VILLAGE OF GREENPORT
COUNTY OF SUFFOLK STATE OF NEW YORK

----------------------------------------X
ZONING BOARD OF APPEALS
REGULAR MEETING

----------------------------------------X

February 21, 2017
6:00 P.M.

Third Street Fire Station
Greenport, New York

B E F O R E:

JOHN SALADINO - Chairman
DAVID CORWIN - Member
DINNI GORDON - Member
ELLEN NEFF - Member
ARTHUR TASKER - Member

JOSEPH PROKOP - Village Attorney
EILEEN WINGATE - Village Building Inspector

Flynn Stenography & Transcription Service
(631) 727-1107
## INDEX

<table>
<thead>
<tr>
<th>ITEM</th>
<th>DESCRIPTION</th>
<th>PAGE</th>
</tr>
</thead>
<tbody>
<tr>
<td>#1</td>
<td>ACCEPT MINUTES 1/17/17</td>
<td>3</td>
</tr>
<tr>
<td>#2</td>
<td>APPROVE MINUTES 12/20/16</td>
<td>3-4</td>
</tr>
<tr>
<td>#3</td>
<td>NEXT MEETING 3/21/17</td>
<td>4</td>
</tr>
<tr>
<td>#4</td>
<td>NOTICE AND SCHEDULE PUBLIC HEARING FOR AN INTERPRETATION OF CHAPTER 150-18</td>
<td>4-5</td>
</tr>
<tr>
<td>#5</td>
<td>CONTINUATION OF PUBLIC HEARING ON 221 FIFTH AVENUE (OLINKIEWICZ)</td>
<td>5-111</td>
</tr>
<tr>
<td>#6</td>
<td>CONTINUATION OF PUBLIC HEARING ON 238 FIFTH AVENUE (OLINKIEWICZ)</td>
<td>112-144</td>
</tr>
<tr>
<td>#7</td>
<td>DISCUSSION AND POSSIBLE ACTION ON 221 FIFTH AVENUE (OLINKIEWICZ)</td>
<td>144-147</td>
</tr>
<tr>
<td>#8</td>
<td>DISCUSSION AND POSSIBLE ACTION ON 238 FIFTH AVENUE (OLINKIEWICZ)</td>
<td>148-194</td>
</tr>
<tr>
<td>#9</td>
<td>MOTION TO ADJOURN</td>
<td>196</td>
</tr>
</tbody>
</table>
(THE MEETING WAS CALLED TO ORDER AT 6:04 P.M.)

CHAIRMAN SALADINO: Folks, we're going to start. For those that don't know it, this is the February 21st Regular Meeting of the Zoning Board of Appeals.

We all have new name plates, so we don't have to call the roll for the stenographer.

Item #1 is a motion to accept the minutes of the January 17th, 2017 Zoning Board of Appeals meeting. So moved.

MS. NEFF: Second.

MS. GORDON: Second.

CHAIRMAN SALADINO: All in favor?

MR. CORWIN: Aye.

MS. GORDON: Aye.

MS. NEFF: Aye.

MR. TASKER: Aye.

CHAIRMAN SALADINO: Aye. Any opposed?

(No Response)

CHAIRMAN SALADINO: Item #2, motion to approve the minutes of the December 20th, 2016 Zoning Board of Appeals meeting. So moved.

MS. GORDON: Second.

CHAIRMAN SALADINO: All in favor?

MS. GORDON: Aye.
MS. NEFF: Aye.

MR. TASKER: Aye.

CHAIRMAN SALADINO: Aye. Any opposed?

MR. CORWIN: I abstain.

CHAIRMAN SALADINO: And one abstention.

We read this every week, but we have a calendar. But since it's here, motion to schedule the next Zoning Board of Appeals meeting for 6 p.m. on March 21st, 2017. And there's a note. Since there's an election that night, for those that don't know, the meeting will be at the Schoolhouse.

So moved. Is there a second?

MS. NEFF: Second.

MS. GORDON: Second.

CHAIRMAN SALADINO: All in favor?

MR. CORWIN: Aye.

MS. GORDON: Aye.

MS. NEFF: Aye.

MR. TASKER: Aye.

CHAIRMAN SALADINO: Aye. Any opposed?

(No Response)

CHAIRMAN SALADINO: Item #4, motion to notice and schedule a public hearing for a request for an interpretation by the Village of Greenport
Building Department. The Building Inspector is requesting an interpretation of how Chapter 150-18 of the Village of Greenport relates to Zoning -- Village Zoning Districts. The requested interpretation should include which zoning districts should use section 150-18 as a guideline for development. So moved.

MR. CORWIN: Second.
CHAIRMAN SALADINO: All in favor?
MR. CORWIN: Aye.
MS. GORDON: Aye.
MS. NEFF: Aye.
MR. TASKER: Aye.
CHAIRMAN SALADINO: And I'll vote aye.
We'll schedule that meeting for March 21st. The public hearing, I'm sorry, for March 21st.
Item #5 is a continuation of the public hearing regarding area variances sought by James Olinkiewicz, 221 Fifth Avenue, Greenport, New York, 11944, Suffolk County Tax Map 1001-8-4-29. For the public, the Public Notice, to refresh your memory, is attached. Sorry.
Is there anyone from the public that would like to make comment?
MR. WEISKOTT: On the --
CHAIRMAN SALADINO: On 221.

MR. WEISKOTT: On the subdivision? Yes.

CHAIRMAN SALADINO: On -- we're going to --

I'm going to say it a lot tonight, I'm sure. We're

not here about a subdivision.

MR. WEISKOTT: Oh, okay.

CHAIRMAN SALADINO: We're here about area

variances.

MR. WEISKOTT: Okay, variance.

CHAIRMAN SALADINO: Subdivision --

MR. WEISKOTT: Variances for the subdivision,

okay. Are we ready?

CHAIRMAN SALADINO: Just for the record.

MR. WEISKOTT: Okay. We're read to go. My

name is Jack Weiskott. I live at 229 Fifth Avenue,

the property directly north of 221 Fifth Avenue.

Since this has been going on for a while, I'd like

-- I'm going to be pretty brief.

The history of this proposal starts in 2012.

This is the second go-around with this. In 2012

into 2013, Mr. Olinkiewicz pulled his application,

so there was never a resolution of this. At this

point, this is the eighth meeting that we've had

with this second go-around of this subdivision.

I'm glad we're finally getting to the point of
discussing the final decision on it.

I'd just like to say a couple of things about what transpired at the last meeting. The first thing I'd like to discuss is that I would tell a small story regarding the inspection that occurred at the house that we -- we were unaware of that, but, evidently, there had been an inspection, and the Building Inspector decided there were only five people living in the upstairs apartment.

MS. REA: Excuse me. Could you speak up? I can't hear. Can you speak up?

CHAIRMAN SALADINO: Is that on, Jeff?

MR. WEISKOTT: I guess the PA has to be louder. It's on.

MS. REA: No, that's fine. Speak into it. That's fine now.

MR. WEISKOTT: Okay. Before that meeting, the downstairs neighbors had moved out. That apartment was vacant. But before the meeting, we got a phone call from a neighbor of ours who said, "Oh, you have new neighbors, the new people are moving in." And we said, "I don't think so, we didn't see." "Oh", she said, "Oh, yeah, I saw people, a lot of people moving and they were carrying boxes and supplies and things." So we
said, "Oh." And then we came to the meeting and we
found out that there'd been an inspection. And
then the next day I went and looked at the
property, the new neighbors had not moved in. What
our neighbor had described seeing were people
moving out prior to the inspection, because the
inspections have to be notified in advance, you
can't have a surprise inspection.

So I'm just pointing that out to say that
we're not insane when we say there are more people
living in there than should be living in there, and
that it's a standard practice in all of
Mr. Olinkiewicz' properties, at least the ones --
the three properties that are on our street are all
overcrowded. And as some evidence of that, I'd
like to hand out some photographs of cars parked in
the driveway, illustrating how many cars are in
there.

I'll just pass this out first. This was the
first snowstorm, so like nobody went to work, so I
was able to take a picture of six cars. This is
after the last snowstorm, other cars came into the
driveway. And I have it for everybody.

MS. REA: May we hear what you're saying?

MR. WEISKOTT: I'm going to reiterate what
I'm saying.

CHAIRMAN SALADINO: I have a question for the Building Inspector. Surprise inspections, you hadn't notified the occupants that you were going to inspect?

MS. WINGATE: No. There are very rarely surprise inspections. Landlord and tenants have their own leases, and in a lease, a landlord has to give a tenant 24 hours notice for entry.

CHAIRMAN SALADINO: So just so I'm on the same page with what Mr. Weiskott is saying, you notified the landlord 24 hours before the inspection?

MS. WINGATE: (Nodded yes) And the exact time I don't know. I believe in this case it was more than 24 hours, yes.

AUDIENCE MEMBER: Well, that works really well.

CHAIRMAN SALADINO: Please, folks. Was it six days?

MS. WINGATE: No, no.

MR. WEISKOTT: No.

MS. WINGATE: It was probably two days.

CHAIRMAN SALADINO: Two days. And they saw the moving in or moving out one day?
MR. WEISKOTT: They were definitely moving out, not moving in. The downstairs apartment had been vacant and was still vacant.

CHAIRMAN SALADINO: And the time frame?

MR. WEISKOTT: It was a day or two.

CHAIRMAN SALADINO: Okay.

MR. WEISKOTT: When we were talking to each other to make sure we were going to the meeting, she was telling my wife that she saw people moving in, which sort of surprised me. Anyway, I'd like to --

MS. NEFF: Well, the --

MR. WEISKOTT: Yes.

MS. NEFF: -- photographs you distributed, could you give a date for them, approximately?

CHAIRMAN SALADINO: February 9th.

MR. WEISKOTT: Well, John has the ones with the date on them.

MS. NEFF: The ones with the dates, okay. I got it.

CHAIRMAN SALADINO: And January 7th.

MR. WEISKOTT: The one with the most cars in there is from the most recent big snowstorm.

CHAIRMAN SALADINO: February 9th.

MR. WEISKOTT: And the previous was an
earlier snowstorm in January.

CHAIRMAN SALADINO: January 7th, for the record.

MR. WEISKOTT: What I'm showing there is that there are six cars normally parked in that driveway, and now with the new people who moved in, there are two cars in the street. That's eight cars that are always there. That's two people from the downstairs apartment, two cars from the downstairs apartment, six cars from the upstairs apartment.

The second picture of the larger snowstorm, cars from one of his other properties and the two cars from the street moved into the driveway. There are six additional cars in the driveway, plus the normal six cars in the driveway. That's a total of 12 cars. If there's another house on that property, that's four more cars, because his houses average eight cars per house. So there's 12 cars on that property if his variances are approved. It's just too many.

In 2012, when Mr. Bob white was still in good health and he came to the first meeting, he used the term, which I think is appropriate and accurate, he said, "Our street was saturated with
people and cars already." When something is saturated, it means you cannot add anymore to it, it can't hold that volume. Now Bob White isn't with us anymore, but I thought I'd mention that, because I thought it was the most apt term.

Let's see what else I have. Well, I think that's about all I have, except saying that this has been extremely stressful and frustrating for us, because we love living on our street, and it used to be a much quieter street. I understand like people love this Village and they're moving into the Village, but all the houses that are overcrowded are creating a lot of issues on our block, and we can't have anymore houses on our street, we just can't handle it anymore.

So that's all I have to say. Thank you for listening.

CHAIRMAN SALADINO: Thank you.

MR. REED: Good evening. What Jack just said was poignant and to the fact.

CHAIRMAN SALADINO: Name and address.

MR. REED: Oh, Mike Reed, 430 Front Street.

What Jack said was right to the point. He said if you do with this variance, we'd like, as a community, like to see an impact study for the
road, for traffic and for saturation of septic. From my corner at Front Street and Fifth to Gagan's, which is south, every year, seven times, you could look it up, we have to call septic from the Village to clean it out. It's antiquated. If you don't ask me, ask Skip Skrezec, because Skip and Whitey do all the plumbing work down there. And you put anything more over there, we're going to have more problems. If it backs up, somebody is going to be getting a nasty letter from my lawyer to clean our place up. You know, this is ridiculous.

Oversaturation, as Mr. White, God rest his soul, he was the glue. I mean, everybody -- if you look around, everybody here is family to me. I grew up with everybody here. You know what, we're not being mean, mean spirited or anything, but how much is enough? Why should the lives of us that have lived here most of our lives or all of our lives be interrupted for -- let's call it like it is, the greed of one person. Enough's enough. You know, you wouldn't like it if any one of you -- I hope you don't have the problem, but if you do, you'd understand what it's like for us. We've had things broken into. What's -- Greg. What's
your -- the little cop, Greg whatever.

MS. WINGATE: Greg Morris?

MR. REED: Morris. He had to go and he had
to nail them for a ticket for illegal registration.
The car had to be moved. And we've been dealing
with this for years. And then a couple of years
ago, we had a car that had no plates, no nothing,
had a hole in the tank, and they had to come, the
Fire Department had to come in with a HAZMATIC
problem. This is stuff we've done, we've had to
deal with. Prior to that, there was another one.
When they got evicted from the place, it looked
like something off of Time Squares in the late
'70's. You had all their goods out on the side of
the road. We shouldn't have to deal with that. Is
that fair to us? It shouldn't be.
We just want quality of life and we're not
getting any. You know, I don't want to be
egregious about anything, but, you know, we've gone
on for four to five years. And back in 2012 or
'14, when Nyce was Mayor, I can't remember the day,
didn't they have a moratorium on anymore building,
correct?

CHAIRMAN SALADINO: There was a moratorium on
subdivisions.
MR. REED: All right. How -- is that still in effect or --

CHAIRMAN SALADINO: No.

MR. REED: No?

MS. GARRIS: No, that was prior to.

MR. REED: That was prior. All right. I wasn't sure.

MS. GARRIS: Yes.

MR. REED: But just -- I know you guys are tired, so are we. Just be in our shoes. A lot of our families, a lot of these houses are older than most people, you know, from the 1800s, the late 1800s. A lot of families have been here forever; Jesters, Millers, Goldsmith, my aunt, Marilyn White, Mr. White. They're the pillar of the community. You know what, enough's enough. Please. Thank you.

MS. MC ENTEE: Joanne McEntee, 242 Fifth Avenue.

To appease the Village, the landlord has in his lease agreement, and at his choice, a 24-hour clause to notice for a surprise inspection. This is not required. There is obviously a reason that he puts it in there. And I don't feel it's necessary. Obviously, he found a way to get around
this inspection. So who is he protecting?

I just have a few little issues that I'd like to just mention. Maybe some might be reiterated.

The subdivision change in the neighborhood is undesirable. Several neighbors and community members who have spoken are not in favor of this subdivision. Not one person has spoken in favor of this subdivision, other than Mr. Olinkiewicz' attorney. I have said this before. There's no one here on Mr. Olinkiewicz' side to say it's a good thing.

There is -- there will be an environmental impact on Fifth Avenue with traffic, parking, accidents, and added sewer -- sewer system issues.

The Village is currently processing -- in the process of approving a three-way stop sign to slow down excessive speeding of vehicles, which we have noticed most recently, one of which my daughter's vehicle was hit. There were -- well, let me go on. Parking already is in -- is excessive on Fifth Avenue. It has been found at least 21 cars on the street in recent months at one given time, and that was early. That was like when people should have been at work.

There have been three car accidents within
three homes. I don't know if you have seen this on Facebook, but two homes with a house in between that did not get -- the vehicle did not get hit, and a vehicle in front of our house. So one house, there are three different -- they're apart, but one happens to be across the street. Hit and run.

MS. NEFF: Excuse me. Could I ask you, you talked about a three -- a proposed three-way stop. What corner are you talking about?

MS. MC ENTEE: That would be South and Fifth.

MS. NEFF: Yeah, that's what I thought.

Thank you.

MS. MC ENTEE: Yes. The sewer lines are in need of deep repair, and the Village is currently working to find a solution to this ongoing problem as well. And both of these issues, the stop sign issue and the sewer lines, are discussion for Thursday, of my understanding, or future.

The subdivision is self-created. Our zoning laws state the gradual elimination of nonconforming uses, not creating more.

I ask that you please protect the quality of life and the privacy for our neighbors on Fifth Avenue. I ask that the Zoning Code be enforced for
maximum protection for residential property, and to
eliminate the nonconforming uses. Thank you.

Oh -- yes, excuse me. That's it. Thank you.

MS. WHITE-CORWIN: Hi. My name is Marilyn
White-Corwin, 305 Fifth Avenue.

You can kind of look around and you could see
the majority of Fifth Avenue here, and it's for a
reason, because we do love our street and we do
love where we live. Personally, I have absolutely
no objection to people moving into our community,
but can they move into places that are already
here? Do they have to build houses in yards?

I mean, a quality of life for me would be,
which is that I live in my home, I have a nice
yard, I can have a barbecue, I could have a little
party, invite people over and have a place for them
to be, to have the grandchildren come play in the
yard. What Mr. Olinkiewicz wants to do is every
little patch of land he wants to put a house on, to
put more people in, which, you know, I understand,
oh, you know, we have a housing crisis, whatever.
But let's think about this. We're trying to keep
this area affordable.

Now our school taxes have already gone up.
Now we're going to be building more houses on more
little pieces of property, more yards, because
that's what they are, it's a yard where he wants to
be building these -- this house, both of them, it's
a yard. Now we're going to have more people in
these -- in these houses going into the schools.
The taxes are going to have to go up to -- you
know, to accommodate, which, you know, I mean, is
this what we want, to just keep more and more and
more and more? And in a little -- a little
neighborhood like Fifth Avenue. I mean, seriously,
already -- like I say, like my Dad said, we are
saturated. And I really think, like I said, you
guys need to just look, look out here and see the
people of Fifth Avenue pleading with you. Just let
us have our little -- our little Fifth Avenue, you
know. It's already changed a lot and we're okay
with that. I don't think we need to have it change
anymore. All right?

Thank you very much.

CHAIRMAN SALADINO: Before anyone else --
everybody's going to speak, don't panic. I want to
ask the attorney for Mr. Olinkiewicz, the Board has
a letter from you as a result of --

MS. REA: I'll address that when it's my

turn.
CHAIRMAN SALADINO: Do you want it read?

MS. REA: I'll read it.

CHAIRMAN SALADINO: Okay.

MS. REA: Because it's important.

MR. PROKOP: Well, I think the public should know. We have -- the public is going to --

MS. REA: No. I'm going to read it.

MR. PROKOP: No. Please, don't argue with me, just let me -- excuse me. Just let me finish. I'm sorry. Excuse me, please, very respectfully. The public is here to comment and they don't -- they're not aware yet of the letter. They may want to comment about the letter. That's all I wanted to say. So I think it's --

CHAIRMAN SALADINO: I've already -- I've already explained to the attorney that we're going to let the public rebut whatever --

MR. PROKOP: Okay.

CHAIRMAN SALADINO: -- she says afterwards, right? So you're going to read this?

MS. REA: Yes.

CHAIRMAN SALADINO: Okay. I'm sorry, folks. MR. HOLLID: It's all good. I'm sorry. Joe Hollied, 415 South Street. I live around the corner from Fifth.
And, as Michael said, you have to live in our shoes, but you all do at the Board. You all live in our shoes, so you know what to deal with.

Our houses are close to together as it is, but it's been that way how long, 20, 30, 40, 50 years? Whatever. But the influx of people have overtaken the houses and this is the big problem. We don't have that availability of safety. We don't have the availability of not only that, but the factor of cars being in the area.

It's crazy during the day. You can't -- you can't get around without stopping for people that are coming, no matter what time of day it is or what time of night, especially around -- I guess around the time that people are coming home. But I don't have to do that, so I'm -- but I see a lot of -- a lot of activity on my block, too, on South Street.

So it is -- it's a big problem, but we've had enough of space taken up. And how much more space can we have taken up? You're going build houses upon houses? And Mr. Olinkiewicz is -- he's like that guy, he wants to have that property taken up. He wants to build a cottage in back of where my house is, which I don't know how that's going to
pan out. But I don't appreciate that, because that
means more cars behind me. Even though there's a
fence there, there's more activity, there's more
problems with cars sounding in the morning, getting
up early, whatever the case may be. And there's
more houses on the street itself, too.

So this is just -- it's just crazy how this
is trying to be transformed into something that
it's already been there. We've already had -- I
mean, it's been such a nice neighborhood, such a
nice village, and in the last 15, 20 years, things
have changed. And I don't know if it's because of
the immigration problem. I don't -- I feel it is.
And what are we going to do about it? So a third
of the people in Village of Greenport are
immigrants. How many of that third of people are
illegal immigrants?

I don't -- I don't mind the fact that people
can live here, pay taxes, do their diligence, work
hard like they want to do, but if they're illegal,
then we've got to get somebody in there to say,
"You're not here legally, beat it." Done.

CHAIRMAN SALADINO: Just so it doesn't turn
into a different discussion, Mr. Olinkiewicz is a
legal resident, he's a citizen. So --
MR. HOLLID: He's in Shelter Island.

CHAIRMAN SALADINO: He's a -- he's a --

(Laughter)

MR. HOLLID: What the hell is that? Is that legal? Is that legal? How legal is that? How legal?

CHAIRMAN SALADINO: As hard as it is to believe, those guys over there are citizens, too.

MR. WEISKOTT: They don't need a passport from Shelter Island?

CHAIRMAN SALADINO: No, no, no, no passport. So before we get on to a different topic, you know --

MR. HOLLID: It's all inter -- it's all interactive with everything. What I'm saying, I feel it's all interactive with what we're talking about.

CHAIRMAN SALADINO: Okay.

MR. HOLLID: Done. Thank you.

MS. ALLEN: Chatty Allen, Fifth Avenue. And after next week, I will no longer be living on Fifth Avenue, but I still need to say my piece. I have a landlord who did not bother to clear our parking area, so I've had to park on the street since the last snowstorm. And at night I'll go out
for a ride and I'll sometimes just sit there. The cars that fly up and down that road, that's partly why it was brought to the Board's, the Village Board's attention about maybe putting a stop sign in.

You literally, whether you're at the top of Fifth Avenue or the bottom of Fifth Avenue, can just look on both sides and it is saturated with cars, and you say to yourself, where are all these people? I've driven past. I don't know the number off the top of my head, but the one closest to Front Street. When I go past in the mornings at like 6:30, and you do see all of the cars there. And you go, "Hmm, two apartments, eight cars? Okay."

But I would just like the Board, when you're deliberating about these variances, really look at the impact that passing these variances are going to have in a neighborhood that already has too many people in it, too much activity in it. You're now having car accidents, because it's turned into a one-way street.

It's hard sometimes to even pull over to let somebody -- you know, for someone to pass you. And like the gentleman said, South Street, people are starting to use that to get back and forth. So,
yeah, now between Fourth Avenue and Fifth Avenue, South Street is being saturated with cars, and there's cars always on both sides of those. I'm getting to the point where I don't even know how to get home sometimes, because the traffic is unreal. But I really hope you think long and hard about the quality of life for the people that live on Fifth Avenue, the sewer issues that are there. And there are going to be so many more issues if you're going to start adding more people in an area where there's already too many people. So I really hope you take that into consideration and deny the variances. Thank you.

MR. SWISKEY: William Swiskey, 184 Fifth Street, Greenport, New York.

Can I ask the attorney and the Village Attorney a question here, because the Chairman said something and it struck me. How many variances have been granted in the Village of Greenport in the last 10 years that didn't need a variance?

CHAIRMAN SALADINO: When did I say that?

MR. PROKOP: How many variances that didn't need a variance?

MR. SWISKEY: No. How many subdivisions have been granted that didn't need a variance?
MR. PROKOP: That didn't need a variance?
I'm not sure. I don't keep track of them, I'm sorry. I'm being told that it's two

MR. SWISKEY: Two out of how many?

MR. PROKOP: I don't know, I'm sorry.

MR. SWISKEY: Because --

MR. PROKOP: We can get you that information.

MR. SWISKEY: Yeah, I realize that, Mr. Prokop. What I was trying to get here is without these variances, he's not going to get these subdivisions, basically. It's -- so is he, Eileen? The chances of him getting this subdivision without these variances?

MS. WINGATE: He can't have the subdivisions without the variances, Bill.

MR. SWISKEY: So what's going on here is he gets these variances -- it's basically about a subdivision. It's not -- we're not here to determine variances. He gets these variances, the chances are he'll get these subdivisions, because, legally, you can't stop him.

CHAIRMAN SALADINO: But we are here to determine variances. That's our role here, Bill.

MR. SWISKEY: I realize that, but if you determine he gets these variances, chances are he's
going to get these subdivisions, is what I'm
going at. It's -- we know it. You know, we're
adults here.

CHAIRMAN SALADINO: I can't speak for another
Board. I can't speak for the Planning Board and
neither can you.

MR. SWISKEY: All right. If that's your
attitude. I mean, I don't --

CHAIRMAN SALADINO: That's the reality of the
situation

MR. SWISKEY: But, anyway, let's get back
to what's really -- what's really wrong here. The
street's too narrow to support this. Anybody
that's been down that street can see it. It's not
a 40-foot-wide street, it's not even a 35-foot-wide
street. You park a car on each side of the street,
you've got passage for one car. And what happens
is you got an emergency vehicle coming south and a
car happens to be coming north and no place to duck
in, the emergency vehicle is stuck until the car
back up into somebody's driveway or something.

So you can see it with your own eyes. It's
in denial. I mean, to grant these is -- the
subdivisions for these two properties -- because
there will be cars parked in the street, that's
just common sense, we all know that.
And, oh, there was one other question I
wanted to ask you. This is just the hearing on
221. There's going to be another hearing on 238,
right?
CHAIRMAN SALADINO: Oh, sure.
MS. GORDON: Right
MR. SWISKEY: Where the public will be
allowed to speak again.
CHAIRMAN SALADINO: Absolutely, absolutely.
MR. SWISKEY: All right, because I just
wanted to clarify that.
But, you know, we required -- you know, I
think this is almost in the same league with the
hotel on Third and Front. Mr. Olinkiewicz should
be required to do a traffic study and a utility
study before he gets these subdivisions -- before
these variances are even considered, because there
may be things here that we don't know about, in
other words.
It's a four-inch water main in that block.
Is the Village going to change it? Because that's
a small main and you're overloading it right now.
You got a hydrant on the corner on a four-inch
main. You got a lot of usage that day, that
hydrant might not produce enough water pressure for a fire truck.

I think these are the things that this Board should send -- tell Mr. Olinkiewicz to get a study, inquire from the Village about the possible problems with the utilities in the area before we even consider granting these variances. Thank you.

MS. JAEGGER: My name is Mary Ann Jaeger. I live at 430 Front Street. We were talking --

AUDIENCE MEMBER: Move it closer.

MS. JAEGGER: Pardon?

AUDIENCE MEMBER: Get closer to it.

MR. WEISKOTT: Get closer.

MS. BRAATEN: Could you just repeat your name?

MS. JAEGGER: Everyone's talking about the amount of cars --

MR. WEISKOTT: Give your name.

MS. JAEGGER: Huh?

AUDIENCE MEMBER: Your name.

MS. JAEGGER: I gave my name.

MS. WEISKOTT: She didn't hear you.


AUDIENCE MEMBER: Mary Ann, we can't hear you
with the microphone. You got to get closer to the mic.

AUDIENCE MEMBER: Put your mouth right up against the microphone.

MS. JAEGGER: But I have a loud voice.

Anyway, we're talking about the amount of saturation with people and cars. Across street from me you have the house that's getting rented every weekend. One weekend we had 10 cars. We had to call the cops because the car was facing this way on that side of the road (demonstrating). My son went over and told them, "You better move the car," because, you know, it's illegally parked. Everyone else moved their cars. This one woman didn't. Well, lo and behold, she got a ticket. Oh, well, you know it. So now you got that one filled with cars.

You have my next door across this way, the garbage pit I call it, which is owned by Stu, has got more junk over there, and it seems like people are going in and out of that. That's fine. Then we got the other part with eight cars. So now I figured this way. If we count up the 10 that were there, the eight in that place, maybe six cars in and out of the other one there, we've got quite a
few cars. Do you know what it's like to try to come out of my driveway when cars are on both sides? And God forbid I should ever hit them. Oh, Lord, they're all willing to sue. But, you know, who's going to pay for us when they hit our cars? And it's already been done. Mirrors have been broken, dents in the car. Nobody stops to say, "Oh, well, you know, sorry, I hit your car."

I have one idiot across from that Olinkiewicz place that races up and down the street, and one of these days he's going to find a bunch of nails facing him, because I'm going to throw them out in the road.

CHAIRMAN SALADINO: No. No, don't say that.

(Laughter)

MS. JAEGGER: I don't care, because I'm getting sick and tired of it, because we have a lot of kids walking back and forth, you know, after school and all. They're not paying attention. This person comes barreling down this road, he's going to kill somebody, and then what are you going to say to them? "Oh, geez, we never should have given all this stuff out."

Is it fair to us to have to live like this? I pay my taxes and I damn well expect to get...
something back for it. I get sewers that back up. As I told you the last time, when that rain storm came, my little garage was filled with water. Never had it all these years, not even through a hurricane. Now, as luck had it, most of my stuff was up out of the water. And if you had to pay for all my Christmas decorations, I don't think the Village would be happy.

(Laughter)

CHAIRMAN SALADINO: Billy will pay.

MS. JAEGGER: Yeah, right. Now we have the light overhead. Every so often it blows out. But Lord knows what causes these problems, but we have a problem.

CHAIRMAN SALADINO: Street light.

MS. JAEGGER: Oh, yeah.

MS. NEFF: Yes, street light.

MS. JAEGGER: Most of the time we get it fixed very quickly. I have to say that, in all fairness, but I am getting sick and tired of everything breaking down. I'm sick and tired of smelling sewer, and I have to call them. And one time it even almost cost me for a plumber, because when I told the Village, they said, "Oh, we checked, there was nothing wrong with it." That same afternoon,
they were down by Mike Goldsmith's house digging
out everything they were worth and the blockage was
there. And I went to the Village and I told them,
if I get -- if I get a bill from the plumber, I'm
sending it back to the Village. Was luck had it,
my girlfriend's husband owned the business, then he
didn't charge, because he couldn't find anything
wrong with my stuff. But then I called him back
and I explained, the Village, of course, made a boo
boo. They finally took, you know, the idea that,
"Hey, yeah, we were wrong."

So now, if there's problems with the sewer
and you're adding more people, what do you think is
going to happen to my house? Be rest assured, if
it ever comes through my house, Greenport Village
is going to be sued, and I will sue you for every
dime I could come out of it. That is not a threat,
that is a pure fact.

I value that property, I take darn good care
of it. I bust my back in the summer working on it.
We make sure everything is plowed, we make sure
everything is mowed. We take care of even the curb
on the outside of it, because nobody comes around
and cleans up. And God forbid they should have
weeds, because nobody's experienced enough with
chemicals to shoot down the weeds, so I dig them up.

I don't get paid for this garbage. I'm not salaried by the Village of Greenport and I shouldn't have to do this stuff. And I think it's time the Village takes some pride, like we try to take pride on our avenue, Fifth Avenue.

And I have nothing against who rents from him, because I personally don't care. I've been called a racist by his so-called lawyer. And I do believe I set her in place, because I work in the school, I work with these kids, I love those kids. I have nothing against any ethnic people, you know, the ethnicity, whatever you want to call it, race, creed, whatever. I judge a person on how they are to me, and these kids have been very good to me.

The people I've met, my neighbors that used to live next door, the sweetest people. I keep asking about the father, the grandfather that was there. He went back to Mexico. You know, so it's -- it has nothing do with like or dislike of people, but sometimes they don't respect where they live either and that brings down the neighborhood. And it's just not blacks, whites, Spanish, whatever you want to call them. I would say that to anyone who didn't keep up with their grounds, didn't take
care of the property. That's called respecting the
place that you live in.

Now, I don't think Mr. Olinkiewicz would ever
get away with what he's getting away with in
Greenport, not on Shelter Island, because Shelter
Island has a policy, "Not in my backyard," but they
want to dump here. When is the Village -- the
people here are trying to make a good life for
themselves, right? When is the Village going say,
"Hey, I had enough of your dumping grounds here"?
Go back to where you came from, try it where you
live and see how you like it.

And as I say, I do understand that there is a
problem with housing, but it's odd how people come
from another country, they find a house to live in.
People that live here can't find one darn house to
rent. And when they do rent it, they charge them
astronomical fees, and the houses aren't even worth
it. So I said, you have to step up to the plate
and take responsibility for what you do. Thank
you.

CHAIRMAN SALADINO: Thank you.

MS. PETERSON: Diane Peterson, 228 Sixth
Avenue.

I want to thank the ZBA members for yet again
listening to our concerns about the variances that we're discussing this evening. We've all heard on multiple occasions and at multiple meetings the reasons why local residents do not want to see ZBA approval on the variances for the purpose of dividing the property on 221 Fifth Avenue into substandard sized lots.

This list is numerous. Overcrowded residences and insufficient parking for the overcrowded rental units in the existing building. Use of structures at 221 to store business items. The overdensity of Fifth Avenue and the infrastructure effects -- I'm sorry. The adverse effect of the infrastructure on Fifth Avenue.

This area was not originally designed for the amount of cars and people and residents now. The overtaxing of the utilities, especially the sewer and water lines. Thirty-plus years ago, there were discussions to upgrade these systems, with no work done on them to date, with the exception of emergency repairs.

Unsafe housing conditions on all sides of the property due to the closeness of property lines, and inability for the rescue and fire departments to be able to respond.
Signed petitions from members of Fifth and Sixth Avenues and adjacent roads about the quality of life issues. The high number of variances needed. The unnecessary development of every empty piece of land in the Village limits. We do not need to become urbanized with more and more building in a rural area.

The very real possibility that if the variance is approved at 221 Fifth -- if the variances are approved at 221 Fifth Avenue, there will be a future request for variances with the intent to subdivide yet again Lot No. 1 into another substandard sized lot.

While all of these have been discussed over the last five years and at many meetings, and by many Village residents, there is but one reason for the ZBA to finally turn away this request for the variances, with the intention of dividing these properties, is because the Village Code does not provide for these substandard sized lots.

We request that you uphold the Village Code and refuse approval of the multiple variances requested for the proposed subdivision lots -- subdivided lots. The decrease in the quality of life does not need to become the future of the
Village of Greenport. Thank you.

CHAIRMAN SALADINO: Thank you.

MS. CHILTON-MILLER: Carol Chilton-Miller,

239 Fourth Avenue.

I am originally a Southold girl. I have lived in Greenport three times in my life years ago. I fell in love with your Fire Chief, so I'm back in Greenport on Fourth Avenue.

(Laughter)

MS. CHILTON MILLER: Sold my house in Southold, where I got to see --

CHAIRMAN SALADINO: That's good enough for me.

MS. CHILTON-MILLER: -- herons and water.

And I got to tell you, this place is really going downhill. I say to him on a more-than-he'd-like-to-hear basis, I can't wait to get out of Greenport, because you guys are just giving it away. It's not a pretty harbor town anymore. It's not even remotely safe in many areas. You have cars all over the road. And, yeah, I don't drive, so thank God I don't have to deal with it. But we drive past houses to go to work in the morning, and we go to work 5:30 in the morning, there's eight, nine cars at these houses already. You're going to tell me that this is not an overcrowded house?
I hear Greenport saying, "We need to help people, we need to give sanctuary."

Mr. Olinkiewicz isn't allowed to do this on Shelter Island, so he's come here to do it in your backyard. And you're not giving these people sanctuary, you're giving them like human abuse. You're packing them like animals. He's charging money, he's making nice money off of it, and you guys just keep going, "Okay, we'll just give him this little variance, we'll just give him that little variance."

Nobody -- these people are second, third generation from that neighborhood. I've known their families, their parents, some of their grandparents. You are taking what they grew up and their heritage and you're trashing it because somebody wants to make a buck off of it. And you guys can sit here and think that's okay and be proud of yourself. You're a lesser person than I am.

(Applause)

AUDIENCE MEMBER: There you go.

AUDIENCE MEMBER: There you go.

CHAIRMAN SALADINO: Anyone else from the public?

MS. TAMIN: Carolyn Jaeger Tamin, 307 Fifth
Avenue.

I own two, I believe, of the last undeveloped pieces of property in the Village of Greenport. One is 220 Fifth Avenue, which is a two-family apartment. My son, his girlfriend and two children live upstairs. There is parking at that apartment for one car only.

I take Adele to work three days a week. She's talking about getting another car for that house, which will have to go out on the street. There is a side yard, and it's going to stay a side yard, it will never be developed.

I own a piece of property on 264 Sixth Avenue, which is 100-by-100-and-a-half. Last summer, we had Wayne and Carol's wedding out there. The yard is completely fenced in. Dogs play out there. I can't tell you how many people sitting here, their kids have played in that piece of property, along with my child. That will never be developed, it will never be sold.

The road is saturated, there's no room for anymore cars. Every piece of property in this Village does not have to be developed. There's no place for kids to go. Oh, take them to Third Street. They have to cross streets to get there.
Take them down to Fifth Street Park. They have to cross roads to get there. When somebody gets killed, are we going to do something about it? Thank you.

(Applause)

MR. SANDERS: Greg Sanders, 253 Fifth Avenue. I just -- I try to maybe warn of a slippery slope here if you allow these variances to go through and build on every bit of each of these parcels. You know, where does it stop when that building area is, you know, saturated, as we've been saying all night? Do we now change the code to let these people build up to four, five and six-story buildings? Because eventually the room will run out. You can't put -- you know, if you want to put the footprint of the house and surround it with pavement so people could park on it on the property, what does that look like? It looks like you're living in the Bronx. And then there's no place to go. You can't go out anymore, so you have to go up. Does everybody want to live next to a high-rise? I don't. Thank you.

CHAIRMAN SALADINO: Anyone else from the public like to speak?

The only reason I'm kind of pushing it, guys,
is because the attorney asked to go last. And everybody will be able to rebut what she says, but, you know, we want to -- we want to get her up.

MS. CHILTON-MILLER: By all means. We're all waiting to hear what she has to say, let her go.

MS. GORDON: And we've also got another hearing.

CHAIRMAN SALADINO: I'm sorry?

MS. GORDON: We've got another hearing.

CHAIRMAN SALADINO: I know, we didn't get to that yet.

MS. REA: Kimberly Rea, Westervelt & Rea, for the applicant, Mr. Olinkiewicz. And I'm referring to 221 Fifth Avenue tonight, at least now. I take it you're going to take both of these applications serially, correct?

CHAIRMAN SALADINO: We're going to do -- we're going to do the next public hearing after we, hopefully, close this one.

MS. REA: Okay.

CHAIRMAN SALADINO: Tonight.

MS. REA: We're an hour into this public hearing and no one has said anything tonight so far about the variances that we've requested. There has been an hour's worth of very upset testimony
about saturation, failing sewers, dented cars, too many cars on the street, nothing about the variances that we're here seeking, whether they're reasonable or not.

The variances are set forth in the public notice. I'm glad to read them, if you'd like, or I can refer to them simply in the record.

CHAIRMAN SALADINO: Everyone here has a copy of the public notices, as does the Board. So it's your time, you can --

MS. REA: Thank you. There was a question asked earlier about how many subdivisions have been granted in Greenport. And, as a matter of fact, we submitted a Freedom of Information Law request asking that question, and that is the subject of my letter to you of yesterday's date, and I'll read it for the benefit of the public, although it's in the record.

CHAIRMAN SALADINO: I'm sorry to interrupt you.

MS. REA: That's all right.

CHAIRMAN SALADINO: Just to clarify, was your FOIL for the amount of subdivisions granted or denied?

MS. REA: The -- we have two -- we have two
FOIL -- actually, three FOIL requests that we have. Right now, let me -- let me take them in order.

The first one was submitted a year ago, and it asked for all of the subdivisions granted in the R-1 and R-2 districts. I've compiled those for the R-2 District, and I'm going to get to those shortly. They're very, very important, because it's important for this Board to compare the reasonableness of the variances granted in those subdivisions that were requested of this Board to what Mr. Olinkiewicz has asked for.

But going forward to the other FOIL request, that is the reason I think this public hearing was adjourned for such a long time, was that on September 22nd, I sent in two FOIL requests. The first one was for all records and files relating to subdivision applications in the R-2 District that were denied during the period of 1996 to 2016 to date. Those records were produced by the Village on December 2nd, and I've submitted those, along with my letter. And, as you can see, the only one that was denied was Mr. Olinkiewicz' application to subdivide Ludlam Place in 2002. All of this is in the record.

I'd like to go back to the earlier FOIL
request that I referenced, and that was for all of
the subdivisions granted. And I'd like to now
review for the Board the results of that FOIL
request.

CHAIRMAN SALADINO: Is there a reason that --
just one question --

MS. REA: Sure

CHAIRMAN SALADINO: -- on this FOIL request.

MS. REA: Uh-huh.

CHAIRMAN SALADINO: Was there -- this was
all -- that was delivered to you by the Village?

MS. REA: That's correct, for the R-2.

CHAIRMAN SALADINO: These here?

MS. REA: Yeah, for the R-2 District, this is it.

CHAIRMAN SALADINO: And this is from 2002?

This was prior to our subdivision law?

MS. REA: Yes, but it's the variances that
were sought, you see.

CHAIRMAN SALADINO: And -- well, at that
time, the ZBA handled both.

MS. REA: Right, right.

CHAIRMAN SALADINO: Right? So I have a bill
here from the Village for $292 --

MS. REA: Right.

CHAIRMAN SALADINO: -- for this FOIL request.
MS. REA: Which was paid, by the way, by my client immediately.

CHAIRMAN SALADINO: I'm sure it was. I would never question that. My question about that is there's no breakdown on this. Is this for staff work, or is this for the copies, or --

MS. REA: That was the bill that we got from the Village and we paid it.

CHAIRMAN SALADINO: And you didn't think to question it?

MS. REA: No, I asked the question. Ms. Pirillo said that it would cover the staff time --

CHAIRMAN SALADINO: Okay.

MS. REA: -- and the many months that it would take for the Village to search for an answer to our request.

CHAIRMAN SALADINO: Okay. Well, my reasoning is, is that copies are 25 cents a copy, and if it's not for staff time, we should have 1200 pages in front of us.

MS. REA: Well, I think that, as a matter of fact, that's the issue. You don't have 2500 pages, because there was only one subdivision.

CHAIRMAN SALADINO: I'm not disputing what
you're saying, I'm just -- I'm just trying to get
the logistics here. I'm just trying --

MS. REA: Well, I think that Ms. -- I believe
that Ms. Pirillo said that it would require many,
many hours of staff time, and the charge ended up
being $292.

CHAIRMAN SALADINO: Okay. I have no reason
to doubt that. Thank you.

MS. REA: Right. Certainly, it wasn't for
the number of copies, because, as you can see,
there were very few copies, because
Mr. Olinkiewicz' subdivision in 2002 was the only
one that was denied in a 20-year period in the R-2
District.

CHAIRMAN SALADINO: Well, my other question
is -- and I apologize for keep interrupting. My
other question is, is if you're going to refer to
the subdivisions that were granted, I'm curious why
we don't have them.

MS. REA: You will. I'm going to actually --
well, actually, the Village has them, but I'm going
to go over right now all of those. There were nine
that I know of that have some similarity to this.
And, in fact, of those nine, the variances were
either similar, or required much greater relief
than what we are asking for for 221, and, in fact, for 238.

CHAIRMAN SALADINO: Do you have the dates?

MS. REA: I do, I do. They start in -- they start in 2004, January 30th, 2004, and that was Daniel Finne's application for 338 Second Street, and it was to subdivide one lot into two substandard lots to create a new building lot.

Two new lot sizes proposed. Lot 1, 5,049 square feet, which consisted of a 2,451 square foot variance. Lot 2, 5,051 square feet, which required a 2,449 square foot variance. On Lot 2, the lot widths required variances. Lot 1 asked for a 50-foot width, which required a 10-foot variance. Lot 2 required a 50-foot width, which required and was given by the ZBA a 10-foot variance. Those variances were granted and the subdivision was passed. Significantly greater relief than what we are asking here.

2004, George Baumuilers (phonetic) -- Baumiller, excuse me, 136 Bay Avenue --

MR. PROKOP: Excuse me. Can I just ask you a question? What you just said about that application request requires significant relief greater than what you're applying for.
MS. REA: That's right, yes.

MR. PROKOP: Do you mean with -- were there other variances other than the two area variances, because -- lot area variances? Because you're requesting several variances here.

MS. REA: Well, I am, but I'm talking, if you compare the lot -- the width, for example, and the size, lot size.

MR. PROKOP: Okay.

MS. REA: And we're looking at thousands more of relief --

MR. PROKOP: Thousands.

MS. REA: -- that were granted over Mr. Olinkiewicz'.

MR. PROKOP: Okay, thank you.

MS. REA: Thanks. Mr. Baumiller, 136 Bay Avenue, his request was to subdivide one lot into two substandard lots, with existing dwellings on both proposed lots. Two new lot sizes were proposed. Lot 1 was 4,388 square feet, which required 3,112 square feet of variance, granted by the ZBA. Lot 2, 4,388 square feet proposed, requiring and receiving from the ZBA a variance of 3,112 square feet in relief. Similarly, the lot widths received -- relief, Lot 1 proposed 33.25
square feet, which required a 26.75-foot variance granted by the ZBA. Lot 2 requested 33.25 feet, which required 26.75 feet variance, granted by the ZBA, and that subdivision was passed.

Mr. Tasker: What was the date of that one, please?


Mr. Tasker: Date?

Ms. Rea: 2009, Thomas Monsell, 525 First Street. The proposal was to subdivide one lot into two substandard lots with existing dwellings on both proposed lots. Two new lot sizes were proposed. Lot 1, 8,160 square feet, so no relief was required. Lot 2, 6,900 square feet, so 600 square feet of variance. Two new lot depths were proposed. Lot 1 was 50.24 feet, which required a 9.76 variance. Lot 2 proposed 50.22 feet, requiring and receiving a 9.78-foot variance. That subdivision was passed.

In 2009, Kenneth Lockhart applied and received permission to subdivide 602 First Street based upon variances submitted and approved by this Zoning Board of Appeals to subdivide one lot into two substandard lots, to create a new building lot.
with existing dwelling on one proposed lot. Two
new lot sizes proposed. Lot 1, 7,000 square feet,
requiring 500 square feet of variance. Lot 2,
7,000 square feet, requiring 500 square feet of
variance. Two new depths proposed. Lot 1, 60
square feet, so no variance. Lot 2, 55 feet,
requiring a 5-foot variance.

MR. TASKER: Excuse me, I'm sorry. You said
depth and we're talking square feet. Are you
talking width and feet?

MS. REA: When I was talking about the square
feet, square feet, square feet, sorry.

MR. TASKER: The numbers that you just gave
us for Mr. Lockhart's, two lots at 7,000 square
feet, and then?

MS. REA: Two new lot depths.

MR. TASKER: Depths.

MS. REA: Those are feet.

MR. TASKER: Front to back.

MS. REA: Those are feet, yes.

MR. TASKER: Front to back.

MS. REA: Right, yes, yes. Side yard setback
proposed, Lot 2, 2 foot 6 inches, which required
and was given a 7 foot 6 inch variance. That
subdivision was passed on the basis of those
variances.

The next one was Macomber, 421 Fourth Street, to subdivide one lot --

CHAIRMAN SALADINO: What's the date? Excuse me, the date?

MS. REA: 2009. To subdivide one lot into two substandard lots to create two new building lots. Two new vacant lot widths proposed. Lot 2 was 50 feet, requiring and receiving a 10-foot variance. Lot 3, 50 feet, requiring and receiving a 10-foot variance. The subdivision was passed.


MS. REA: Of the lot width.

2009, Michelle Myers, 100 -- I'm sorry, 143 Sixth Street, to subdivide one lot with -- into two, with existing dwelling on one lot, creation of one substandard lot. Two new lot widths were proposed. The first lot was 95 and would require no variance. Lot No. 2 proposed 52 feet in width, requiring and receiving 8-foot variance.

2010, Hugh Prestwood, 519 First Street, to subdivide one lot into three, one existing dwelling and two new substandard lots to be sold as separate parcels. Two new vacant lot sizes proposed. Lot 2
proposed at 5,775 square feet, requiring 1,725 square feet in variance. Lot 3 proposed at 5,775 square feet, requiring and receiving from this Board also a 1,725 square foot variance. The same subdivision also required two variances for lot widths. The proposed lot width for 2, Lot No. 2 was 50 feet, a 10-foot variance, granted by this Board. Lot 3, similarly, requested and proposed a 50-foot lot width, requiring a 10-foot variance, granted by this Board, and the subdivision was permitted.

Finally, Mr. Olinkiewicz' subdivision in 2011, at 314 Center Street. That was to subdivide one lot into two, with existing dwelling on the proposed lot. Two new lot sizes were proposed. Lot No. 1, no variance, as it was 7,558 square feet. Similar, I might add, to 221 Fifth, where Lot No. 1 is standard, actually larger than necessary. And Lot No. 2, 6,509 square feet, requesting 991 square feet in variance that was granted. The front lot setbacks were proposed at 24 feet, which required a 6-foot variance, granted.

Those are the ones that I know of.

CHAIRMAN SALADINO: So the last subdivision granted in the Village of Greenport, that you know
Of --

MS. REA: Of the record, right, that I have here, is -- was 2011. There may have been something more recently. I don't think so.

CHAIRMAN SALADINO: Are you asking us? We don't know. Were you asking us?

MS. REA: These are the records that I have from the Village, so I'm taking them for true.

CHAIRMAN SALADINO: Just as a -- just as a question, the fact that these were granted from the Years 2004 to 2011, and one denial, according to your FOIL, in 2002, there's been no subdivision application since we've had a subdivision law.

MS. REA: I'm talking about the variances that were granted here. The variances that I --

CHAIRMAN SALADINO: I'm listening to the words that you said --

MS. REA: Right.

CHAIRMAN SALADINO: -- and you ended every single application with, "And the subdivision was granted."

MS. REA: That's right. But the subdivisions were granted on the basis, the bases of the variances that I just read into this record.

CHAIRMAN SALADINO: I understand.
MS. REA: Which are comparable to the variances that we are asking for here, and in some cases require significantly more relief and got it.

CHAIRMAN SALADINO: Well, this Board also has to look at -- this Board also has to look at the Village, how it's changed as far as density, as far as demographics, as far as land use in the last six or seven years, since these sub -- variances were granted.

MS. REA: Well, let --

CHAIRMAN SALADINO: So to say that this is -- this is -- let's pretend these are the granted ones that we didn't get. To say that for us to decide to approve or deny based on what happened then, it's always been in my mind we judge the application at the time and place. Do you have any -- just off the top of my head, do you have any subdivision requests, any granted?

MS. REA: Do I?

CHAIRMAN SALADINO: Is your -- do you have any information of any subdivisions on Fifth Avenue that were granted?

MS. REA: No. I just know what's -- that I -- what I put before you here tonight.

CHAIRMAN SALADINO: Okay.
MS. REA: And I'd like to say also that --

MS. GORDON: Can you make -- excuse me.

MS. REA: I'm sorry. I'm sorry, Ms. Gordon.

MS. GORDON: Can you make -- can you make an
argument that the Village has not changed in the
last five years, and that the same standards should
apply?

MS. REA: The courts are very clear that
there has to be uniformity of consideration applied
to boards that are tasked with granting variances.
And that in the case -- in cases in which neighbors
turn out wholesale and make ad hominem comments,
and don't have specific objections to specific
variances, but, instead, lay the ills of a
neighborhood, in this case at the feet of my
client, the failing sewers, the dented cars, the
changing demographic, that's just not
Mr. Olinkiewicz' fault, and I --

(Laughter from Audience)

CHAIRMAN SALADINO: Folks, please.

MS. REA: And that's not for the purposes of
your consideration. The variances that we're
requesting here have been granted uniformly. So I
don't have -- we don't have anything in this
record, specifically in this record, that I'm aware
of to have this Board deviate from settled standards, other than the animus of the neighbors, who are clearly very unhappy.

CHAIRMAN SALADINO: No, no, no. I apologize again --

MS. GORDON: You're not answering the --

CHAIRMAN SALADINO: -- for interrupting.

MS. GORDON: You're really -- you didn't really answer the question. I'm thinking about the history of the Village. And you may be able to make an argument that the Village has not changed in ways that make the standards different now, but you haven't made that argument.

MS. REA: No, ma'am, and I will address that. The Village has changed. All towns on the East End have changed. All of us are -- see changes. And, by the way, may I say, on the -- in the Town of Shelter Island, we don't have R-2 Districts, so Mr. Olinkiewicz is not involved in that. So just to set the record straight on that. But, yes, Greenport's changed, just as all the towns and villages has -- have, without question. And he does have -- and I've said this before, his tenants are immigrants, they're mostly Hispanics.

And in response to what one speaker has said
here tonight about no one turning out in favor of Mr. Olinkiewicz' applications, I have to ask this Board, if you were an immigrant Hispanic tenant of Mr. Olinkiewicz, would you want to come down here and face this kind of animosity and open hostility?

(Outburst from Audience)

AUDIENCE MEMBER: Give me a break.

AUDIENCE MEMBER: Really?

AUDIENCE MEMBER: If you're illegal.

CHAIRMAN SALADINO: Folks, folks, folks, folks.

MR. REED: This is Bullshit.

CHAIRMAN SALADINO: Mike, folks, folks.

MS. REA: I hope that was on the record, those comments --

AUDIENCE MEMBER: Good.

MS. REA: -- because they underscore what I'm saying here. The Village has changed, without question, and you have to take all that into consideration. But my point is that we are hearing an enormous amount of invective, sweeping conclusions, and, frankly, unsubstantiated statements. And that goes to my next FOIL request, which was also made on September 22nd.

MS. NEFF: May I raise a question about the
one we're talking about now, the one to approve?

MS. REA: Yeah, sure, sure, absolutely.

MS. NEFF: There was one thing I heard you talk about, that these approvals were the result of uniform -- I can't remember the rest of the phrase you used. In other words, that the Board, as however it was constituted at the time of those approvals, used uniform -- you didn't use the word standard, but you -- it was your phrase. And my point is, in each process of application and review, questions, information brought to light by members of the public, by the applicant and the Board, I don't know whether I would use the word "uniform". Each one is different and the conditions looked at.

The responsibility of the Board, as I see it, is to consider questions about the impact -- questions of fact, and questions about how the proposal will affect the neighborhood from many points of view, and that's why I don't get that it's uniform. That it's reasonably questioned, information gathered, I would say that's uniform, but not the conditions governing each and every one of the details of the subdivision.

MS. REA: Ms. Neff, fair enough, but that's
not for this Board to decide, that's the Planning Board's decision.

CHAIRMAN SALADINO: This Board is --
MS. NEFF: Well, I'm responding to your statement.
MS. REA: May I state -- wait. But let me -- let me come back to you with that. For example, there has not been one word --

CHAIRMAN SALADINO: No, no, I want to respond to that. I want to respond to that. This Board is charged with that, with the health, safety and welfare of the Village. It is charged with that. And the concerns that we hear from some of the neighbors relates to that. Density, sewer, traffic, those are all part of those things.

MS. REA: No neighbor here tonight has said a word about the --

CHAIRMAN SALADINO: Density?
MS. REA: No.
CHAIRMAN SALADINO: What?
MS. REA: The variances that are before you. You're here to determine variances.

MR. REED: It's been there four years.
MS. REA: For example, for example, may I say, this is a perfect example. The proposed lot
width for Lot 1 is -- that we've asked for for 221
is 47.82 feet, whereas Section 150-12(A) requires a
minimum lot width of 50 -- sorry, 60 feet,
requiring a minimum lot -- lot width variance of 12
feet. No one's addressed that here tonight.

AUDIENCE MEMBER: Who cares.

AUDIENCE MEMBER: Not tonight.

MR. PROKOP: But could I --

MS. REA: We've talked about failing sewers.

MR. PROKOP: It's your application, it's not
their application. You haven't addressed it
either. What are you --

MS. REA: I'm just pointing out the fact that
there are legal standards to be met here, and these
sweeping conclusions about --

MR. PROKOP: But the application, you have
the burden. It's -- excuse me. With all -- just
try to keep this on track with all --
constructively. They don't have the burden.

Unless you think I'm mistaken, you have the burden.

It's not their application, it's your application.

MS. REA: I'm asking you to consider this
application. I'm asking you to consider the
specifics of this application. No one's doing
that.
MR. TASKER: Well, they may not have --
MS. REA: All I'm hearing about is --
MR. PROKOP: There's no presentation.
MR. TASKER: There seems to be nothing
tonight to address, and what you have said, if you
feel that the specifics of the variances being
requested haven't been addressed, you haven't been
at all the meetings that have gone on here over
many -- over a year or two, at least, to my
personal knowledge, that did specifically address
questions like that. You can't just pull out of
the blue and say, well, tonight nobody's brought up
the fact that the driveway width really isn't wide
enough in this particular one, or some such
question regarding the variances that are being
sought. Furthermore --
MS. REA: Mr. Tasker, I've represented
Mr. Olinkiewicz from the beginning of this
application, so I have been at all of these. And
there's been --
MR. TASKER: Well, thus my -- thus my point.
MS. REA: And we really are spending time
talking about broken sewers here. We're not
talking about the lot width that he's asking for
here. No one's talking about the fact that he
wants a side yard setback variance of 5 feet.

Let me do this. Mr. Prokop makes a point here. Let make sure that this is in the record.

For 221 Fifth, we are requesting the following:

The proposed subdivision creates Lot 1 with an area of 6,587 square feet, where Section 150-12(A) requires a minimum lot size of 7,500 square feet, requiring a minimum lot size variance of 913 square feet. The proposed lot width is 47.82 feet, where Section 150-12(A) requires a minimum lot width of 60 feet, requiring a minimum lot width variance of 12.18 feet.

Lot 2, the proposed lot width is 52.35 feet, where Section 150-12(A) requires a minimum lot width of 60 feet, requiring a minimum lot width variance of 7.65 feet.

The proposed combined side yard is 17.9 feet, where section 150-12(A) requires a combined yard setback of 25 feet, requiring a combined side yard variance of 7.10 feet.

The proposed subdivision creates a 5-foot side yard setback on the north property line, where Section 150-12(A) requires a minimum side yard setback of 10 feet, requiring a side yard setback variance of 5 feet.
Now the variances that I read here, what we're here asking you to consider, and I'm asking you to consider them in the light favorable that I believe it -- I don't think that these are drastic requests. I think it's fairly modest relief in an area where --

CHAIRMAN SALADINO: Do you think that five variance requests, the cumulative effect of five variance requests for one piece of property is modest relief?

MS. REA: It's up to you, but I don't think so.

(Laughter)

CHAIRMAN SALADINO: Okay. So we'll --

MS. REA: I don't -- I don't think so. No, I'm sorry, I don't. I wouldn't be here.

CHAIRMAN SALADINO: I was just asking.

MS. REA: I do not. The answer to that is I do not.

CHAIRMAN SALADINO: Okay.

MS. GORDON: Don't you need to make the argument that the general welfare of the neighborhood will not be affected by, A, a new house, and, B, substandard lots? I mean, it seems to me you need to make the argument that this isn't going to make much difference. And sometimes I
think it won't make much difference, but then I also hear arguments, not just the ones you object to, but arguments about the parking and the crowded streets, and so forth, that do make it sound as though those aspects of Village -- of living in this street in the Village will make a difference. And I think you need to persuade us --

MS. REA: All right.

MS. GORDON: -- that it isn't going to make a difference, and you haven't done that.

MS. REA: I believe that on 221 it will not make a difference. All the things that have come up here tonight, there is no linkage of -- I keep saying the broken sewers, but everyone keeps talking about them. There's room for that house, there's adequate room. The parking I know is a constant topic of conversation, but his tenants are parking on the property.

MR. WEISKOTT: Some of them.

AUDIENCE MEMBER: They're not.

AUDIENCE MEMBER: They're not.

MS. REA: The neighbors are parking on the street.

CHAIRMAN SALADINO: Folks, folks, folks.

MS. REA: I mean, really. I'd also like to
say that other -- other accusations about overcrowding, I'm not there, I don't know.

AUDIENCE MEMBER: That's right.

MS. REA: I have to rely -- and you're not there.

AUDIENCE MEMBER: We live there.

MS. REA: The building --

CHAIRMAN SALADINO: Folks, folks, folks. You'd stop that if you'd address us and you don't address them.

MS. REA: Thank you. The other FOIL request that I sent on September 22nd was for -- and I'm actually going to submit this to the record tonight, for the record tonight. I'm going to produce these records as well. The Village has them. But this FOIL request was all records and files relating to inspections conducted by the Village and/or Section 8 housing staff of 221 Fifth Avenue, Suffolk County Tax Map Section 04, Block 04, Lot 29, and 238 Fifth Avenue, Suffolk County Tax Map Section 04, Block 08, Lot 03, during the period 1996 to 2016 to date.

Now the Village produced two sets of records there, quite a few, I think nearly 100, actually.

MR. TASKER: Pages?
MS. REA: And I'll produce them for you, but they're in the Village files.

MR. TASKER: Pages or records?

MS. REA: Pardon me?

MR. TASKER: Pages or records?

MS. REA: Pages of records. In all of those, all of the inspections were passed with flying colors. It noted one complaint as a result of the subdivision application. I'm going to produce those. I'm just -- what I'm trying to say here is that there is a lot of anger here, and I don't think that this anger is being substantiated. I'm just going by what's in the Village's files. And you will see when you get copies of these records, and this is the FOIL request requesting them, and I'd like to ask that be put into the record, that the Building Inspector and the Code Enforcement FOIL officer is not finding these problems.

CHAIRMAN SALADINO: Just as -- I'm going to get to that in one second. Have these records been delivered?

MS. REA: Yes.

CHAIRMAN SALADINO: On what date?

MS. REA: There was one production on October 21st.
MR. PROKOP: No. I think he's asking you delivered to the ZBA.

MS. REA: No, I haven't. I'll get them for you tomorrow.

CHAIRMAN SALADINO: So, if it's okay with you, we -- it's hard for us to refer to records that --

MS. REA: Sure. But I'm -- I just want this in the record, and I will produce those -- I'll produce to you what the Village produced to me. But you will see, I believe, that these inspections have been completely --

CHAIRMAN SALADINO: Are you suggesting that we keep this hearing open until you produce those records?

MS. REA: If you want them, yes. I mean, they're in the Village files, but if you want, I mean, I can collate them and get them for you, certainly, I'd be glad to do that.

I mean, I think it's very important, Mr. Saladino. We've had charge after charge after charge about overcrowding and problems within these apartments, and your own Code Enforcement staff has not found these problems.

CHAIRMAN SALADINO: The reason I ask is at
the last meeting that you attended, you felt that
your client wasn't getting his day in court. And
here tonight, and I can't speak for my colleagues,
but I get a sense of the Board that we would kind
of like resolve at least this public hearing
tonight. But now you're --

MS. REA: Well, I didn't have those records.
As of that hearing, I didn't have those records
yet. So I'll be happy to --

CHAIRMAN SALADINO: Hence, hence our
postponing it until February. We gave you until
February to produce them, and if my --

MS. REA: Should you like to see those
records, they are in the Village files, and I
believe that it is important --

CHAIRMAN SALADINO: It's up to you to decide
what this Board sees.

MS. REA: I will -- I will submit them to you
by email tomorrow morning, or hard copy, or however
you'd like them. But it -- what they will
demonstrate is that, according to the Village Code
Enforcement Office, all of these complaints that
you're hearing are not being borne out.

CHAIRMAN SALADINO: As far as violations?

MS. REA: The complaints about -- yeah,
violations and overcrowding within the -- within
the houses. They're just not.

CHAIRMAN SALADINO: Do you have a number,
just off the top of your head, of how many
complaints there were?

MS. REA: There was only one, and it was
after this application was made.

CHAIRMAN SALADINO: And there was no
violation?

MS. REA: From 2002 -- right, no violations.

MR. TASKER: But --

MS. REA: So --

CHAIRMAN SALADINO: I'm sorry.

MR. TASKER: From your line of argument, the
fact that you're saying that the inspection reports
could not substantiate the kind of complaints that
the people who live in the neighborhood are making
is immaterial, because you say that doesn't matter
to a variance request anyway.

MS. REA: I don't think it's immaterial,
Mr. Tasker, but I have the records, I'll get them
for you, and you can consider them if you wish or
not, but I believe you should.

MR. PROKOP: I don't understand what's
happening here. The Board adjourned this so she
could do this, and she said she got them in October
and we're adjourning it again.

   CHAIRMAN SALADINO: We're not adjourning it.
   MR. TASKER: We're not adjourning it.
   MR. PROKOP: But I don't understand what's
   happening.
   CHAIRMAN SALADINO: We're not if -- we're not
   adjourning it again to produce it.
   MS. REA: That's fine. I can submit them to
   you tomorrow, if you'd like. If you don't want to
   consider what your own Building Inspector has
   found, I think that's important --
   CHAIRMAN SALADINO: We have her testimony.
   MS. REA: -- in light of -- in the light of
   -- in the light of what has been said tonight and
   previously.
   CHAIRMAN SALADINO: Her testimony, her
   testimony is on the record for those violations. I
don't think it's to this Board's benefit to delay
this to get one page of one FOIL request that you
received.
   MS. REA: This isn't one page, this is nearly
100 pages of documents the --
   CHAIRMAN SALADINO: One complaint is 100
   pages?
MS. REA: No, no, no, no. Let me -- if I have misspoken, I want to make this perfectly clear for this record.

CHAIRMAN SALADINO: Perhaps I just misunderstood, you know.

MS. REA: And I may have been inartful, but let me say this. What I have asked for in the FOIL request were all records and files relating to inspections, all inspections conducted by the Village and/or Section 8 housing staff for 221 Fifth Avenue during the period 1996 to 2016 to date. And in that time, there was one complaint, in that period, what was produced. There were a myriad of inspections and they all passed. Those are the facts, at least as they are known within your Building Department, and in the Village records, they're there for anyone to see.

MS. NEFF: Before -- may I just make the point? You talked about 221 and 238. So are you talking about both? Both?

MS. REA: Well, right now, I'm addressing this for 221.

MS. NEFF: I understand, but you meant both?

MS. REA: But yes.

MS. NEFF: All right. Thank you.
MS. REA: Yes, ma'am. Yes, ma'am, that's correct.

MS. NEFF: Okay.

MS. REA: Yes, ma'am. So, in terms of substantiation, those records do not substantiate what you're hearing here tonight. I don't know, I'm not -- I'm not a professional Code Enforcement Officer. You have a competent staff here that does inspections and has been for many years now. So I'm simply going by what are the facts that are in the Village's files.

MS. NEFF: May I make one point? I mean, the inspections are about specific conditions in those houses over that period of time, okay. But the point of the discussion here tonight is not just about the interior of the building. It is about the other factors that contribute to the status of the neighborhood, and have impacted the neighborhood. So there are two different things, if I may say so, apples and oranges.

MS. REA: Well, I -- respectfully, I disagree. I'm not saying that there can't be additional information. I'm just going on the facts that are in the Village's files.

MR. PROKOP: When you say the Village's
files, I just want to clarify something. You're not -- you're inferring that the Building -- you said, I think, the Building Inspector, the Building Department did 100 inspections or 100 --

    MS. REA: Not 100. There were nearly 100 pages worth of inspections.

    MR. PROKOP: Nearly 100, okay. So that -- but they --

    MS. REA: It may have been less than that.

    MR. PROKOP: They weren't actually --

    MS. REA: Several of them.

    MR. PROKOP: They actually weren't Building Department inspections, they were actually Housing Authority inspections.

    MS. REA: They were both. They were both, uh-huh. All the inspections that have taken place, in other words, from 1996 to the date of the FOIL request. So those are the facts as they exist in your Village records files.

    MR. PROKOP: I don't think that the Housing -- I'm sorry. I mean, I don't -- not having the records, I don't -- I can't contribute.

    CHAIRMAN SALADINO: I don't think the records -- we don't have the records, they shouldn't be addressed.
MR. PROKOP: I suspect that they're Housing Authority inspections.

MS. REA: There are some. There are some and then there are Village, but the request was for both.

MR. PROKOP: No. But I think that your -- I don't think you're quantifying it correctly, with all due respect. To say that there's -- some of them are Housing Authority inspections I don't think is a fair representation of the -- of the ratio of the inspections.

MS. REA: The -- to the extent that Section 8 applies, that's why you have Housing Authority inspections.

Subject to further comment, that's all I have at this time on 221 Fifth.

MS. ALLEN: Chatty Allen, Fifth Avenue.

I just want to make a clarification about inspections. I am on Section 8. There are two different branches where you get housing help within the Village. Some comes from the Housing Authority, and you also have Section 8 with the Village. I am with the Village.

MS. WINGATE: No. You have the Housing Authority, and you have the Housing Alliance.
MS. ALLEN: Okay.

MS. WINGATE: The Housing Authority is a Village entity, the Housing Alliance is not.

MS. ALLEN: Okay. But I'm just trying to say there's two different areas where people get help with housing.

Being on Section 8, when I have to have an inspection done, when I get recertified, you have to set up a time. It's not like they just show up to inspect where you're living. You are given notice. That's how -- it's not just these -- it's not just these two houses on Fifth Avenue, it is widespread, not just in the Village of Greenport, Southold Town, Riverhead, wherever. People know how to get around the system. So, yeah, they go and inspect. Okay. It says that four people are supposed to be living here. Okay, yup, there's four people living in here.

People do jump to wrong conclusions. I got accused of having someone live with me because I moved my bed from one room to another room. But when the people that are surrounding -- and it does go to the variances, what everyone has been speaking about for however long these hearings have been going on.
People are speaking about what -- because it's my understanding you need to take into account the quality of living, the impact it will have on the neighborhoods. A lot of these that she brought -- the lawyer brought up with other variances, it's my understanding that the Board's job is to take each application separately, not say, because you granted them this, then you have to grant this one this. Each application is on a case-to-case basis.

And I don't feel anyone is being negative, except for the fact that they don't want their quality of life destroyed. They don't want more people in an area that's already not a safe situation. So, yes, everyone has been speaking to these variances, asking you please do not approve them. And everything that has been said this evening goes to that, to the variances.

CHAIRMAN SALADINO: Because granting the variances would ultimately allow another Board to review this subdivision?

MS. ALLEN: Yes, and to have it go through.

CHAIRMAN SALADINO: Is that what -- I'm guessing that's what you wanted to say.

MS. ALLEN: Yeah. And it's just -- my hope
is you listen to the people that are living with
this right now to understand what's already
happening, and to add more in another neighborhood
where there's not that many people there, okay.
Then maybe, you know, a variance for that is okay,
because you don't have -- you're just throwing more
into a pot and it's going to explode.

So I really feel, you know, everything that's
being said is going to the variances. And just
because they have inspections done at the property
and nothing was found doesn't mean there isn't a
problem.

So I just really hope you listen to what's
being said for -- I don't even know how long this
has been going on. They have given picture proof
of the amount of vehicles that are already there.
This area cannot take anymore. So I really hope
you think about that. Thank you.

CHAIRMAN SALADINO: Thank you.

MS. WICKHAM: Good evening. My name is Gail
Wickham of Wickham, Bressler, Geasa in Mattituck,
and I'm here representing Jack Weiskott and Roberta
Garris, who live immediately adjacent to the
property to the north. I wanted to say quite a
number of things tonight. I'll try to make it as
brief as possible.

Mr. Weiskott and some of the other speakers here tonight have given very specific personal testimony based on personal knowledge of the environmental, traffic, open space versus crowding, and utility impacts that granting these variances would aggravate based on the fact that there would be another dwelling that could be enabled to be built, should the sub -- should the variances be granted and the subdivision allowed to go forward, under whatever circumstances the Planning Board might require.

We have said before in the many hearings, as the Chairman and other people have pointed out, that there are, in addition to -- in addition to these very personal factors, which they gave their personal testimony from based on a daily observation of how these things happen on this particular property, there are very significant legal concerns that we have expressed previously to this Board about the variances.

And I'd like to be sure that the Board has my letter of September 19th, 2016, which I understand is in the record. And I had asked at a prior hearing, and I don't remember how many prior
hearings there were, that the record of
Mr. Olinkiewicz' prior application for this
variance some number of years ago, be incorporated,
because many of these issues were addressed then,
including the discussion of other variance and
subdivision relief granted by the Village.

Just to reiterate quickly, this is a
combination of five, possibly six substantial
variances just in order to allow the subdivision to
occur. And I use the term "subdivision" knowing
the Chairman's comments that this is a variance
proceeding. But the subdivision cannot occur or
proceed unless all of the variances are granted.

Each variance is substantial and the
cumulative impact is huge. Specifically, a 12%
reduction in Lot 1 required area. Over 20%
required reduction in Lot 1 width. A 13% reduction
in lot width for Lot 2. A 28.4% reduction in
combined side yard setback. A 50% reduction in
setback at the northerly property line. Every
variance is considerable. The cumulative impact,
as I said, is huge.

And the applicant's attorneys and other's
references to a lot is not a lot, it's just a piece
of property which is now a side yard. And the
applicant attorney is also using generalizations by saying it's big enough for a house. Well, we think it isn't and we've given you specific reasons why not. Some of them include the 5-foot side yard setback of Lot 2 is extremely narrow and inadequate to properly maintain the structure. And it also creates a fire risk due to the proximity of a very large two-and-a-half story wood frame building right off the line.

There is, secondly, no guarantee that these houses will remain low-income housing.

Moving the shed to Lot 2, which is something Mr. Prokop brought up last time, because of the accessory structure law, will eliminate one or two parking spaces on that property, which is already, as we've heard testimony, overcrowded both with on and off-the-street parking. And regardless, the entire backyards of both these proposed lots will be parking lots. This is not what the ZBA should condone in considering whether to grant five major variances, or six, and moving an accessory structure.

Let me just very briefly, if I may, address the variances that the applicant mentioned were granted by prior Zoning Boards of Appeal back many,
many years ago, and, therefore, not terribly relevant from a time period. Yes, the boards have to be uniform, I know you're aware of that, but you have to be uniform within the context of the application before you and the specific factors.

These variances, number -- Baumiller, 136 Bay Avenue, two small lots. Yes, a small -- a small lot with variance, that was it, just those three things. That's different than what we have here, and it's also in 2004. The other 2004 variance, and I'm -- oh, that may have been Baumiller, I'm sorry -- had already two existing lots, dwellings on each lot, so that's a totally different situation, which is completely distinguishable.

Monsell, in 2009, similarly, much smaller variance and much fewer variances.

2009, Lockhart, same thing, very -- 7,000 square foot lots, both of them. That's not a large variance, and only one 5-foot width variance.

Macomber in 2009, again, just two 50-foot lot width variances.

The two in 2009 and '10, same thing. I could give you a chart, but I think you can look at them yourselves. They are minimal variances, relatively. Maybe one or two of the variances are
large, but there's not the cumulative impact that you have now. And, most importantly, there's no relationship in these variances as to our neighborhood here versus those neighborhoods. There's no relationship in terms of what the other aspects of the neighborhood might be, the parking, anything else, the other homes. And there is nothing to show that the factors that happened in 2004 or 2009 still pertain to 2017. So even the most recent variance is over five years.

I'm almost done. I again just want to reiterate that the five factors that you need to address in granting a variance, and I won't repeat them, because you all know what they are, are not met, because of all of the different things we've said, and it is reiterated in my September 16th letter.

The applicant wants more records to submit on inspections. Those inspections, as we've ascertained, were done after notice to the owner. Certainly, there were not as many, and they were not as specific as the day-to-day operation -- observations, personal observations of a large number of neighbors, and empirical testimony on the parking on and off site, and all of those other
factors that they mentioned. Yes, some of the
things they mentioned were irrelevant, but many, as
you, I'm sure, can decipher were not, and I urge
you to deny these variances. Thank you.

CHAIRMAN SALADINO: Thank you.

MR. REED: Mike Reed, 430 Front Street.

Sorry for swearing. I'm very passionate about
this. I'm Italian and German, I'm kind of hot
blooded.

CHAIRMAN SALADINO: It's a dollar. It's a
dollar penalty. Put it in David's --

MR. REED: To the Joe -- to the John Saladino
Fund?

CHAIRMAN SALADINO: Put it in David's cup.

MR. REED: Okay. You know what, we're going
to apples and oranges. Most of you guys weren't on
the Board. Times were different. Like you said,
Ellen, I don't know if you were -- how long have
you been on the Board?

CHAIRMAN SALADINO: Two years.

MR. REED: All right. Art here, you've been
a couple. Diane, how long?

MS. GORDON: Three.

MR. REED: Three. So none of you were here.

We're a different regime when David Nyce to David
Kapell. There again, apples to oranges, it was a different thing.

Then she's spouting all these people. Baumiller used to be a customer of mine. The people that she said, they all live here and they could control what's going on. There's a difference where Mr. Lakowitz (phonetic) is not -- or Olinkiewicz, whatever.

(Laughter)

MR. REED: Sorry, Freudian slip. He doesn't live here, but all the people that did that lived here, so they could control what's going on in their neighborhood, nor -- does he? No.

Correct me if I'm wrong. You put these things in for a reason, minimum, maximum for subdivisions, correct? The maximum -- the minimum is what, 7500?

CHAIRMAN SALADINO: A lot is 7500.

MR. REED: Five hundred, correct. Still, 900 and change is still 900 and change over. There again, apples to oranges. There are some hardships, granted, and that's -- we've seen in the past that have gone through. Then she said about with the Planning Board. Correct me if I'm wrong.

The Planning Board said no and threw it to you guys
to take this mess, correct?

CHAIRMAN SALADINO: The Planning Board --

MR. REED: Was a resounding no with everybody across the Board.

CHAIRMAN SALADINO: Well, the Planning Board, up to a certain point. If there was zoning attached to an application for a subdivision, they would -- they would table the application and send it to Zoning to resolve the zoning before they ruled on the -- on the subdivision -- oh, on the plan.

MR. REED: On the plan, okay.

CHAIRMAN SALADINO: Now there's a little different -- not for these applications.

There's --

MS. NEFF: For what?

CHAIRMAN SALADINO: For going forward, there's a little different process that's going to be employed by the Village, which we really don't have to get into right now.

MR. REED: Okay. And then she was saying that's -- the last meeting was November, I think, when we tabled it for February?

CHAIRMAN SALADINO: October.

MR. REED: October. I'm sorry. And then she
was screaming at you guys that she -- no, she
wanted it either November or December. Now we're
in February, she doesn't do her due diligence to
come prepared. Everybody throws a curve ball. You
asked for different things, she doesn't have it.
Wouldn't it have done her due diligence to have
everything prepared just in case everything -- you
go to college, the professor is going to give you a
pop quiz. You don't know the answers, but you
study the whole realm of -- you know, of your
premise of your book, correct?

CHAIRMAN SALADINO: We're not here to tell
the attorney how to do her job.

MR. REED: No, I know. But I'm saying, she
was saying, well, this and that, but she should
have had that. You gave her ample time, which she
did not want, correct? She wanted this done in
November or December.

AUDIENCE MEMBER: Correct.

MR. REED: Correct?

CHAIRMAN SALADINO: She would have liked --
the applicant would have liked an earlier
continuation date for the continued public hearing.

MR. REED: You know, it's -- and thank you,
Dave, Diane, John, Ellen, Art. John, thank you.
It's a pain in the ass for here. I know, you guys are like "Oh, my God," you're --

CHAIRMAN SALADINO: It's two dollars.

That's -- don't forget the money.

MR. REED: You know, I'll give you 10. I don't care. But, you know what, and I appreciate it. But like Diane said, the premise of what she's asking, there's different times. Correct, you said that was back then, this is now?

MS. GORDON: Well, I'd like for her to persuade me that it hasn't changed so much --

MR. REED: But the proof of burden --

MS. GORDON: -- and I didn't think she did that.

MR. REED: Correct. But the proof of burden is on her, not us as individuals, as we're trying to, you know, say no. I'm not a lawyer. My son, yeah; me, no. But to get this going through, everything goes this way, goes that way, it happens, you know, but we're going back and forth, he say, she say. And I apologize.

MS. REA: You don't have to apologize, Mr. Reed.

MR. REED: But we're not racist. I coach high school. I don't care if you're Afro-American,
Mexican, Italian, German --

CHAIRMAN SALADINO: Mike, thank the Board.

MR. REED: You know.

CHAIRMAN SALADINO: You got to look at the -- you got to address the Board.

MR. REED: But, you know what, I have a multi, you know, racial family. My -- we're not here -- we're just tired of things. And maybe we word it wrong, and I apologize for us, but it's just the same old same old.

You know what, like I said, we said if you go through the minutes, we discussed -- Dave, remember, we discussed that in the beginning about Bob's -- with the variances. How many times you said, "Please, don't go over rhetoric." And so we were trying to be respectful to the Board. So every time that we have to bring up the variance, I mean, isn't it a little redundant? We did this already, and she says we haven't. We have, you go through the notes, you know. I mean, we're trying to make it easier for you, but you want us to keep going over rhetoric after rhetoric, same old, same old.

CHAIRMAN SALADINO: It's not us that's making the request.
MR. REED: I understand.

CHAIRMAN SALADINO: We understand. We certainly have the ability to discern the information that's given to us.

MR. REED: And process.

CHAIRMAN SALADINO: And, also, we are, as hard as it is for some of yous to believe, we do understand and we did listen when --

MR. REED: Yeah. No, I appreciate it.

CHAIRMAN SALADINO: -- when the variances were addressed at different -- at different points in the public hearing process.

MR. REED: And thank you, all of you. Either way, thank you. It's a hard job. But, like I said, we've lived there and we see it. We do see it. It's not like we're making this up, you know. That was a little offensive to that. Thank you.

MR. KEHL: Bob Kehl at 242 Fifth Avenue.

Most of the list of when they've done subdivisions were all prior to the zoning change. So -- well, to the new zoning laws. And what I'm saying is the Board has changed over the years. The Village has changed over the years. And she's trying to set like a precedent, which is a lot of BS, and -- because when I was running for the
position on the Zoning Board, I was reading through
the rules and regulation and how everything is
supposed to be done, and everything is supposed to
be done as a separate -- everything you look at for
a variance is supposed to be separate, there's not
supposed to be based on any precedences. That's
how I interpret it, what I -- what I read. And so
it's like we've wasted three months because she's
trying to set up a precedent for something that
didn't even matter.

MS. GORDON: We're not prohibited by the
State from considering precedent.

MR. KEHL: Right.

MS. GORDON: We're not going to be bound by
it --

MR. KEHL: Bound by it.

MS. GORDON: -- necessarily.

MR. KEHL: Right, I understand that but it's --

MS. GORDON: But we can certainly consider it.

MR. KEHL: Right.

MS. GORDON: So --

MR. KEHL: And as far as inspections, you get
the Housing Authority, they inspect housing a lot
of times before the people move in. They're not
seeing people, or when people move out, they check
to see what it is before the next bunch move in.
So you're not getting a true view of what's going on.

When the Building Inspectors do it, they come and inspect at 10:30, 11 o'clock in the day with a week-and-a-half's notice ahead of time. You go past these houses in the daytime, there's no cars there. You come at 9 o'clock at night, there could be eight. I've seen some houses have 15, 20 cars. So it's -- you can't go by those records either.

So that's all I have to say. Thank you.

CHAIRMAN SALADINO: All right. Since no one else has anything to say --

(Laughter)

AUDIENCE MEMBER: Best line of the night.

MR. SWISKEY: I resent that. I feel hurt.

MR. PROKOP: This is off the record.

MR. SWISKEY: My feelings are hurt.

MR. PROKOP: Now we're going off the record.

(Laughter)

MR. SWISKEY: William Swiskey, 184 Fifth Street.

Speaking to the facts, I believe, and I can't remember, because this has been going on such a long time, but I remember, I believe I spoke about
the driveway, two -- the two driveways that would
be at 221 Fifth Avenue, and how one would be right
up against the fence, and the other was out there.
And it would actually be dangerous for a kid coming
out of the house on that -- on that north driveway.
You could hit -- something like -- but it's been so
long.

And what I don't appreciate is all this new
information she brings to the Board that's not
available to the public to look at before this
meeting. I mean, she brought a lot here tonight to
present that the Board didn't even have.

CHAIRMAN SALADINO: What? What?

MR. SWISKEY: These, all these variances that
were granted. Did you have all these FOILs she
made?

CHAIRMAN SALADINO: (Shook head no.)

MR. SWISKEY: No. This is -- this is new
information.

CHAIRMAN SALADINO: It's not part of the
record.

MR. SWISKEY: She's bringing at the last
minute and it's --

MS. REA: No. Actually, this was brought up
months ago, as a matter of fact. It's in the
CHAIRMAN SALADINO: The violations and --

MS. REA: No, in some of the comparisons.

CHAIRMAN SALADINO: -- the results of your FOIL request --

MS. REA: Yeah, yeah.

CHAIRMAN SALADINO: -- were brought up months ago?

MS. REA: The first, the first FOIL request was brought up months ago. In any case, this is a public hearing. I'm allowed to put in this information. Please proceed, sir.

MR. SWISKEY: All right. I understand that.

(Laughter)

MR. SWISKEY: But it would be nice if the public had it so the public could comment on it, because I could tell you right now, I know about 314 Center Street. I have a little history there with the house that used to belong to Gordon, and then it was subdivided, and the garage is now a separate living, and I objected to that at the time, and -- but it's a totally different aspect from what would happen at 221 Fifth Avenue.

On one side of the street down there you've got no parking, it's wide open, the houses are --
there's one house -- two houses to the corner and
then the new one he built. It's completely
different. If you -- you should go on out and
observe each one she's talked about and notice the
difference between that and 221, is what I'm
saying.

But, anyway, I'm going to bring up another
thing here, that I've been told by numerous Village
officials when I mentioned, "Well, how come this
hotel three years ago had to do this, and this
applicant didn't," and the answer was, "Well, Bill,
that was a different boards and different times,
and each board is entitled to make its own
interpretation, to act in what it feels is the
interest." And so I don't think these other
applications have any bearing on how you act	onight, based on what the Village has told me.

MS. WHITE-CORWIN: Marilyn White-Corwin, 305
Fifth Avenue.

The variance thing, it was -- you know, it
was long and it was interesting. But I appreciate
Ms. Neff. What she said was each variance is
individual, it's not a whole blank thing, because I
happen to know for a fact one of them, the Finne
variance, was originally, originally a long time
ago two separate lots that then got put into one, and he brought it back to the original way that -- you know, he put it back to the two, two lots. So there's something that's completely different that really, you know, it's not like all the rest of them.

The only other thing I wanted to say was I'm not a lawyer, but I watch a lot of television, okay?

(Laughter)

MS. WHITE-CORWIN: And as a lawyer, I would think that an eyewitness would be more, you know, credible than somebody who doesn't really see something. So when the lawyer stated that there's really not a problem with the parking, there's really not a problem with this, that and the other thing on Fifth Avenue, just to say that, when she's got a whole lot of eyewitnesses, eyewitnesses, you know, I just found that a little odd.

Okay, that's all.

MS. MC ENTEE: Joanne McEntee, 242 Fifth Avenue, again.

Ms. Rea states that she does not see that there's a problem with the inspections. I do. And, again, with notice, the tenants are being
noticed, and they pack their bags and move out. So
I believe that she's turning a blind eye to what
truly is going on, and further saying that she's
never been down there to see it. Again, this is
why Mr. Olinkiewicz has the 24-hour notice in his
lease for these surprise inspections.

Ms. Rea also states that -- well, Ms. Rea has
been given four months to review the records. Our
ZBA should have had these regardless. Four months
is a very long time. They should have been on your
desk a month ago in the file, given to Eileen, or
whoever was responsible. There is no reason. When
I addressed her at the last meeting, that she
should be well prepared with her information
when -- to come here, that is what she should have
done. She is not well prepared, and she's, again,
adjourning it like a typical attorney. Sorry,
Mr. Prokop.

(Laughter)

MS. MC ENTEE: But this is very uncalled for,
and nothing against you.

(Laughter)

MS. MC ENTEE: It is very unnecessary --

MR. PROKOP: My family is watching this.

(Laughter)
MS. MC ENTEE: What she's trying to add in is really frivolous, and it really does not gain any weight to this subdivision hearing.

Again, she addressed -- basically was addressing me, and stated that -- let me just say that Mr. Olinkiewicz has people here, or should have had people here for his application. There is no reason. We are here on our side. We are here. She mentioned it, that, you know, we're here, that's -- you know, this is our side. And we have -- we're the ones that are for it. Well, if Mr. Olinkiewicz had somebody that was willing, or had somebody had interest to say they were for it on his side -- his side, then I would be pretty sure that that person or those people would have been here, and they're not. Not one of these hearings has he had anyone on his side, and that's huge, in my eyes, because we are all here against it, and he should have somebody here for it, not just his attorney, or have him speak himself for that fact.

CHAIRMAN SALADINO: Joanne, in all fairness, his attorney is his representative.

MS. GORDON: Right.

CHAIRMAN SALADINO: He can have --
MS. MC ENTEE: So then -- so then she calls me out, she calls me out. Would you like me to read it?

AUDIENCE MEMBER: Yeah. I don't have to be at work until 4:30.

(Laughter)

MS. MC ENTEE: It's not necessary, but basically let me give you a little scenario. I mean, here it was, not one person has spoken. And she called me out and came up here and said that we didn't speak, except on -- not one person has spoken in favor, other than Mr. Olinkiewicz' attorney. And she called me out here when she came to speak. Well, you know what, she's also previously asked for proof of photos, and because that would -- and previously, and that would tell the truth. Well, wouldn't witnesses on his behalf tell the truth? That's my -- that's what I have to say about her. I'm just voicing my opinion.

I also believe that a request for an adjournment is unnecessary, and that 221 hearing should be closed tonight.

CHAIRMAN SALADINO: I don't think anybody asked for an adjournment.

MS. REA: No, I haven't asked for an
adjournment, not at all.

MS. MC ENTEE: Well, I'm just saying it because it came up.

CHAIRMAN SALADINO: Okay. We let every -- we let the attorney finish up and we can -- we can come to a resolution about this.

MR. HOLLID: Quick question.

CHAIRMAN SALADINO: Sure.

MR. HOLLID: This is easy. Joe Hollid, 415 South.

Now he had -- Mr. Olinkiewicz has a stipulation in his lease that says he has to have a 24-hour wait time before --

CHAIRMAN SALADINO: We have no knowledge of that.

MR. HOLLID: -- the Code Enforcement goes in. Now I don't -- I don't understand that, if there is a --

MR. PROKOP: No, it's not for Code Enforcement.

MR. HOLLID: If it's a State law, a Village law, County law, what?

CHAIRMAN SALADINO: We don't -- we don't --

MR. PROKOP: The lease has nothing do with Code Enforcement. It can't -- the lease can't say
when Code Enforcement can go in there. The lease
has to do with when the landlord could do an
inspection, not Code Enforcement.

    MR. HOLLID: Oh. So Code Enforcement can go
in at any time, right?
    MR. PROKOP: If we -- if there's a reason to, 
yes.
    MR. HOLLID: Oh, they can't just -- okay.
There's got to be a reason.

    MR. PROKOP: There has to be --
    MR. HOLLID: Visually or --
    CHAIRMAN SALADINO: We have a rental -- we
have a rental permit law.
    MS. GORDON: There has to be -- aside from
that, there has to be a complaint.
    MS. WINGATE: That's also by appointment. I
need a -- I need a search warrant.
    CHAIRMAN SALADINO: But that --
    MR. HOLLID: Got to be stipulated there is a
problem, per se, with the --
    CHAIRMAN SALADINO: I honestly don't know.
    MR. PROKOP: It's either with consent or with
a search warrant. That's the only way you can --
it has nothing to do with what's in the lease.
Thank you.

MR. PROKOP: Thank you.

MR. SWISKEY: So they need cause for a search warrant.

CHAIRMAN SALADINO: Billy, Billy, Billy, Billy. Ms. Rea, you want to finish up?

MS. WICKHAM: Can I just make one -- I'm sorry.

CHAIRMAN SALADINO: Okay.

MS. WICKHAM: I just wanted to respond.

Number one, you're correct, certainly, about the landlord's ability to function in terms of an inspection. But it was mentioned tonight at the hearing, I believe by Ms. Wingate, that there is notice prior to any inspection being made.

Secondly, I have a concern about the applicant submitting inspection reports after the hearing, if it's closed tonight, that she's had for some time. I understand that her FOIL request was issued, the results of the FOIL request were issued in December. I don't know if that pertains to the inspection, but I don't think it's appropriate for the Board to close the hearing and then let her submit something that she's already had previously after that.
MR. HOLLID: True.

MS. REA: Okay. Regarding the inspection reports, they're in the Village files, they're all in the Village files. They're available for anybody here to see. If -- I would like to submit them. If you want to ignore them, you may do that. I believe legally you should consider them, but it's up to you. I believe it's germane to this, but I just want to make the record that I have them.

CHAIRMAN SALADINO: Well, it's my opinion --

MS. REA: Well, they are Village records, and so --

CHAIRMAN SALADINO: My opinion is, if you had these records since December 2nd, and you knew you were going to be here tonight, and you would have liked them considered, you perhaps would have made them available to us.

MS. REA: Perhaps. Maybe I should just go ahead and say this. I have been on business in New York for the last three days and I have not -- we had a server crash in my office today, so I wasn't able to bring them.

AUDIENCE MEMBER: It's back since September.

MS. REA: That's -- that's my error, but let
me just say that these are material records. They're in the Village files. So if you decide not to review them, you decide not review them. I believe that you should.

I would like to -- I'd like to address something that Ms. Gordon said earlier, because I think that's a very fair question. I think Ms. Neff said it as well. You wanted to know why this building at 221 Fifth and 238, why these should be allowed, or, rather, the variances should be granted, and that the subdivisions could be pursued. The Village has what I understand to be an urgent crisis for year-round rental housing. If it is no longer on your website, it was very recently, a request for long-term rental housing. It's very necessary here. And this is just not in my backyard, that is what we're hearing tonight.

I'd also like to address what you said earlier about times changing, because that is, as I said, a fair question. In 2004, the ZBA heard an application from Mr. Kehl on 242 Fifth Avenue. He wanted to construct a new single family house and detached two-car garage with a second story accessory apartment. The variance is required because the proposed north side yard is six feet
and the minimum is 10 feet. Two living units are proposed where one is permitted on an existing small lot. Accessory building is approximately 25 feet in height, where 15 feet is allowed. Proposed front yard setback is eight feet, where adjacent front yards average 10.5 feet. Proposed overall lot coverage is approximately 42%, where 35% is allowed. Proposed accessory building lot coverage is 37%, where 30 is allowed. Property is located at 242 Fifth Avenue.

Board member Tanya Palmore spoke of the site visit and her observations, that there was, quote, a lot going on in that block, end quote, adding that another tenant behind the single family house was a bit much.

Ken Lunzer (phonetic) said he had a problem granting maximum build-out for the owner's motives or for any reason. Christine considered the coverage very dense, and reminded Mr. Kehl that, quote, we're trying to keep Greenport as nice as possible, end quote. And she felt that creating a rental in this case would not be doing that.

"In fact," the Chairman said, "a small cottage would be more attractive for rental purposes. The 28-by-36-foot house is small and
projected garage is nearly as big." Ken agreed
with this, and commented that the R-2 District,
only an existing building can be built on.

Charles Benjamin said that the garage without
an upper story would be more agreeable. But there
would still be a problem with coverage, Dave
reminded him. And Charles suggested building onto
the house instead.

Chairman Atkinson-Loveless said, "Although
adding to the housing stock in Greenport would be
good, in this case it is not." And having a new
garage plan drawn with less coverage, perhaps
24-by-24 and 15 feet high, was the only solution.
He would be allowed to commence work on the
proposed single family house as shown in the
drawing presented, and the plan for an accessory
building should be presented at the next meeting
for approval, and proceeded with the five criteria
for granting a variance.

In order to allow Mr. Kehl to begin the work
on the house, the Board agreed unanimously to the
setbacks on the north and front sides as submitted,
and granted the variances pertaining to the
single-family dwelling.

So there you have your point of reference for
2004 and today. So I think that conditions have changed, but I think that back then, when our speaker, Mr. Kehl's request for variances, which were substantial, were granted, are very similar to this. Thanks.

MR. PROKOP: Did that -- what you just read, did that come as part of your FOIL request?

MS. REA: Yes, but it's on another -- it was another -- another side. I can give you the citation if you'd like.

MR. PROKOP: No, no. What you just read, did that come as part of your FOIL request that you just made, the FOIL request that you --

MS. REA: It came from another FOIL request.

MR. PROKOP: Another FOIL.

MS. REA: Yeah.

MR. PROKOP: Thank you.

CHAIRMAN SALADINO: If there's no --

MS. CHILTON-MILLER: Carol Chilton-Miller, 239 Fourth Avenue, Greenport.

MS. CHILTON-MILLER: In reference to the big variance words that we didn't throw around enough earlier tonight to please Mr. Olinkiewicz' lawyer, I think that with each variance, you have to look at what you're looking to vary and how you're

Zoning Board of Appeals 2/21/17
(631) 727-1107
looking to vary it. You're taking a community
that's, okay, saturated, however you would like to
phrase it. If you put too many people in too small
an area, there are going to be problems, and there
are problems not only for the people that we're
bringing in, but for the people that have lived
there, as I said, for family generations. You
can't take a pig and put a hat on it and, you know,
make it a princess. It's just --

(Laughter)

MS. CHILTON-MILLER: I know. Totally don't
know where that came from. I'm sorry, I'm tired.
It just seems like she's quoting things from five
years ago. Yes, Greenport is very, very different
at this point. There are many places where you
can't put more people in comfortably. And we're
also not talking about doing a variance to put a
single family home next to a single family home.
We're talking about an overcrowded situation, and
let's put another one in there and overcrowd it
again. But we've got to make sure that they have
plenty of notice to move their stuff out if we're
going to go look at it, because it has to match all
the little -- you know, cross the T's dot the I's.
I think the situations have to stop at some point
and be pulled back. Sit down.

(Laughter)

MS. CHILTON-MILLER: I think at some point we just kind of have to -- our checks and balance systems have to go to an area that -- I don't know what the other variances look like. I'd love to have this list, because Friday when I'm off, I will walk around town and, you know, take little notes for next month's meeting or if we're carrying this on.

I think that you hit a point where you can't add many more variances and still have anybody that was born and raised in this town wanting to be here. Everyone is moving because -- not because of what is coming in as far as Hispanic, or black, or whatever in Greenport. As we all know, Greenport has always had a heavy black population. It's not the population's color, it's where you're putting them, how you're crowding them, and what you're doing to the families that have been here forever, that the problems are just becoming greater than some of us care to handle. And unless you want these houses everywhere in this town, somebody needs to address the fact that you have to give the families who have been here forever a reason to want to stay. Thank you.
(Applause)

MR. KEHL: Just a short one.

CHAIRMAN SALADINO: I'm going to explain how this works. The attorney has the right to rebut everything that this Board is --

MR. KEHL: I won't give her anything to rebut.

CHAIRMAN SALADINO: This Board is inclined to like close.

MR. KEHL: Okay.

CHAIRMAN SALADINO: I think close this.


I got the variances, I built the house. I had the good sense to realize that you couldn't put the garage in the backyard, it would have been overcrowded. Seems that some people don't seem to have the good sense to know when overcrowding is overcrowding. Thank you.

AUDIENCE MEMBER: Good for you.

(Applause)

CHAIRMAN SALADINO: If there's no one else, I'm going to gavel this closed, if there's no set objection from the Board.

MR. CORWIN: Well, let's make a motion and
vote on it.

CHAIRMAN SALADINO: Well, I don't have to, but I will, just to make it --

MR. TASKER: You will.

CHAIRMAN SALADINO: I don't have to make a motion, but I will.

I'm going to make a motion to close this public hearing.

MR. TASKER: Second.

CHAIRMAN SALADINO: All in favor?

MR. CORWIN: Aye.

MS. GORDON: Aye.

MS. NEFF: Aye.

MR. TASKER: Aye.


We have this -- a continuation for a second public hearing for 238. I'm going to give the stenographer 10 minutes to do whatever she does to recover from that, and we're going to -- we're going to start again in 10 minutes. Okay? We're adjourned for 10 minutes.

(The meeting was recessed at 8:15 p.m. and resumed at 8:27 p.m.)

CHAIRMAN SALADINO: We're going to resume
Item #5 is a continuation of a public hearing regarding area variances sought by James Olinkiewicz -- Oh, I'm sorry, that's -- we're doing Item #6. I apologize.

Item #6 is a continuation of a public hearing regarding area variances sought by James Olinkiewicz, 238 Fifth Avenue, Greenport, Incorporated, Suffolk County Tax -- Suffolk County Tax Map 1001-4-8-3. Are there any members of the public that -- before we start, considering the hour and the last public hearing, if the stuff is kind of what we've heard already, and -- if the stuff is kind of what we heard already, and if we could just remember to -- say what you have to say, but --

MR. PROKOP: I think a recommend -- one suggestion might be to offer -- to offer any of the public the opportunity to incorporate their comments from the last application to this application; is that --

CHAIRMAN SALADINO: Okay.

MR. TASKER: We'll save on repetition.

MR. PROKOP: At their option. It's up to you, just a suggestion.
CHIEF MILLER: Good evening, everyone. Wayne Miller, 239 Fourth Avenue, lifelong resident of Greenport. I've lived in my neighborhood for basically my whole life, which is 51 years. Also, the Chief of this Fire Department.

So as that -- being that as it may, I'm sworn with the responsibility to take care of this community the best I can, that's life and property. So this particular lot that you're talking about, I went over there and visited that site yesterday. Most of my apparatus is roughly eight feet wide. There's no way I can get my trucks in there to fight a fire with another building back there, not to mention with all congestion on the streets, you know that, we've talked about it, you all heard it. My ladder truck needs about 20 feet to operate, to get the outriggers out, stabilize the truck.

You know, it's just it's so cluttered over there, and it's not a safe area. I really, you know, would not want to have to send my men in there and try to fight a blaze, not to mention all the other houses, the surrounding houses, you know, that could go up at the same time. I mean, it's really -- I see a real problem there as far as fighting fires, and even rescue calls. So, you
know, I think you should really --

CHAIRMAN SALADINO: So, as the Chief for the Fire --

CHIEF MILLER: Yes.

CHAIRMAN SALADINO: -- as the Chief Engineer, it's your opinion that --

CHIEF MILLER: My opinion, there's not enough room to get a fire truck in there and take care of a fire back there if you're going to put another house in there. I mean, it's very congested. I mean, the houses are on top of each other. You see it, you know.

Some people, you just got to start thinking about the life and property and the safety of this community. You know, you keep building houses on top of houses, you know. You don't -- I guess you don't live here, so you don't really see it and you don't really care. Your main --

CHAIRMAN SALADINO: Wayne, this way.

CHIEF MILLER: Your main goal is to, you know, get this through for your client, who doesn't really care about Greenport, in my opinion.

But I've responded to calls down there numerous times, had to wait for cars. Actually, almost side-swiped a car with my mirror. You know,
so there are issues with traffic congestion and
things of that nature, but it's definitely a public
safety issue also.

CHAIRMAN SALADINO: Just so we're -- just so
we're clear, just so I'm clear.

CHIEF MILLER: Sure.

CHAIRMAN SALADINO: We all know the street is
narrow and the fire trucks are wide, and with cars
parked, that's a hazard. I'm more concerned about
your opinion as the Chief for the Fire Department
as opposed to a resident on --

CHIEF MILLER: Fifth Avenue.

CHAIRMAN SALADINO: -- Fifth Avenue, about
fighting a fire in that flag lot.

CHIEF MILLER: Right.

CHAIRMAN SALADINO: If I'm hearing you right,
you're saying it would be --

CHIEF MILLER: Yeah. I mean, it's sitting
back, way back off the road. I mean, for me to
hump -- my guys got to hump hoses back there, hook
up supply line. I don't have enough -- if I have
to try to pull a truck back there, you got cars
back there, he's got parking, correct, there's some
room for parking, so that's going to clutter things
up even more. So, you know, if you've ever seen
the five-inch supply line that we use, you know, it's nothing -- it's not -- nothing small, you know, that's coming off that truck. I need room to work. So there's really no way to get a fire truck in there and possibly fight that fire.

CHAIRMAN SALADINO: And would the -- and would a fire at the proposed house back there be a health and safety issue, a fire hazard to the surrounding, because of the proximity?

CHIEF MILLER: Yeah, absolutely, it could be. It could be, absolutely. You get the winds blowing at night, you know, you get 20, 30 mile an hour winds, the house is burning, the embers start going -- you know, if the wind's blowing out of the north, they catch on the other houses, you know, you could easily, easily start a fire. That duplex in front, if that goes up, the house next to that, you're going to pay hell trying to stop that from going up also.

CHAIRMAN SALADINO: Well, we understand about attached houses and the risks and stuff. We just don't want to create any new --

CHIEF MILLER: Right. But by doing that, in my opinion, I think that's exactly what you're doing, you're creating more of a problem.
CHAIRMAN SALADINO: Thank you.

MR. CORWIN: Can I ask a question? Are you familiar with the size of the water main on Fifth Avenue? Mr. Swiskey said --

CHIEF MILLER: I'm not exactly sure, but I would definitely go with what Bill says. He worked for the Village for many years, so I wouldn't dispute that right now. I can find out for sure. One of our guys, one of our Wardens works for the Water Authority and stuff, so he would definitely know. He used to work for the Village. But off the top of my head right now, I don't know.

MR. CORWIN: Okay. Thank you.

CHIEF MILLER: Anything else?

CHAIRMAN SALADINO: Well, Ellen, did you want --

MS. NEFF: I just was -- I heard something said about the sewer line, but what's the water line? I don't think I heard Mr. Swiskey say what's --

CHAIRMAN SALADINO: Four inch.

CHIEF MILLER: Well, that's what feeds -- that's what -- that comes down the street and feeds the hydrants.

MS. NEFF: Okay, I got it.
CHIEF MILLER: Okay? So there's a few
hydrants on that street. So that's what he's
talking about. The sewer -- the sewer system is
separate from the --

MS. NEFF: Right.

CHIEF MILLER: From the water main.

MS. NEFF: Okay, I gotcha.

CHAIRMAN SALADINO: Thank you. Marilyn?

MS. WHITE-CORWIN: Marilyn White-Corwin, 305
Fifth Avenue. So could I just say ditto?

(Laughter)

MS. WHITE-CORWIN: Does that work?

CHAIRMAN SALADINO: It works for us.

MS. WHITE-CORWIN: Okay.

MR. WEISKOTT: Hi. Jack Weiskott, 229 Fifth
Avenue. I also would just like my previous
comments to be applied to this particular property
as well, since it's the same neighborhood and the
same concerns that we all have. Thank you.

I'd also like to say like you guys deserve
hazard pay for this.

(Laughter)

CHAIRMAN SALADINO: There's the cup. There's
the cup.

MR. WEISKOTT: Okay. And thank you very much
for your attention and patience.

MS. ALLEN: Chatty Allen, Fifth Avenue. I, too, would just like my comments from the 221 to be carried over to this, because it also applies.

One thing I'm kind of scratching my head about, you closed out the application -- the public hearing for 221, but the lawyer wants you to still review records. I think it was a little disrespectful for her to say, "Well, they're in Village Hall, go look at them." That's not your job, that's not the public's job, that was the attorney's job to have those records here for you. So I don't know what you're going to do as far as your decision goes, but I don't think that those forms, the inspections, should be any part of this. If the attorney could not provide them tonight, she got them in the FOIL request in December. We are now towards the end of February. If they wanted them included, they should have been here this evening.

And the attorney is saying, "Well, we're trying" -- you know, yes, there is a housing problem. I said up until a couple of days ago I was looking at living in my car, because I have to be out of where I am by the 28th. I was having a
hard time finding a place in Greenport so that I
can still get back and forth to work. I had an
angel on my side and I did find a place to move
into for March 1st.

I have said this at numerous hearings,
Village Board meetings. I don't understand why
anyone wants to keep cramming things on one
property. Just within the Village alone, if you
take a ride, there are plenty of vacant lots, there
are plenty of vacant homes and homes for sale that
this gentleman could purchase to put in housing.

He purchased or is in the process of
purchasing the old church. No variances are
needed. There's going to be, I think, three
housing units. I don't remember what the sizes are
or anything, everything blends together. But I
strongly object to cramming in on a small area when
there is other places that could be purchased,
where you're -- the impact is not going to be as
strong as it is on this street.

You could bring up variances from the
beginning of time, but it has to be looked at where
are they, what's around it. Every application
stands alone, and every application has to have an
impact to say no, this is not the right place for
this application. If it was in another neighborhood where there weren't as many, okay, then you look at it there.

So, again, like the one at 221, you have the house on the corner with a lot of traffic now being rented out. I mean, I came -- went to go home one night, and luckily I was coming the other way, so I went to Sixth Avenue to loop around, because you got limos and everything out there. The safety of the residents should be taken into consideration.

Thank you.

MS. MC ENTEE: Joanne McEntee, 242 Fifth Avenue.

I do have some photos I would like to submit. You get the red one. I'm sorry, I only have five, but maybe you can share.

Having a right-of-way would create more traffic and noise along the south side of our home to include tenant cars, propane delivery tanks and guests, etcetera. I'm giving you these photos today, as these are and out of our backyard. The photos are submitted are standing on the back porch. If you -- adding one more house would create less privacy.

Currently, there are seven living units in
our backyard and one somewhat on the distance, which would be the new proposed home, and it would be on the back side of it. That does look into our backyard as well, which I did not include. So adding this sub -- this proposed home on this subdivision would make it eight. That's pretty excessive to have eight living units in someone's backyard. It's somewhat unusual, it's an unusual case, and we lose, like I say, an extreme amount of privacy.

If you look at number one, number one on the first page is our house, 242. Number two is 238, which is the subdivision that's proposed with the new house that will be going in the back. 234 is the next house, which really extends quite over a great deal, and you will see that it does overlook our yard.

If you flip the page, number four happens to be to the north, our north view. There is a house there, is a one property house, and on that property -- excuse me, is a -- there are two homes on that one property. In the back there is also a shed. And so that is number five, is the second home on that -- on that one lot, and there is -- number six is the shed, and number seven, if you
look, there's another house behind us, really to
the northwest, which is another two-family.
I've listed the ones that are the two-family or two
families on the same lot.

So if you can just review that. Eight
properties in the back of our yard overlooking, and
there's nothing we can do about it, is excessive.

The sub -- I will read a few things here.
The subdivision change in the neighborhood is
undesirable. Several neighbors and community
members who have spoken are in favor of -- are not
in favor of this subdivision. Not one person has
spoken in favor, other than Mr. Olinkiewicz'
attorney.

Again, if Mr. Olinkiewicz was here, he should
have someone to be on his side to help him. We are
in favor, and there should be somebody on his side
to be in favor also, but there's not. So does that
mean that no one else is in favor of this in our
community?

There will be an environmental impact on
Fifth Avenue with traffic, parking. I am repeating
some of this. With impact on Fifth Avenue with
traffic, parking, accidents, such as my daughters,
and adding sewer line -- sewer pipe usage.
The Village is currently in the process of approving a three-way stop sign and to slow down excessive speeding vehicles.

Parking already is excessive on Fifth Avenue, as we all know. We have been -- we have found 21 cars parked on the street in a recent month at one given moment. There have been three accidents within three homes on Fifth Avenue.

The sewer lines are in need of deep repair, and the Village is currently working to find a solution on this ongoing problem.

238, by the way, has had several backups alone this year, three that I know of that I just happened to witness myself.

This subdivision is self-created, and is not a hardship to this applicant in any way. Area variances are extremely excessive to create substandard lots.

Our zoning law states the gradual elimination of nonconforming uses, not creating more.

Please add to the record from the 221 Fifth Avenue hearing of anything that has been spoken of the neighborhood and subdivision, or of like issues into the 238 Fifth Avenue hearing.

Please protect the quality of life and the
privacy for us and our neighbors on Fifth Avenue. 
I ask the Zoning Board to enforce the maximum 
protection of residential property, and to 
eliminate nonconforming uses. 

I do request that we close this hearing tonight. 

I also -- will we still get to rebuttal if Ms. Rea comes back up? 

CHAIRMAN SALADINO: Joanne, you know my deal, everybody gets to talk. 

MS. MC ENTEE: Say again. 

CHAIRMAN SALADINO: Everybody gets to talk as much as they -- 

MS. MC ENTEE: Okay. That's it. Thank you so much. 

MR. SWISKEY: William Swiskey, 184 Fifth Street. Don't look so tired, people. That's what you took the job. It's the way governments works. Sorry about it, but it is what it is. You have choices, you could do it or resign. 

Anyway, let's get back to this one variance, I'm looking at it. First of all, I have to agree with the Chief. How wide would this driveway be that goes to the backyard, or right-of-way, whatever you want to call it?
MS. REA: Twelve feet.
CHAIRMAN SALADINO: Do we have a firm --
MS. WINGATE: I do.
MS. GORDON: It's in the variance.
MS. NEFF: One part of it shows 12 feet, but then the other end is not that --
CHAIRMAN SALADINO: The only reason I'm asking the Building Inspector is because we had two or three different numbers.
MR. SWISKEY: Yeah, I know, that's what I'm asking.
CHAIRMAN SALADINO: We're asking the Building Inspector.
MS. REA: Sure.
MS. WINGATE: Give me a second.
MR. SWISKEY: I can wait, I'm patient.
MS. WINGATE: They have proposed a 12-foot right-of-way.
MS. NEFF: Twelve foot is what was proposed.
MS. WINGATE: Yes.
MS. NEFF: Does part of that have to be moved to change that?
MS. WINGATE: The --
CHAIRMAN SALADINO: Twelve -- I'm sorry.
MS. WINGATE: The little covered porch was
being removed to accomplish that.

CHAIRMAN SALADINO: Twelve feet is the number.

MR. SWISKEY: So there would be an alteration to the existing building to make this right-of-way work, so --

CHAIRMAN SALADINO: The kitchen porch would be, according to the plans, removed.

MR. SWISKEY: All right.

MS. REA: The garage would be taken down as well, so it would all be opened up.

MS. NEFF: Yes, that's right.

CHAIRMAN SALADINO: Well, that's not what he was asking.

MR. SWISKEY: That's not what I was asking. But, see, what I'm trying to understand here is, all right, this right-of-way doesn't really belong to either piece of property, does it, it's -- when it's a right-of-way? Who does it -- which piece of property?

MS. WINGATE: It belongs to the front house.

MR. SWISKEY: So the front house, basically, it belongs to the front, so the back house has no -- they have to have a right to it. Because what worries me about it is, like the Chief said, it's
kind of narrow. But you take a snow plow that's 10 feet wide and it has to run up that driveway, and on one side you have Mr. Kehl's fence and on the other side you have this house. And you can't put the snow in the street, because Village Code says you can't. So this snow is going to come off the plow and it's going to hit both sides, and it's going to have a very narrow entrance. It's going to make the entrance a lot narrower than it is. It's like it -- it has to do with like -- his lawyer talks about size. Well, that has to do with size of the right-of-way. I mean, where are you going to put the snow? Has anybody considered that? And I assume in this right-of-way there has to be easements for the buried water, sewer and electric line, since it won't be an overhead electric line; am I right or wrong?

MS. WINGATE: We haven't gotten those kinds of plans, Bill.

MR. SWISKEY: But they should be relevant to a variance, I mean, because -- anyway, but the big one is -- and let's go.

She talked about we should address the variances. I see here to create Lot 2, Lot 2 needs a variance of almost 45%, when we put in
perspective, right? Add from 7500, would be 3500, 3700 or something. All right? That would be 50%; am I right or wrong, close to it? I don't have a calculator.

MS. GORDON: Thirty-seven-fifty.

MR. SWISKEY: Yeah.

CHAIRMAN SALADINO: 46.32% variance.

MR. SWISKEY: That's huge. So if you want to get down to facts, that's way too big. Thank you.

MS. CHILTON-MILLER: Carol Chilton-Miller, 239 Fourth Avenue.

As the wife of the Fire Chief, this is insanity to me. If this house went on fire, I do not want my husband anywhere near it.

It seems like, you know, you've got the neighbors who are at risk. You've got the house with a bunch of people in it. These guys will go in there and try and save these people. We've already had Greenport firemen die. There is no reason to set them up for a situation where you were just looking for a problem, and that's what I feel with these variances on this insane thing is.

CHAIRMAN SALADINO: Thank you.

CHIEF MILLER: Also, I'd just like to address, you said that it's only going to be a
12-foot wide entrance to the yard there.

CHAIRMAN SALADINO: That's what's on the plan, 12 feet.

CHIEF MILLER: You know, I don't know if that's adequate, in my opinion. I think that we need more room. Like I'd be more comfortable with 15 feet for my trucks to get in there and operate, and really do the right job and save the houses and stuff. But that's --

MR. CORWIN: Question for the Chief. If it's 8 feet or if it's 12 feet, can one of those rigs come down Fifth Avenue, when there's usually cars parked on each side, and make a turn into a right-of-way?

CHIEF MILLER: Probably not, without taking out a car or two.

MR. CORWIN: Can an ambulance?

CHIEF MILLER: An ambulance would be tight also, I mean, just trying to get in that driveway. I mean, you know. You live here, Dave. You know as well as I do there's the congestion over there and what's going on around here.

CHAIRMAN SALADINO: We do know, but we need you to say it to us.

CHIEF MILLER: That's what I'm telling you.
CHAIRMAN SALADINO: Okay.

MR. WEISKOTT: I'm sorry. Jack Weiskott, 229 Fifth Avenue. Germane to this last question that Dave Corwin asked, this past weekend we had the President's Day Parade.

AUDIENCE MEMBER: Washington's Birthday.

CHAIRMAN SALADINO: Right.

MR. WEISKOTT: Washington's Birthday Parade. On our street, you know, on a lot of the streets in the villages were little signs for the various Fire Departments to park. When the fire trucks were parked on our street, I saw a delivery van, a big box truck from one of the supermarkets come down the street and realize that he could not get down. So he had to back up half of Fifth Avenue to the main road, because there was no way for him to get through there with a fire truck on the street. So that is germane, I think, to that point. Thank you.

MS. PETERSON: Diane Peterson, 228 Sixth Avenue.

As with the 221 Fifth Avenue hearing on the variances, I would like my -- all of my remarks applied to the hearing on these variances as well. I am not in support of any of the variances being
I do also have a question about the right-of-way that's proposed. If at some point all of this goes through, and successfully there's a house built back there, if the properties are then sold, what happens to the right-of-way? Does the property in the back still have that right-of-way?

CHAIRMAN SALADINO: It's an easement that's --

MR. PROKOP: It would have to be a deeded easement. There's many different things that have to -- would have to be taken care of by the Planning Board; deeded easements, deeded utility easements. There's, you know, many different things.

MS. PETERSON: Okay.

MR. PROKOP: If it got --

MS. PETERSON: If it got that far. Okay.

All right. Thank you.

MR. HOLLID: Joe Hollid, 415 South Street. When I owned the house in Southold, there was a flag lot, but it was part of the deed, it was part of the access that was deeded to that property in the back of my house. It was part of my property. I owned two acres. One acre was set
back with a separate drive that went to the back, but it was deeded. I don't know how you could call it a flag lot if it's not deeded to the house in front.

MR. PROKOP: Is the -- this right-of-way, who's -- which lot's acreage is it included in? Which lot's areas is the right-of-way included in?

MS. REA: The -- when -- we're talking about a right-of-way. It's part of the property. It would be a driveway, which would allow a right-of-way. The second lot in the back would have an easement, a deeded easement allowing the ingress and egress from the main property.

MR. PROKOP: So it's included in the front lot's right -- the front lot's lot coverage?

MS. REA: That's correct.

MR. PROKOP: But it's an easement for the back. Okay.

MS. REA: Yes.

MR. HOLLID: I think classified, though, as a flag lot, I would think. It's got to be deeded somehow to that front property.

MR. PROKOP: It's not a flag lot. It's a lot with an easement. It has no front --

MR. HOLLID: Just an easement, then?
MR. PROKOP: Just an easement.

MS. REA: Right.

MR. PROKOP: That's what's proposed.

MS. REA: Which is typical, that's what usually happens.

MS. JAEGGER: Hi. Mary Ann Jaeger, 430 Fourth Street.

I want to know, on this proposed house in the back that they want to build, how many families is going to be in that one?

CHAIRMAN SALADINO: It's a one-family 800-square-foot cottage.

MS. JAEGGER: And how many homes are in, or apartments are in the front home?

MS. REA: Two.

CHAIRMAN SALADINO: I'm embarrassed to say, I'm not -- it's a two-family house. I don't --

MS. REA: It is a two-family house.

MS. JAEGGER: It's a two-family house?

MS. CHILTON-MILLER: How many people?

MS. JAEGGER: Yeah. Now go on the assumption --

CHAIRMAN SALADINO: We don't know that.

MS. JAEGGER: -- that there's two adults, they both work, they go different directions, they need
two vehicles. The people in the back, same thing, husband, wife, whatever. Two cars, they go in different directions. How are these people getting in and out? Where are they parking? Because they sure don't need to park on the street, because it's full.

CHAIRMAN SALADINO: The plan, the plan -- the plan that's -- that the Zoning Board has shows where the required parking would be. Ms. Jaeger, I'm not sure of your question.

MS. JAEGGER: We're assuming that there's two people that drive and they're going in two different directions, so they have to have two cars. That's the one house. We go on the assumption the other one has people. If there's two families there, you could have up to four cars just in that one house.

CHAIRMAN SALADINO: Well, the front, the front house has parking for three cars.

MS. JAEGGER: Where?

CHAIRMAN SALADINO: One-and-a-half cars each.

MS. JAEGGER: Where?

CHAIRMAN SALADINO: I don't know if this is inappropriate, but I'm willing to let my copy pass around of this. Is that --
MS. NEFF: I have a bigger one. Do you want to use this one?
CHAIRMAN SALADINO: No, no, the smaller one.
MS. REA: It's behind the house. All the parking is on the property.
CHAIRMAN SALADINO: I'm sorry?
MS. REA: There's adequate parking for both houses.
CHAIRMAN SALADINO: No, I understand that, but -- excuse me one second.
MS. JAEGGER: Sure.
CHAIRMAN SALADINO: I understand that. But to perhaps alleviate some of the questions that the neighbors have, it might be easier for them to look at the plan --
MS. REA: I understand, that's a good idea.
CHAIRMAN SALADINO: -- was what I was thinking.
MS. REA: Sure, absolutely.
MS. JAEGGER: Let me tell you something. I have a big garage, right? I can fit four cars in my driveway. If all my family came and stayed with their cars, I wouldn't have enough room, except that I do have another driveway that we put in. I don't understand how they plan on putting all these
cars in the back, because there isn't -- that lot
is not as big as everyone seems to think it's going
to fit everything.

CHAIRMAN SALADINO: The ZBA -- Ms. Jaeger,
the ZBA, we made a site inspection there, it was
staked out. We have this plan, which I'm willing
to let the audience pass around. I would like it
back. And you can't let Billy look at it.

(Laughter)

MS. JAEGGER: He's about the only one who
understands it.

CHAIRMAN SALADINO: I don't believe that.
But we made a site inspection. The property, both
properties were staked out as to where houses were
going to be, parking was going to be, a proposed
cottage was going to be. We -- again, I'm not --
I'm not sure if you're asking me a rhetorical
question, where are all these people going to park.
The simple answer is I don't know. I know there's
room on this plan, on this plan. I don't know
about reality on this plan for five cars, and
that's what we're looking at right now.

MR. SWISKEY: Of the two houses?

CHAIRMAN SALADINO: For the two houses.

MR. SWISKEY: So --
CHAIRMAN SALADINO: Billy, Billy, we're not going to talk.

MS. GORDON: It's the legal requirement for the code, it's the code requirement.

MS. JAEGGER: I just -- either way, I feel sorry for the people around it, around it that have to live -- I truly do, on both places. I myself would really be angry. I mean, I'm fortunate enough, I do have the space for my property. But Roberta and Jack, what I see on theirs, I mean, they have nothing going for them. First, there's the tree there that blocks the sunlight to start with, and now you want to put a big house there, you know? And then you get the other one, Bob, he hasn't got much room in his yard going where the fence is. And, again, we're going to add five cars. You know, give me a break. What is this? I feel like we're a shopping center. We come in, we park wherever we can find a spot, and God bless you if you can get out. You know, it's crazy.


And I don't mean to get up and talk again, but I need to clarify something. What is the required parking spaces for the average -- say I
wanted to build a house in the Village. How many
darking spaces would the Village require me to
have?

CHAIRMAN SALADINO: Do you want to build a
one-family house?

MR. SWISKEY: Yeah, one-family house.

CHAIRMAN SALADINO: Two spaces.

MR. SWISKEY: And a two-family space needs?

CHAIRMAN SALADINO: One-and-a-half cars --
one-and-a-half spaces for each apartment.

MR. SWISKEY: So we're talking about a half a
car. All right. That's like -- all right, all
right, all right. Because I would think there
would have to be enough for six, you know,
logically, I mean.

(Laughter)

CHAIRMAN SALADINO: We can only go by the
code, Billy.

MR. SWISKEY: I would like to see Marilyn
drive around with a car cut in half.

CHAIRMAN SALADINO: Anyone else who would
like to speak to this? Ms. Rea.

MS. REA: Kimberly Rea, Westervelt & Rea,
Shelter Island, on behalf of Mr. Olinkiewicz, the
applicant.
I'd like to incorporate my prior comments from the earlier hearing to this one.

I'd also just like to clarify that with respect to parking, the parking spaces are shown on the sketch plan. There is adequate parking. The 10-foot, or, sorry, the 12-foot -- we keep calling it a right-of-way, it's the driveway, is designed pursuant -- to meet Village Code, which is 12 feet. And it's my understanding that that's what it takes to get a fire truck down the driveway.

CHAIRMAN SALADINO: I'm not -- that's part of Village Code or State?

MS. WINGATE: No, we don't have a driveway rule.

MS. REA: I'm sorry, it's New York State. Sorry about that.

CHAIRMAN SALADINO: New York State?


CHAIRMAN SALADINO: And what is it for the commercial?

MS. WINGATE: I don't know off the top of my head.

CHAIRMAN SALADINO: Yes, you do.
MS. WINGATE: No, I don't.
CHAIRMAN SALADINO: Yeah, you do.
MS. WINGATE: I really don't.
CHAIRMAN SALADINO: I was testing.
MS. REA: In any case, the 12 feet that has been proposed would come by taking part of the porch off the existing house. The garage would also be removed to open that up. That provides more room. So, to clarify the plans, I hope that does that. Thanks.
MS. ALLEN: Can I just come up?
CHAIRMAN SALADINO: Sure, Chatty.
MS. ALLEN: Chatty Allen, Fifth Avenue.
If I'm remembering these plans correctly, and this was another objection from another hearing, is in between the two buildings is only going to be parking. There is no yard at all. And as someone who right now is living in an apartment complex with no yard, children live there, and you really have to pay attention when you go to pull in, because they use it as their playground.
Now I've never seen the actual prints, but if that was my understanding, that you had the house in the front, parking, and the -- I guess they're calling it a cottage, there's no grass, there's no
yard. So you're going to have people coming in and out of there.

Children are living in there, but even as a person, an adult, people are being put at risk going in and out of -- I don't think that's a risk that anyone should be put into, and then you add to the fire issues. These houses are already on top of each other, and now you're going to add, try and add even more?

And I know it was mentioned, and I'm looking at two of them, and I -- to me it happened yesterday, losing those two firefighters. I don't ever want to see something like that.

This application should be denied this evening and not have this come back again, because you're putting a lot of people and this Village in a huge harm's way, and it scares the crap out of me.

CHAIRMAN SALADINO: Thank you.


Besides the variance, the six variances, the house that is proposed, the cottage, it's supposed to be 1,000 square feet in our Village. I do see on here it's barely 700 square feet.
CHAIRMAN SALADINO: They're asking for a variance.

MS. MC ENTEE: Yeah, they are asking for a variance, and I just think that's very excessive, but -- and a very small house for someone to live in and for me to overlook. Thank you.

MR. HOLLID: Last time. Joe Hollid, 415 South.

I live to the north, kind of north on the other side of where the house is going to be built. There's a fence separating us. And I believe that the parking is going to be straight in when that garage comes down. Now you have two cars parking side by side on the left side of the cottage, correct?

MS. NEFF: Yes.

MR. HOLLID: All right. Now these cars have to turn backwards to get out and they're backing into almost an area where the other three cars are located that park behind the house. It's pretty close. I mean, there may be a leeway, but, again, I don't know how you're -- how they're going to adjust that, make the cars pull out, and if there's coincidental backing from one car to another, say they were leaving at the same time. It's kind of a
safety issue, and I think it's a -- I think -- I'd like to say avoid it, don't let it go through. Thank you.

CHAIRMAN SALADINO: If there's no one else, I'm going to make a motion to close this public --

MR. TASKER: Second.

CHAIRMAN SALADINO: Close this public hearing. Second, Arthur?

MR. TASKER: Second.

CHAIRMAN SALADINO: All in favor?

MR. CORWIN: Aye.

MS. GORDON: Aye.

MS. NEFF: Aye.

MR. TASKER: Aye.

CHAIRMAN SALADINO: Aye. Opposed?

(No Response)

MS. WINGATE: Who seconded it?

MR. TASKER: I did.

CHAIRMAN SALADINO: Item #7 is discussion and possible action on the application for James Olinkiewicz, 221 Fifth Avenue, Greenport, New York, Suffolk County Tax Map 1001-4-4-29. What's the pleasure of the Board?

MR. TASKER: Can I ask the Chairman a question?
CHAIRMAN SALADINO: Sure.

MR. TASKER: Is it your expectation that we would complete either of these tonight?

CHAIRMAN SALADINO: I think -- I think with this particular item, this item on the agenda, we can talk about it a little bit. We can, again, take a consensus of the Board, and depending on the conversation, either vote tonight or hold it until next month.

MR. TASKER: I was thinking as a practical matter in terms of time, not any other reason.

CHAIRMAN SALADINO: And for the second item, I think there might be a little less conversation with the Board to -- I would kind of like to get to that tonight. But, again, whatever the Board decides.

Is there any discussion on 221, or would we just like to carry this over for -- until next month and have a well rested, in-depth --

MR. CORWIN: Mr. Chairman, I'm tired, and though I would sure like to get it over with, I'd just assume hold it over until next month when I'm not as tired, and maybe can make a little better sense.

MS. NEFF: On the other hand, my point of
view is, having listened carefully to the course of this evening's events, recalling it all to mind to -- I mean, in other words, I'm in favor of doing our vote tonight.

CHAIRMAN SALADINO: Well, I think before we vote --

MS. NEFF: From my point of view.

CHAIRMAN SALADINO: I think before we vote, there should be --

MS. NEFF: Discuss and then vote.

CHAIRMAN SALADINO: -- there should be a certain amount of discussion --

MS. NEFF: Yes.

CHAIRMAN SALADINO: With an important application like this, and I'm willing to entertain that for a while. And then after that discussion, we can decide if we're going to vote or not. We'll take it --

MS. NEFF: I'm also willing to be ruled by the other members, right?

CHAIRMAN SALADINO: My point exactly. What -- Dinni, did you have something to say?

MS. GORDON: Well, I'm sort of with David with respect to being tired. And I guess I feel, you know, I took some notes about the things that I
thought were more relevant and less relevant. And
a part of me thinks that if I had a month to think
about this, I would be able to sort out what was
relevant and what was not so relevant better. But
I also -- like Ellen, I'm willing to go along with
what others want to do. I also think that it would
be easier to deal with 238 than with 221.

CHAIRMAN SALADINO: It's my full intention of
taking care of that, to get that off our agenda
tonight. But as far as 221, me, I also have four
pages of notes, and would welcome a well-rested
discussion on 221 Fifth Avenue.

So, Arthur, did we hear from you?

MR. TASKER: No.

CHAIRMAN SALADINO: Are we going to?

MR. TASKER: No. I don't have a preference
as far as that's concerned.

MS. NEFF: And I think the point the
Chairman brings up, to deal with one of them. The
238 perhaps could be finished, I mean, dealt with
tonight, and that --

CHAIRMAN SALADINO: That's my intention.

MS. NEFF: -- in other words, we don't have
to do both if we do one.

CHAIRMAN SALADINO: Okay. So okay. So
Item #8 is a discussion and possible action on the application for James Olinkiewicz, 238 Greenport, Incorporated, 238 Fifth Avenue, Greenport, 11944, Suffolk County Tax Map 1001-4-8-3.

With this application, the thing that's resounding in my -- the thing that's the loudest in my mind is the comments from the Fire Chief. Not being a fireman, I respect his opinion, and I think that's -- me, personally, I think that should be at the top of the list of reasons why this application is perhaps less than well thought out.

Also, nine variances seems a bit excessive. I mean, 28% variance for lot coverage on Lot 1, a 46% variance for lot coverage on Plot 2. Sometimes -- sometimes a lot is just -- in my opinion, again, sometimes a lot is just too small. Does the Board have any comments?

MR. TASKER: Yeah, if I may. Addressing, in no particular order, a couple of points. One is the concern which Ms. Rea expressed with regard to other variances that have -- subdivision variances that have been granted over the last 13 years, I guess.

One thing that is distinctive about this particular one, 238, as compared to many, if not,
and I'll enumerate, of the variances that were granted is that the lots that were created were side by side, each having frontage on the street on which they were located. In other words, they're not set back one behind the other. So that there's ample reason to suggest that Finne, and I didn't keep full notes, but Finne on Second Street, Monsell on First Street, with the lots that were created faced Second Street, Lockhart on First Street, facing the house I grew up in, was two lots facing on First Street, Prestwood, two lots facing, again, on Second Street, although it went back from First Street, so that there's no -- certainly, no precedential value with respect to at least those. I don't -- I'm not as familiar with the other properties that were -- that were mentioned.

But, certainly, the concern for the stacked up aspect with regard to fire safety and just simply accidents.

Frankly, we see the layout, we see the appropriate number of code required parking spaces in each -- you know, for each of those two, but -- and I did not have the opportunity to see the staked out lots, so I don't have that vision in my mind, but several of you do. It looks -- it looks
rather crowded, even though it may meet the code. And I think from the comments that have been made by members of the public, it's hard to have good confidence that that's the total number of cars that are going to be parking there. Thank you.

MS. GORDON: I'm concerned about the fire issue, primarily, I think. But, also, I mean, it is -- I remember going to visit there, and sort of we all kind of marked off the spaces, and it would be very crowded. And, you know, I find these pictures kind of persuasive, so I guess that's my general impression.

CHAIRMAN SALADINO: David?

MR. CORWIN: Okay. First, I'd like to address Fifth Avenue, and I use that once or twice a week. I like to go down there to avoid downtown Greenport, particularly on the weekends.

(Laughter)

You get on Fifth Avenue, there's cars parked on each side of the street, and usually there's somebody coming the other way, and one of you has to stop and pull over. So I think Fifth Avenue, as Mr. White said, it's saturated and it's full of cars, it's difficult.

Attorney Rea brought up a lot of subdivisions
that have been granted, and one thing I'd be
curious about is some of those were -- ended up and
may have been presented as owner-occupied houses,
single family houses. And I'm applying these
comments to both of these applications right now.
And I'm sorry, I don't really have these in order,
because I just jotted them down. As I said, I'm
tired. And the two subdivisions that I was on the
Board for, and I'm probably -- well, Ellen has been
on the Board longer than I have.

MS. NEFF: Well, just about the same.

MR. CORWIN: I'm -- so I'm probably second
amount of time on the Board, so I've only seen two
subdivisions. One was Center Street. If I recall
correctly, Ellen and I both voted no, and Ellen
will have to correct me if I'm wrong. And then
after she said, "Well, maybe I can go on with it if
it was one-family." I voted no. That property
floods, and I just -- I don't go for this, small
lots.

And then the Second Street one, which was
Prestwood, and at the time Mr. Tasker came in and
testedified, and he said, "You're making two lots.
You can get everything you need with no variances
if you just make one lot." And that particular one
passed. I voted yes to that one. I'm embarrassed by that. I was relatively new. And I knew it was going to pass, because of the four people that were going to vote for it, that was obvious. So I said I'm not going to get into it with a guy that carries a gun and threatened us, I'll just vote yes, and I'm embarrassed to say that.

(Laughter)

MS. NEFF: I don't recall this.

MR. CORWIN: But the point I want to make here is that after you've been on the Board, I've been on the Board several years, you learn stuff, and you make mistakes, and I made a mistake there voting yes, and I learned. Because of these issues like parking, like sewer, like how many parking spaces you need, you learn, and you learn these -- you've got to consider these things very carefully.

And then if we go on -- I'm sorry, I'm not lining these things up. Attorney Rea said, "Well, there were 100 inspections in Greenport." Now --

CHAIRMAN SALADINO: Just the pages.

MR. CORWIN: Hundreds of pages. There was no problems found. Well, most of those inspections, and I'll tell you because I know, because I'm a landlord, were, I'm sure, for Section 8 houses.
And I got to tell you, again, I know, the inspector comes in, they go around and they always find something. And the one thing they like to find is cracked glass, because a child could run their hand over the cracked glass. And you're sitting there or standing there and you're saying, "But that's five feet in the air." You don't say anything, you just fix the window. But the point is the idea that there were hundreds of pages of inspections, but no problems, I don't think that's true.

And I'd just like to offer the -- an example of cars and parking. There's a house next door to me, south of me, and I'll tell you how that house came about. It's a three-family house. I'm sorry if I'm taking a long time, but if you guys want to leave now.

MS. ALLEN: No, no, Dave, you're doing a good job.

AUDIENCE MEMBER: You take your time.

MR. CORWIN: It's a three family house. And the way it came about was Lindell Dutcher, Lindell Dutcher (phonetic) and his sister, she was a telephone operator, he didn't do anything. I was a little kid at the time. And it was a single family house, and he just built two new apartments, two
apartments. Okay. Nobody from the Village came around, because they weren't enforcing anything, I guess. And at one time my mother owned the house, and one time my brother and I owned the house, then sold the house. I wish I hadn't, but that was a mistake again.

But what I-- the point I want to make is there's three families in there. One of them just moved out, so that's completely accurate. There's six cars. There's the guy upstairs, Fabio, and his wife and his two kids. They're all nice people. He's from Columbia. But each one of them has a car, so that's four cars. The people that lived in the apartment, they just moved out this weekend. Two people, a young couple, she's a landscape architect, they each had a car. That was six cars, and then there's one guy that doesn't have a car.

So these houses, as they become even two-family houses, then three family houses, the parking requirements in the existing code aren't realistic. That's what we got to work with, but, I'm sorry, the parking requirement's already listed.

And then going back again to Attorney Rea said, "Well, there was no violations." At least
that's what I heard, unless I'm mistaken. Maybe somebody on the Board can correct me. Well, yeah, if you've got 24-hour notice, there's not going to be any violations.

And once again, I want to say, being on the Board, you make mistakes, you learn things, and you change your mind over time. And I think we all have to agree that Greenport from even 10 years ago has changed radically. And the idea that the Zoning Board just went along, because they wanted to say yes, they wanted to be somebody's friend, I think we got to throw that away and rethink that and say, "What's going to be good for the community as a whole?"

And I also want to make a comment about how I believe the two-family housing came about in Greenport. And maybe Mr. Tasker will straighten me out if I'm incorrect. I think what happened was you had World War II and the shipyard was going strong. And I'll tell you, I'm a member of the Historical -- I'm the Vice President of the Historical Society, so I studied this stuff a little bit. But you had World War II, the shipyard was going strong. Two thousand people, shifts of 2000 people working on building landing craft down
there and mine sweepers. Of course that made a big
demand for housing. So I think a lot of places
that were probably one-family houses, there were
two-family houses. And a house back then had the
grandmother, the aunt, the father, the kids, so it
was a whole family, and maybe they called it a
two-family. But, anyway, as the war goes on,
they're taking these one-family houses and they're
breaking them up to make two-family houses,
three-family houses, rooming houses, to supply
housing for the war workers.

The war ends. Mr. Tasker's father was a
Trustee on the Village Board, and they said, "Well,
we need some kind of Zoning Code." That was 1946
or '47. They had to accommodate all these housing
units that had been divided up. And this is the
theory, because I wasn't there. So they said,
"Well, okay, we'll make two-family housing and
one-family. We'll call it a Two-Family Zone."

So, I mean, I don't think they started out
and said, "Hey, let's make everything two-family."
I think they said, "We've got to accommodate some
existing things, so we'll do this."

So another thing I want to point out,
constantly the cry goes up that we need low-income
housing in Greenport. And traditionally Greenport has been Southold Town's solution to low-income housing, and now Shelter Island's solution to low-income housing. But with these new things like Airbnbs, it's really changing the whole housing situation in Greenport, because a lot of the landlords say, "Well, I'm going to rent on weekends for $2,000. Ten weekends I pay for the house, and I'm not going to bother with renting all year round a two-family house to some "Joe Blows".

So this whole housing thing is turning around in the last 10 years as the internet has come along. And I want to say, for all intents and purposes, there's an infinite demand for rental housing in Greenport. It's not going to go away. You got the big city. People are coming out here, staying for the weekend in a house "Joe Blow" used to rent. You got Central American immigrants, they're coming in. A lot of them are great people, they just want to work. But it's an infinite demand, you cannot satisfy the demand. Southold Town needs to -- even if Southold Town does something, you can't satisfy the demand.

So I'll just finish up and say that we learn things, I learned things. And I say these
undersized lots are not doing any favors to anybody except the developers and the sellers. Thank you.

MS. NEFF: All right. Mr. Chairman, I have a couple of things to say. One thing is I think I'm going to stop driving down Fifth Avenue.

(Laughter)

I can get out of the Village other ways. I feel guilty.

MS. GORDON: You'll lose your mirror.

MS. NEFF: Because it is a quick -- it's actually not quick, but it's sustained. You just move along watching out for all the things you have to watch out for. So I apologize for driving down the street way too much.

(Laughter)

But I also want to say that the mix of housing that we have in this Village, some of what Dave talked about, it was -- it's just how it happened, okay? And I think that we're -- we deal with the need, if you're on the ZBA, which I didn't realize I was just an ancient member, but apparently I am.

CHAIRMAN SALADINO: Senior, senior member.

MS. NEFF: The balancing of the applicants, see, some -- I have been an applicant. I wanted to
build an addition. My house sits on the property line. I couldn't build something that connected the little back room to the next room, because they wouldn't -- I needed the ZBA, I needed five feet. My -- you know, the -- all that process.

I welcome you all and everyone in the Village to use the code that was developed way after most of the Village was here, but we have to work with what you want to do. In other words, what the applicant wants to do is -- and how they learn how they have to line up all their ducks and get their information. That's -- it's important to hear. Have them to carefully present, but it's our job, the Zoning Board of Appeals, to weigh in the balance what detriment to the whole, particularly the neighbors who are close by, but to the whole Village, what harm or challenges will impact the rest of the folks that don't -- aren't the applicant.

And so my point is, is our job is to try to work towards a balance. And that the relief asked for in this application, they're very substantial the variances requested, and they seem -- especially I don't think just about the time there's a fire. I think about the daily lives of
the people who live there, in and out, trying --
and the snow, I'm glad someone mentioned the snow.
But just in and out, and the people who are walking
in the street, particularly children, how you
maneuver around and get in and out, that happens
many times every day. So there are reasons that I
find this not a balance that is easy to say, "Well,
fine, this will work." It doesn't, in my view,
work in this case. I'm done.

CHAIRMAN SALADINO: Good job.

MS. NEFF: Okay.

CHAIRMAN SALADINO: I have one or two
thoughts, and then we'll let the people -- we'll
vote and we'll let the people go, if I'm the last
guy, I'm not sure.

I just -- I'm looking at the public notice,
and I'm going to vocalize it, because I think the
numbers will stand out more than most of what I can
say.

For Lot 2, it's a 46% variance for lot
coverage. I don't think there's anybody, including
the applicant or his attorney, that would dispute
that that's substantial. The lot depth, it's
asking for a 50-foot variance. It's supposed to be
100 feet, they're asking for an area variance of 50
feet. The cottage is 15 feet from the front property line, when it should be 30. Fifty percent is considerable. The cottage is 10 feet from the rear property line, when it should be 30, when it -- and requiring a 20-foot variance, considerable. The one story frame house has got 695 square feet of livable space. It needs a 304 square foot variance. Somebody do the math, 45%, considerable variance. I think in the totality of these variances -- and that's not even addressing Lot No. 1. I think sometimes too small is just too small.

We heard about past variances that eventually -- for properties that eventually were subdivided. My father always used to tell me it's -- you know, that was then and this is now. And now, I mean, it would be easy to build a two-family house on a prairie, nobody would be offended, nobody would be inconvenienced. There would be no quality of life issues or nothing. But now, that's not what we're talking about. We're talking about building a house in a dense area, that the density does matter.

I think that -- I think that the last -- the last granted variances that eventually -- for
properties that eventually were subdivided was

MS. GORDON: Eleven.

CHAIRMAN SALADINO: 2011, I apologize. Six
years in this, in this marketplace, in this
dynamic, in this paradigm, in this Village is a
lifetime, is -- to me is a lifetime. Look, just
look at the property values, how they went up in
six years. Look at the property values, how they
went up since 2004 or 2008.

So I think -- I think sometimes applicants,
as altruistic as their motives might be, that they
want to provide housing because -- and profit is
not an issue, it's all about moral and social
issues, I think sometimes it's just too much of an
ask.

So if this Board is ready, I'm ready to read
these questions, and perhaps we can vote on this.

MS. NEFF: Yes.

CHAIRMAN SALADINO: We have to just -- just
remind, we have to do SEQRA first, and then --

MR. TASKER: Just one further comment.

CHAIRMAN SALADINO: Sure

MR. TASKER: If I may, Mr. Chairman. The
substance of what several of us have been saying
seems to me to essentially support the rubric that
is one of the key purposes of the Zoning Code,

stating explicitly in the opening remarks, and that
is the maximum preservation of residential areas.

And I think when you look at the different factors
that have been addressed by us and by the public in
terms of their comments, that is a strong
consideration in terms of the decision we're about
to make.

One minor correction to one of Mr. Corwin's
remarks, the first Zoning Code was instituted in
1949. There was only one Residential District in
the Village, it was called R-1, but it permitted
both one and two-family houses, plus churches and
schools, and the same litany of things that I think
are present now. So it was not until some time
later, I don't know exactly when, that a specific
zone was created that permitted only one-family
houses. So, originally, it was both one and
two-family houses. Whether that makes a difference
or not, but it's part of the history. Thank you.

CHAIRMAN SALADINO: So what's the pleasure of
the Board?

MR. CORWIN: Let's move on.

MR. TASKER: Let's move, yeah.
CHAIRMAN SALADINO: Okay. I'm going to read these questions.

First, we're going to do SEQRA. We're going to declare the Zoning Board of Appeals Lead Agency and declare this a Type II Action. I'm looking to the Attorney for help.

MR. PROKOP: That's correct.

CHAIRMAN SALADINO: Okay.

MR. PROKOP: It's a Type II Action because it's residential area variances only.

CHAIRMAN SALADINO: For one, two and three-family.

MR. PROKOP: Although there's multiple variances, there's -- they are residential only. And I think for that reason, it's a Type II Action, residential having to do with a residence.

MS. WINGATE: They're all area variances.

MR. PROKOP: Pardon me?

MS. WINGATE: They're all area variances.

MR. PROKOP: And they're all area variances.

CHAIRMAN SALADINO: I'll make that motion. Mr. Corwin?

MR. TASKER: I'll second.

CHAIRMAN SALADINO: I'm sorry. Arthur seconded it. Mr. Corwin.
MR. CORWIN: Yes.
CHAIRMAN SALADINO: Diana.
MS. GORDON: Yes.
CHAIRMAN SALADINO: Ellen.
MS. NEFF: Yes.
CHAIRMAN SALADINO: Arthur.
MR. TASKER: Yes.
CHAIRMAN SALADINO: And I'm going to vote yes.

Question one is whether an undesirable change will be produced in the character of the neighborhood, or a detriment to nearby properties will be created by granting the area variance?

David?

MR. CORWIN: Yes.
MR. PROKOP: Basically, are you doing this -- you're doing it for the variances individually or as a group? I'm sorry.
CHAIRMAN SALADINO: We were doing them as a group.

MR. PROKOP: Okay.
CHAIRMAN SALADINO: Is that --
MS. NEFF: Right, right.
MR. PROKOP: Okay.
CHAIRMAN SALADINO: Well, I'll ask the
Attorney, is that appropriate?

MR. PROKOP: I think it's -- you -- I mean, technically, you have a choice, but I think in -- I'm sorry to say, I think in this case you might want to do them individually. I'm sorry to say that at a quarter of 10, but it's the difference between 11 o'clock and 1 o'clock.

CHAIRMAN SALADINO: I don't have enough score sheets.

MS. WINGATE: I do.

CHAIRMAN SALADINO: I'm only kidding, I'm only kidding.

MR. PROKOP: If you wouldn't mind taking them individually.

MS. WINGATE: I have no comment.

MR. PROKOP: I think you need to do them as a group.

MR. TASKER: I agree.

MR. PROKOP: Excuse me, I apologize. You need to do them individually.

CHAIRMAN SALADINO: Okay.

MR. TASKER: I agree.

MR. PROKOP: You can vote on that also. That's something -- it really should be a motion as to how you handle them. I mean, I recommend that
CHAIRMAN SALADINO: Well, I'm going to defer
to the Attorney. If the Attorney's legal opinion
is that we do nine variances individually, I don't
think we need a motion, we'll just -- we'll just do
that.

MS. NEFF: I can't recall a time that we did
that in that fashion.
MR. SWISKEY: I can't either.
MS. NEFF: I really --
CHAIRMAN SALADINO: Yeah, we did. We just
did it.
MS. NEFF: I find this very confusing.
MS. WINGATE: We always do.
CHAIRMAN SALADINO: We just did it with SSJD.
MR. PROKOP: We just did it with the last
one.
MS. NEFF: Well, that was a very different
project and it addressed over --
MR. PROKOP: It's up to the Board.
MR. CORWIN: Well, I make a motion that we do
them individually.
MS. GORDON: Second.
MR. TASKER: Aye.
CHAIRMAN SALADINO: All right. All in favor?
MR. CORWIN: Aye.

MS. GORDON: Aye.

MR. TASKER: Aye.

MS. NEFF: Opposed.

CHAIRMAN SALADINO: Any opposed?

MS. NEFF: Aye, I'm opposed.

CHAIRMAN SALADINO: Diana?

MS. GORDON: No, it's fine. Yes. I'm a yes.

CHAIRMAN SALADINO: I'm going to vote yes.

I'm going to take the Attorney's advice, even though I pretend to be an attorney. I'm going to have to get the list of the variances requested.

MR. SWISKEY: I'll take a nap.

MS. GORDON: It's 4 to 1.

CHAIRMAN SALADINO: It's -- I'm sorry.

MS. GORDON: Did you want --

CHAIRMAN SALADINO: I have them, I have them here. I have them here. I'll read them from the -- I have the public notice.

MS. WINGATE: Can we just number them?

MS. NEFF: Yes.

CHAIRMAN SALADINO: Can we number them one through nine on the public notice?

MS. WINGATE: Eight, yes.

MS. GORDON: We have eight here.
CHAIRMAN SALADINO: One through eight on the public notice? And the first guy I catch sleeping gets ejected. If we got to stay up, you got to stay up, too.

MS. GORDON: Lucky guy.

MS. WINGATE: Okay. Number one.

CHAIRMAN SALADINO: Number one, the proposed subdivision creates Lot 1, which has an area -- has an area of 5,389.5 square feet, where Section 150-12(A) requires a minimum lot size of 7500 square feet. The proposal requires a minimum lot area variance of 2,110 1/2 square feet.

MR. CORWIN: Let me get on the right page here.

MS. GORDON: Yeah, that's the right page.

CHAIRMAN SALADINO: Okay. We can do SEQRA for the whole application, right, Joe?

MR. PROKOP: SEQRA for the whole application, right.

CHAIRMAN SALADINO: Okay.

MR. CORWIN: Can we -- since we're doing it this way, can we have a voice vote rather than a roll call vote?

MR. PROKOP: Yes.

MR. CORWIN: Or does it matter?
CHAIRMAN SALADINO: Only for the score sheet.

MS. WINGATE: I got it.

CHAIRMAN SALADINO: Eileen says she's got it, so we'll do --

MS. WINGATE: I'm going to pay attention, and then --

CHAIRMAN SALADINO: Okay. Squared away?

We'll read the question. This is for the variance for Lot 1 that I just read.

Whether an undesirable change will be produced in the character of the neighborhood, or a detriment to nearby properties will be created by granting an area variance?

I got to call the roll, because I don't know how to take -- I don't know how to take a voice vote for this. So David?

MR. CORWIN: Yes.

CHAIRMAN SALADINO: Diana.

MS. GORDON: Yes.

CHAIRMAN SALADINO: Ellen.

MS. NEFF: Yes.

CHAIRMAN SALADINO: Arthur.

MR. TASKER: Yes.

CHAIRMAN SALADINO: And I'm going to vote yes.
Whether the benefit sought by the applicant can be achieved by some method feasible for the applicant to pursue other than an area variance? David?

MR. CORWIN: No.
MS. GORDON: No.
MS. NEFF: No.
CHAIRMAN SALADINO: Arthur.
MR. TASKER: No.
CHAIRMAN SALADINO: And I'm going to make it a no.

Whether the requested area variance is substantial? David.

MR. CORWIN: Yes.
MS. GORDON: Yes.
CHAIRMAN SALADINO: Dinni.
MS. NEFF: Yes.
MR. TASKER: Yes.
CHAIRMAN SALADINO: And Saladino will be yes.

Whether the proposed variance will have an adverse effect or impact on the physical or environmental conditions in the neighborhood or district? David?

MR. CORWIN: I'm going to vote that yes, it
will. And I'm going to note that it's already a
very dense area, this avenue is, and this will only
intensify the density.

CHAIRMAN SALADINO: Diana.

MS. GORDON: Yes.

MS. NEFF: Yes.


MR. TASKER: Yes.

CHAIRMAN SALADINO: And I'll vote yes.

MS. WINGATE: Can you speak up, John?

CHAIRMAN SALADINO: I'm sorry.

MS. WINGATE: Only for yourself.

CHAIRMAN SALADINO: I'm sorry.

MS. NEFF: Just you, just you.

CHAIRMAN SALADINO: I'll move this over.

MS. WINGATE: I got the yes.

CHAIRMAN SALADINO: Whether the -- whether
the alleged difficulty was self-created, which
consideration shall be relevant to the decision of
the Board of Appeals, but shall not necessarily
preclude the granting of the area variance? David.

MR. CORWIN: Yes.

CHAIRMAN SALADINO: Diana.

MS. GORDON: Yes.

MS. NEFF: Yes.
CHAIRMAN SALADINO: Ellen is jumping the gun.
Yes. Arthur.

MR. TASKER: Yes.

CHAIRMAN SALADINO: And John will vote yes.
I'm going to make a motion to approve the requested variance.

MR. TASKER: Second.

CHAIRMAN SALADINO: David.

MR. CORWIN: Say this to me again. A motion to approve?

CHAIRMAN SALADINO: Approve the requested variance.

MR. CORWIN: No.

CHAIRMAN SALADINO: Diana.

MS. GORDON: No.

CHAIRMAN SALADINO: Ellen.

MS. NEFF: No.

CHAIRMAN SALADINO: Arthur.

MR. TASKER: No.

CHAIRMAN SALADINO: And Saladino will vote no.

MR. CORWIN: I heard somebody say yes, which totally confused me.

MS. NEFF: No, everybody said no.

MR. CORWIN: No. But, I mean, I'm sorry if I'm wasting time.
MS. GORDON: I understand, absolutely.

MR. CORWIN: I'm sorry.

MS. GARRIS: It was a second. It was when he seconded it.

MS. GORDON: Right, right.

MR. PROKOP: Okay. We're up to two.

MS. WINGATE: Okay. Lot width.

CHAIRMAN SALADINO: I need the score sheets.

MS. WINGATE: I got it.

CHAIRMAN SALADINO: Well, I need them to keep score.

MR. SWISKEY: Did the first variance fail?

MS. GARRIS: Yes.

MS. GORDON: Yes. We all voted no and it counted.

CHAIRMAN SALADINO: You got to pay attention, Billy, it's late.

(Laughter)

CHAIRMAN SALADINO: We're not going to -- we're not going to indulge you.

MS. WINGATE: I only have one extra.

CHAIRMAN SALADINO: I got it.

MS. GORDON: But we got to get going, we got seven more.

CHAIRMAN SALADINO: This is democracy. This
is democracy in progress.

MS. GORDON: Yeah, this is democracy.
(Laughter)

CHAIRMAN SALADINO: Whatever. Lot 1, the proposed lot width is 50 feet, where Section 150-12 Paragraph A requires a minimum lot width of 60 feet, requiring a minimum lot width variance of 10 feet.

Whether an undesirable change will be produced in the character of the neighborhood, or a detriment to nearby properties will be created by granting of the area variance? David.

MR. CORWIN: Yes.

CHAIRMAN SALADINO: Diana.

MS. GORDON: Yes.

MS. NEFF: No.

CHAIRMAN SALADINO: Ellen says no.

MR. TASKER: I say no.

CHAIRMAN SALADINO: And I'm going to say yes.

Whether the benefit sought by the applicant can be achieved by some method feasible for the applicant to pursue other than an area variance? David.

MR. CORWIN: No.

MS. GORDON: No.
MS. NEFF: No.
MR. TASKER: No.
CHAIRMAN SALADINO: And I'll vote no.

Whether the requested area variance is substantial? David.

MR. CORWIN: Yes.
CHAIRMAN SALADINO: Dinni.
MS. GORDON: Right -- I mean, yes.
MS. NEFF: No.
MR. TASKER: No.
CHAIRMAN SALADINO: And I'm going to vote no.

Whether the proposed variance will have an adverse effect or impact on the physical or environmental conditions in the neighborhood or district? David.

MR. CORWIN: I'm going to vote yes. And, once again, I'm going to say because it's a dense neighborhood and this is just going to increase the density.

CHAIRMAN SALADINO: Okay.
MS. GORDON: I'm going to vote no on this one.
MS. NEFF: No.
MR. TASKER: No.
CHAIRMAN SALADINO: I'm going to vote yes.
Whether the alleged difficulty was self-created, which consideration shall be relevant to the decision of the Board of Appeals, but shall not necessarily preclude the granting of the area variance? David,

MR. CORWIN: Yes.

CHAIRMAN SALADINO: Dinni,

MS. GORDON: Yes

MS. NEFF: Yes

MR. TASKER: Yes.

CHAIRMAN SALADINO: And I'll vote yes.

I want to make a motion to approve the requested variance. Is there a second?

MR. CORWIN: Second.

CHAIRMAN SALADINO: David.

MR. CORWIN: No.

CHAIRMAN SALADINO: Dinni.

MS. GORDON: No.

CHAIRMAN SALADINO: Ellen.

MS. NEFF: I'd like to say that I'm confused about what we are doing. We're talking about the 10 feet, and that's why this -- splitting this up this way, I don't know.

MR. SWISKEY: It's insane.

MS. NEFF: I am sorry, I don't understand.
CHAIRMAN SALADINO: You could always abstain.

MS. NEFF: I abstain.

MR. TASKER: No.

CHAIRMAN SALADINO: And I'm going to vote no.

Moving on.

MS. WINGATE: Lot coverage.

CHAIRMAN SALADINO: Lot 1, lot coverage. The proposed lot coverage is 37% (2,024 square feet).

Section 150-12(A) of the Village of Greenport Code limits the maximum lot coverage to 35% for a two-family house in the R-2 District, requiring a lot coverage area variance of 2% (107.75 square feet).

Whether an undesirable change will be produced in the character of the neighborhood, or a detriment to nearby properties will be created by granting of the area variance? David.

MR. CORWIN: I'm going to say, an undesirable change, I'm going say no on this one.

MS. GORDON: No.

MS. NEFF: No.

MR. TASKER: No.

CHAIRMAN SALADINO: Arthur votes no, and Saladino votes no.

Whether the benefit sought by the applicant
can be achieved by some method feasible for the applicant to pursue other than an area variance?

David.

MR. CORWIN: No.
MS. GORDON: No.
MS. NEFF: No.
MR. TASKER: No.
CHAIRMAN SALADINO: And I'll vote no.
Whether the requested area variance is substantial? Mr. Corwin.

MR. CORWIN: No.
MS. GORDON: No.
MS. NEFF: No.
MR. TASKER: No.
CHAIRMAN SALADINO: And I'll vote no.
Whether the proposed variance will have an adverse effect or impact on the physical or environmental conditions in the neighborhood or district? David.

MR. CORWIN: No.
MS. GORDON: No.
MS. NEFF: No.
MR. TASKER: No.
CHAIRMAN SALADINO: And I'll vote no.
Whether the alleged difficulty was
self-created, which consideration shall be relevant to the decision of the Board of Appeals, but not necessarily preclude the granting of the area variance? David.

MR. CORWIN: Yes.

CHAIRMAN SALADINO: Diana.

MS. GORDON: No.

MS. NEFF: No.

MR. TASKER: Yes.

CHAIRMAN SALADINO: And I vote yes. I'm going to make a motion to approve the requested variance.

MR. TASKER: Second.

CHAIRMAN SALADINO: David.

MR. CORWIN: No.

CHAIRMAN SALADINO: Diana.

MS. GORDON: No.

MS. NEFF: No.

MR. TASKER: No.

CHAIRMAN SALADINO: And I'm going to vote no.

Moving on. Lot 2, Item 1. The proposed subdivision creates Lot 2, which has an area of 4,026 square feet, where Section 150-12(A) of the Village of Greenport Code requires a minimum lot size of 7,500 square feet, requiring a minimum lot
size variance of 3,474 square feet.

Whether an undesirable change will be
produced in the character of the neighborhood, or a
detriment to nearby properties will be created by
the granting of the area variance? David.

MR. CORWIN: Yes.

MS. GORDON: Yes.

MS. NEFF: Yes.

CHAIRMAN SALADINO: Arthur.

MR. TASKER: Yes.

CHAIRMAN SALADINO: And I'll vote yes.

Whether the benefit sought by the applicant
can be achieved by some method feasible for the
applicant to pursue other than an area variance?

David.

MR. CORWIN: No.

CHAIRMAN SALADINO: Diana.

MS. GORDON: No.

MS. NEFF: No.

MR. TASKER: No.

CHAIRMAN SALADINO: And I'll vote no.

Whether the requested area variance is
substantial? David.

MR. CORWIN: Yes.

MS. GORDON: Yes.
Whether the proposed variance will have an adverse effect or impact on the physical or environmental conditions in the neighborhood or district? Mr. Corwin.

MR. CORWIN: Yes, it will. And, once again, I would refer to the density that it will create in the neighborhood. It is already dense.

MS. GORDON: Yes.

MS. NEFF: Yes.

MR. TASKER: Yes.

CHAIRMAN SALADINO: And I'll vote yes.

Whether the alleged difficulty was self-created, which consideration shall be relevant to the decision of the Board of Appeals, but not necessarily preclude the granting of the area variance? David?

MR. CORWIN: Yes.

MS. GORDON: Yes.

MS. NEFF: Yes.

MR. TASKER: Yes.

CHAIRMAN SALADINO: And I'll vote yes.

And I make a motion to approve the requested
MR. TASKER: Second.

CHAIRMAN SALADINO: David.

MR. CORWIN: No.

MS. GORDON: No.

MS. NEFF: No.

MR. TASKER: No.

CHAIRMAN SALADINO: I guess I will vote no.

Moving on.

MR. SWISKEY: Four more to go.

CHAIRMAN SALADINO: The proposed lot depth is 50 feet, where section 150-12 Paragraph A requires a minimum lot depth of 100 square feet -- of 100 feet.

MS. NEFF: A hundred feet.

CHAIRMAN SALADINO: Requiring an area variance of 50 feet.

Whether an undesirable change will be produced in the character of the neighborhood, or a detriment to nearby properties will be created by granting the area variance? David.

MR. CORWIN: Yes.

MS. GORDON: Yes.

MS. NEFF: Yes.

MR. TASKER: Yes.
CHAIRMAN SALADINO: And I'll vote yes.
Whether the benefit sought by the applicant can be achieved by some method feasible for the applicant to pursue other than an area variance?
David.

MR. CORWIN: No.
MS. GORDON: No.
MS. NEFF: No.
MR. TASKER: No.

CHAIRMAN SALADINO: And I'm going to vote no.
Whether the requested area variance is substantial?
David.

MR. CORWIN: Yes.
MS. GORDON: Yes.
MS. NEFF: Yes.
MR. TASKER: Yes.

CHAIRMAN SALADINO: And I'll vote yes.
Whether the proposed variance will have an adverse effect or impact on the physical or environmental conditions in the neighborhood or district? Mr. Corwin.

MR. CORWIN: Yes. And, once again, I note the neighborhood is already very dense.

MS. NEFF: Yes.

CHAIRMAN SALADINO: Diana.
MS. GORDON: Yes.

CHAIRMAN SALADINO: Yes. Ellen, yes.

Arthur.

MR. TASKER: Yes.

CHAIRMAN SALADINO: And I'll vote yes.

Whether the alleged difficulty was self-created, which consideration shall be relevant to the decision of the Board of Appeals, but not necessarily preclude the granting of the area variance? David.

MR. CORWIN: Yes.

MS. GORDON: Yes.

MS. NEFF: Yes.

MR. TASKER: Yes.

CHAIRMAN SALADINO: And I'll vote yes.

I'm going to make a motion to approve the requested variance.

MR. TASKER: Second.

CHAIRMAN SALADINO: David.

MR. CORWIN: No.

MS. GORDON: No.

MS. NEFF: No.

MR. TASKER: No.

CHAIRMAN SALADINO: And I'll vote no.

Number 3, Eileen?
MS. WINGATE: Number 6 is --

MS. GORDON: Fifteen feet from the front.

CHAIRMAN SALADINO: I have it, I have it.

MS. WINGATE: -- the front yard setback.

CHAIRMAN SALADINO: The proposed cottage is 15 feet from the front (west) property line, where section 150-12(A) of the Village of Greenport Code requires a minimum 30-foot front yard setback, requiring a 15-foot front yard setback.

Whether an undesirable change will be produced in the character of the neighborhood, or a detriment to nearby properties will be created by granting the area variance? Mr. Corwin.

MR. CORWIN: Yes.

MS. GORDON: Yes.

MS. NEFF: Yes.

MR. TASKER: Yes.

CHAIRMAN SALADINO: And I'll vote yes.

Whether the benefit sought by the applicant can be achieved by some method feasible for the applicant to pursue other than an area variance? David.

MR. CORWIN: No.

MS. GORDON: No.

MS. NEFF: No.
MR. TASKER: No.

CHAIRMAN SALADINO: Okay, okay, okay. And I'll vote no. I can't write that fast.

Whether the requested area variance is substantial? David.

MR. CORWIN: Yes.

CHAIRMAN SALADINO: Diana.

MS. GORDON: Yes.

MS. NEFF: Yes.

MR. TASKER: Yes.

CHAIRMAN SALADINO: And I'll vote yes.

Whether the proposed variance will have an adverse effect or impact on the physical or environmental conditions in the neighborhood or district? Mr. Corwin.

MR. CORWIN: Yes. Once again, I note the dense neighbor.

MS. GORDON: Yes.

MR. CORWIN: Neighborhood.

MS. NEFF: Yes.

CHAIRMAN SALADINO: Diana is yes. Ellen.

MS. NEFF: Yes.

CHAIRMAN SALADINO: Arthur.

MR. TASKER: Yes.

CHAIRMAN SALADINO: And I'm going to vote

Zoning Board of Appeals 2/21/17

(631) 727-1107
Was the alleged difficulty self-created? Can I abbreviate that for the folks?

MS. GORDON: Yeah.

CHAIRMAN SALADINO: Was the alleged difficulty -- whether the alleged difficulty was self-created?

MS. NEFF: That's enough

CHAIRMAN SALADINO: Okay. David.

MR. CORWIN: Yes.

MS. GORDON: Yes.

MS. NEFF: Yes.

MR. TASKER: Yes.

CHAIRMAN SALADINO: And I believe I'll vote yes.

I'm going to make a motion to approve the requested variance.

MR. TASKER: So moved, second.

CHAIRMAN SALADINO: David.

MR. CORWIN: No.

MS. GORDON: No.

MS. NEFF: No.

MR. TASKER: No.

CHAIRMAN SALADINO: And I'll vote no.

MS. GORDON: We're getting there.

MS. NEFF: Ten feet from the rear.
CHAIRMAN SALADINO: The proposed cottage is
10 feet from the rear (east) property line, where
section 150-12(A) of the Village of Greenport Code
requires a minimum 30-foot rear yard setback,
requiring a 20-foot rear yard setback variance.

Whether an undesirable change will be
produced in the character of the neighborhood, or a
detriment to nearby properties will be created by
granting of an area variance? David.

MR. CORWIN: Yes.
MS. GORDON: Yes.
MS. NEFF: Yes.
MR. TASKER: Yes.

CHAIRMAN SALADINO: And I'll vote yes.

Whether the benefit sought by the applicant
can be achieved by some method feasible for the
applicant to pursue other than an area variance?

David.

MR. CORWIN: No.
MS. GORDON: No.
MS. NEFF: No.
MR. TASKER: No.
MS. GORDON: We're getting faster and faster.
MR. TASKER: We're getting our -- we're
going our act together.
CHAIRMAN SALADINO: And I vote no.

Whether the requested area variance is substantial? David.

MR. CORWIN: Yes.

MS. GORDON: Yes.

MS. NEFF: Yes.

MR. TASKER: Yes.

CHAIRMAN SALADINO: And I'll vote yes.

Whether the proposed variance will have an adverse effect or impact on the physical or environmental conditions in the neighborhood or district? Mr. Corwin.

MR. CORWIN: Yes.

MS. GORDON: Yes.

MS. NEFF: Yes.

CHAIRMAN SALADINO: Wait. No sidebar on that? No --

(Laughter)

MR. CORWIN: Well, it is a very dense neighborhood on Fifth Avenue.

(Laughter)

And this will have an adverse effect in terms of density and quality of life.

CHAIRMAN SALADINO: I didn't want you -- I didn't want you to forget to say that. Diana voted
MS. GORDON: Yes.
CHAIRMAN SALADINO: Ellen.
MS. NEFF: Yes.
CHAIRMAN SALADINO: Arthur.
MR. TASKER: Yes.
CHAIRMAN SALADINO: And I'll vote yes.

Whether the alleged difficulty was self-created? David.
MR. CORWIN: Yes.
MS. GORDON: Yes.
MS. NEFF: Yes.
MR. TASKER: Yes.
CHAIRMAN SALADINO: And I'll vote yes. I'm going to make a motion to approve the requested variance.
MR. TASKER: Second.
CHAIRMAN SALADINO: David.
MR. CORWIN: No.
MS. GORDON: No.
MS. NEFF: No.
MR. TASKER: No.
CHAIRMAN SALADINO: And I'm going to vote no.
MR. SWISKEY: Down to the last one.
MS. NEFF: No, two more.
CHAIRMAN SALADINO: No, one more.

MS. NEFF: Oh, no, you're right.

MS. WINGATE: Give a little space.

CHAIRMAN SALADINO: One more.

The proposed one-story frame house is 800 square feet, with 695.5 square feet of livable space, where Section 150(A) of the Village of Greenport Code requires -- 150(A)? Is there a -- is there a --

MR. PROKOP: 12(A). It should be 150-12(A).

MS. WINGATE: 12(A).

CHAIRMAN SALADINO: 150-12(A) of the Village of Greenport Code requires a one-family dwelling located in the R-2 District to have 1,000 square feet of livable floor area, requiring a minimum livable space variance of 304.5 square feet.

Whether an undesirable change will be produced in the character of the neighborhood, or a detriment to nearby properties will be created by granting of the area variance? David.

MR. CORWIN: Yes.

MS. GORDON: Yes.

MS. NEFF: Yes.

MR. TASKER: Yes.

CHAIRMAN SALADINO: I'm going to vote yes.
Whether the benefit sought by the applicant can be achieved by some method feasible for the applicant to pursue other than an area variance?

Mr. Corwin.

MR. CORWIN: No.
MS. GORDON: No.
MS. NEFF: No.
MR. TASKER: Yes.
CHAIRMAN SALADINO: I'm going to vote no.

Whether the requested area variance is substantial? David.

MR. CORWIN: Yes.
MS. GORDON: Yes.
MS. NEFF: Yes.
MR. TASKER: Yes.
CHAIRMAN SALADINO: And I'll vote yes.

Whether the proposed variance will have an adverse effect or impact on the physical or environmental conditions in the neighborhood or district? Mr. Corwin.

MR. CORWIN: Yes.
MS. GORDON: Yes.
MS. NEFF: Yes.
MR. TASKER: Yes.
CHAIRMAN SALADINO: And I'll vote yes.
Was the alleged -- whether the alleged difficulty was self created? David.

MR. CORWIN: Yes.
MS. GORDON: Yes.
MS. NEFF: Yes.
MR. TASKER: Yes.
CHAIRMAN SALADINO: And I'll vote yes.
I'm going to make a motion to approve the requested variance.

MR. TASKER: Second.
CHAIRMAN SALADINO: David.
MR. CORWIN: No.
MS. GORDON: No.
MS. NEFF: No.
MR. TASKER: No.
CHAIRMAN SALADINO: And I'll vote no.
Item #9, motion to adjourn.
MR. CORWIN: Wait. Can I just --
MR. SWISKEY: When can we expect a marked up agenda?
CHAIRMAN SALADINO: Wait, wait, wait. I'm sorry, David. David.
MR. CORWIN: We've come this far.
CHAIRMAN SALADINO: Folk, folks, folks, one second, one second, one second.
MR. CORWIN: We've come this far. We've come this far. Maybe we should --

CHAIRMAN SALADINO: Guys, guys, wait one second. What is it, David?

MR. CORWIN: We've come this far. Maybe we should take up the other one, too.

MS. GORDON: The what?

MS. NEFF: No.

CHAIRMAN SALADINO: I'll take a sense of the Board. Does this Board want to address -- David, I've got to be honest with you, I think there's going to be a lot more discussion than just the five questions and stuff.

MR. CORWIN: All right.

CHAIRMAN SALADINO: I think next month. You know, I can ask the Building Inspector if she has a sense of what our calendar, our agenda would look like next month.

MS. WINGATE: It's getting spring. Right now I think there's two new applications.

MS. NEFF: But we haven't accepted them yet.

MS. WINGATE: It's hard to say.

CHAIRMAN SALADINO: So all we have is the public hearing and --

MS. WINGATE: Yes.
CHAIRMAN SALADINO: -- proposed applications?

MS. WINGATE: Yes.

CHAIRMAN SALADINO: Oh. No, I think we'll take it up next month, David.

MR. CORWIN: Okay.

CHAIRMAN SALADINO: So where was I?

MR. SWISKEY: Motion to adjourn.

MS. NEFF: Yes.

CHAIRMAN SALADINO: Motion to adjourn. Is there a second?

MS. NEFF: Second.

CHAIRMAN SALADINO: All in favor?

MR. CORWIN: Aye.

MS. GORDON: Aye.

MS. NEFF: Aye.

MR. TASKER: Aye.

CHAIRMAN SALADINO: Aye. We're adjourned.

Thank you, folks.

(The meeting was adjourned at 10:10 p.m.)
CERTIFICATION

STATE OF NEW YORK )
) SS:
COUNTY OF SUFFOLK )

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

THAT, the above and foregoing contains a true and correct transcription of the proceedings taken on February 21, 2017.

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 5th day of March, 2017.

Lucia Braaten

Lucia Braaten

Zoning Board of Appeals 2/21/17
(631) 727-1107
5
5,049 [1] - 48.9
5,051 [1] - 48:11
5,389.5 [1] - 169:9
5,775 [2] - 53:1, 53.2
5-111 [1] - 2:11
5-foot-4 [1] - 51.7, 63:21, 81.4, 82:19
50% [9] - 80:19, 129:2
50.22 [1] - 50:18
50.24 [1] - 50:17
500 [9] - 51:3, 51.4
51 [1] - 113:4
519 [1] - 52:22
52 [1] - 52:20
52.35 [1] - 63:13
525 [1] - 50:10
5:30 [1] - 38:23
5th [1] - 197:18

6
6,509 [1] - 53:19
6,900 [1] - 50:15
6-foot [1] - 53:22
600 [1] - 50:15
602 [1] - 50:22
695.5 [1] - 192:6
6:00 [1] - 1:9
6:04 [1] - 3:1

7
7 [3] - 2:15, 51:24, 144:19
7.10 [1] - 63:20
7.65 [1] - 63:16
700 [1] - 142:25

8
8,160 [1] - 50:14
8-foot [1] - 52:21
800 [1] - 192:5
800-square-foot [1] - 134:12
8:15 [1] - 111:23
8:27 [1] - 111:24

9
913 [1] - 63:8
95 [1] - 52.19

A
abbreviate [1] - 188:3
abstention [1] - 4:5
ACCEPT [1] - 2:5
accept [1] - 3:8
accepted [1] - 195:21
access [1] - 132:23
accomplish [1] - 127:1
account [1] - 77:2
accusations [1] - 66:1
accused [1] - 76:20
acreage [1] - 133:6
Action [1] - 164:5,


Chairman’s [1] - 80:11

challenges [1] - 159:17

chances [3] - 26:12, 26:20, 26:25

change [20] - 16:4,
covered [1] - 126:25
craft [1] - 155:25
crap [1] - 142:17
crash [1] - 103:22
creation [1] - 52:17
creed [1] - 34:14
criteria [1] - 106:18
cry [1] - 156:25
cumulative [6] - 64:8, 80:15, 80:21, 83:1
curb [1] - 33:22
curve [1] - 87:4
customer [1] - 85:4
cut [1] - 139:20

dad [1] - 99:11
dam [1] - 31:25
dangerous [1] - 93:4
daughter's [1] - 16:18
dughters [1] - 123:24

David's [2] - 84:11

Flynn Stenography & Transcription Service
(631) 727-1107
demonstrate [1] - 69:21
demonstrating [1] - 30:11
dents [1] - 31:7
dept [1] - 36:24
departments [1] - 131:11
described [1] - 8:5
description [1] - 2:3
deserve [1] - 118:20
desk [1] - 97:11
destroyed [1] - 77:13
detached [1] - 104:23
developers [1] - 158:2
deviate [1] - 57:1
die [1] - 129:19
difficult [1] - 150:24
dig [1] - 34:1
digging [1] - 33:1
dime [1] - 33:17
DINN [1] - 1:19
directly [1] - 6:16
disagree [1] - 73:22
discern [1] - 90:3
discuss [2] - 7:4, 146:10
discussing [2] - 7:1, 36:2
discussions [1] - 36:19
dislike [1] - 34:20
disrespectful [1] - 119:9
distance [1] - 122:1
distinguishable [1] - 82:14
distributed [1] - 10:14
ditto [1] - 118:10
divided [1] - 156:16
dogs [1] - 40:16
dollar [2] - 84:10, 84:11
dollars [1] - 88:3
doubt [1] - 47:8
downhill [1] - 38:15
downstairs [4] - 7:18, 10:2, 11:9, 11:10
downtown [1] - 150:16
drastic [1] - 64:4
drawing [1] - 106:16
drawn [1] - 106:12
driver [1] - 24:9
driveways [1] - 93:1
duck [1] - 27:19
ducks [1] - 159:11
Zoning Board of Appeals 2/21/17

208

<table>
<thead>
<tr>
<th>Page</th>
<th>Line</th>
<th>Term</th>
<th>Page</th>
<th>Line</th>
<th>Term</th>
<th>Page</th>
<th>Line</th>
<th>Term</th>
<th>Page</th>
<th>Line</th>
<th>Term</th>
</tr>
</thead>
<tbody>
<tr>
<td>193:1</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

G


H

Zoning Board of Appeals 2/21/17

Flynn Stenography & Transcription Service
(631) 727-1107
Stenography Service
Board Transcription
Appeals

nearby
nature
narrower
name
nail
myriad
Myers

multi
multiple

Myers
myriad

N
nail
nails
name
narrow
narrower
nasty
nature
near
nearly
necessary
need
needs
need

NEFF
NEFF

negative
neighbor
neighborhood
neighborhood
neighborhood
neighborhood

neighbors
neighbors

new
never

NEW
New

NOTICE
NOTICE

NOTICE
noticed
noticed

notice
noticed
notice

nothing

November

flynn stenography & transcription service
631-727-1107
168:11 policy [t] - 35:6
prettv [b] - 6:18, 38:18, 98:14, 122:6, 143:20
previous [p] - 10:25, 118:16
pride [t] - 34:5, 34:6
prima/vy [t] - 150:7
princess [t] - 108:9
prints [t] - 141:22
privacy [a] - 17:24, 121:24, 122:10, 125:1
proceed [p] - 80:13, 94:12
proceeded [t] - 106:18
proceeding [t] - 80:12
proceedings [t] - 197:11
protection [t] - 17:23, 124:25
protecting [t] - 16:1
protection [p] - 18:1, 125:3
proud [t] - 39:19
provide [t] - 37:20, 119:16, 162:13
provides [t] - 141:8
proximity [a] - 81:7, 116:9
PUBLIC [a] - 2:8, 2:11, 2:13
Public [p] - 5:21, 197:8
public’s [t] - 119:11
pulled [p] - 6:21, 109:1
purchase [t] - 120:11
purchased [p] - 120:12, 120:18
purchasing [t] - 120:13
pure [t] - 33:18
purpose [t] - 36:5
pursuant [t] - 140:8
pursue [p] - 171:3, 175:22, 179:2, 181:14, 184:4,
Zoning Board of Appeals 2/21/17

Flynn Stenography & Transcription Service
(631) 727-1107

### Z

- ZBA [17]
- ZONE [19]
- ZONING [5]

**Flynn Stenography & Transcription Service**

(631) 727-1107