aye.

CHAIRMAN JAUQUET: Aye.

And #7, I make a motion to adjourn. All in favor -- do I have a second?

MR. BURNS: Second.
CHAIRMAN JAUQUET: All in favor

MR. BURNS: Aye.

MR. DOWLING: Aye.

CHAIRMAN JAUQUET: Aye.

MR. BURNS: Thank you all.

(Whereupon, the meeting was adjourned at 5:55 p.m.)
CERTIFICATION

STATE OF NEW YORK )

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 December 18, 2014.

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

IN WITNESS WHEREOF, I have hereunto
set my hand this 4th day of January, 2015.

______________________
Lucia Braaten