

1 VILLAGE OF GREENPORT
 2 COUNTY OF SUFFOLK STATE OF NEW YORK
 3 -----X
 4 ZONING BOARD OF APPEALS
 5 REGULAR MEETING
 6 -----X

7
 8 February 21, 2017
 9 6:00 P.M.
 10
 11 Third Street Fire Station
 12 Greenport, New York
 13

14
 15 B E F O R E:

- 16
 17 JOHN SALADINO - Chairman
 18 DAVID CORWIN - Member
 19 DINNI GORDON - Member
 20 ELLEN NEFF - Member
 21 ARTHUR TASKER - Member
 22
 23 JOSEPH PROKOP - Village Attorney
 24 EILEEN WINGATE - Village Building Inspector
 25

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		#1		ACCEPT MINUTES 1/17/17																					
		#2		APPROVE MINUTES 12/20/16																					
		#3		NEXT MEETING 3/21/17																					
		#4		NOTICE AND SCHEDULE PUBLIC HEARING																					
				FOR AN INTERPRETATION OF																					
				CHAPTER 150-18																					
		#5		CONTINUATION OF PUBLIC HEARING																					
				ON 221 FIFTH AVENUE (OLINKIEWICZ)																					
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1 (THE MEETING WAS CALLED TO ORDER AT 6:04 P.M.)

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

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

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

11 MS. NEFF: Second.

12 MS. GORDON: Second.

13 CHAIRMAN SALADINO: All in favor?

14 MR. CORWIN: Aye.

15 MS. GORDON: Aye.

16 MS. NEFF: Aye.

17 MR. TASKER: Aye.

18 CHAIRMAN SALADINO: Aye. Any opposed?

19 (No Response)

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

23 MS. GORDON: Second.

24 CHAIRMAN SALADINO: All in favor?

25 MS. GORDON: Aye.

1 MS. NEFF: Aye.

2 MR. TASKER: Aye.

3 CHAIRMAN SALADINO: Aye. Any opposed?

4 MR. CORWIN: I abstain.

5 CHAIRMAN SALADINO: And one abstention.

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

13 MS. NEFF: Second.

14 MS. GORDON: Second.

15 CHAIRMAN SALADINO: All in favor?

16 MR. CORWIN: Aye.

17 MS. GORDON: Aye.

18 MS. NEFF: Aye.

19 MR. TASKER: Aye.

20 CHAIRMAN SALADINO: Aye. Any opposed?

21 (No Response)

22 CHAIRMAN SALADINO: Item #4, motion to notice
23 and schedule a public hearing for a request for
24
25 an interpretation by the Village of Greenport

1 Building Department. The Building Inspector is
2 requesting an interpretation of how Chapter 150-18
3 of the Village of Greenport relates to Zoning --
4 Village Zoning Districts. The requested
5 interpretation should include which zoning
6 districts should use section 150-18 as a guideline
7 for development. So moved.

8 MR. CORWIN: Second.

9 CHAIRMAN SALADINO: All in favor?

10 MR. CORWIN: Aye.

11 MS. GORDON: Aye.

12 MS. NEFF: Aye.

13 MR. TASKER: Aye.

14 CHAIRMAN SALADINO: And I'll vote aye.

15 We'll schedule that meeting for March 21st.

16 The public hearing, I'm sorry, for March 21st.

17 Item #5 is a continuation of the public
18 hearing regarding area variances sought by James
19 Olinkiewicz, 221 Fifth Avenue, Greenport, New York,
20 11944, Suffolk County Tax Map 1001-8-4-29. For the
21 public, the Public Notice, to refresh your memory,
22 is attached. Sorry.

23 Is there anyone from the public that would
24 like to make comment?

25 MR. WEISKOTT: On the --

1 CHAIRMAN SALADINO: On 221.

2 MR. WEISKOTT: On the subdivision? Yes.

3 CHAIRMAN SALADINO: On -- we're going to --
4 I'm going to say it a lot tonight, I'm sure. We're
5 not here about a subdivision.

6 MR. WEISKOTT: Oh, okay.

7 CHAIRMAN SALADINO: We're here about area
8 variances.

9 MR. WEISKOTT: Okay, variance.

10 CHAIRMAN SALADINO: Subdivision --

11 MR. WEISKOTT: Variances for the subdivision,
12 okay. Are we ready?

13 CHAIRMAN SALADINO: Just for the record.

14 MR. WEISKOTT: Okay. We're read to go. My
15 name is Jack Weiskott. I live at 229 Fifth Avenue,
16 the property directly north of 221 Fifth Avenue.
17 Since this has been going on for a while, I'd like
18 -- I'm going to be pretty brief.

19 The history of this proposal starts in 2012.
20 This is the second go-around with this. In 2012
21 into 2013, Mr. Olinkiewicz pulled his application,
22 so there was never a resolution of this. At this
23 point, this is the eighth meeting that we've had
24 with this second go-around of this subdivision.
25 I'm glad we're finally getting to the point of

1 discussing the final decision on it.

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

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

12 CHAIRMAN SALADINO: Is that on, Jeff?

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

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

17 MR. WEISKOTT: Okay. Before that meeting,
18 the downstairs neighbors had moved out. That
19 apartment was vacant. But before the meeting, we
20 got a phone call from a neighbor of ours who said,
21 "Oh, you have new neighbors, the new people are
22 moving in." And we said, "I don't think so, we
23 didn't see." "Oh", she said, "Oh, yeah, I saw
24 people, a lot of people moving and they were
25 carrying boxes and supplies and things." So we

1 said, "Oh." And then we came to the meeting and we
2 found out that there'd been an inspection. And
3 then the next day I went and looked at the
4 property, the new neighbors had not moved in. What
5 our neighbor had described seeing were people
6 moving out prior to the inspection, because the
7 inspections have to be notified in advance, you
8 can't have a surprise inspection.

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

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

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

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

1 I'm saying.

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

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

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

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

17 AUDIENCE MEMBER: Well, that works really
18 well.

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

21 MS. WINGATE: No, no.

22 MR. WEISKOTT: No.

23 MS. WINGATE: It was probably two days.

24 CHAIRMAN SALADINO: Two days. And they saw
25 the moving in or moving out one day?

1 MR. WEISKOTT: They were definitely moving
2 out, not moving in. The downstairs apartment had
3 been vacant and was still vacant.

4 CHAIRMAN SALADINO: And the time frame?

5 MR. WEISKOTT: It was a day or two.

6 CHAIRMAN SALADINO: Okay.

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

12 MS. NEFF: Well, the --

13 MR. WEISKOTT: Yes.

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

16 CHAIRMAN SALADINO: February 9th.

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

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

21 CHAIRMAN SALADINO: And January 7th.

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

24 CHAIRMAN SALADINO: February 9th.

25 MR. WEISKOTT: And the previous was an

1 earlier snowstorm in January.

2 CHAIRMAN SALADINO: January 7th, for the
3 record.

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

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

22 In 2012, when Mr. Bob white was still in good
23 health and he came to the first meeting, he used
24 the term, which I think is appropriate and
25 accurate, he said, "Our street was saturated with

1 people and cars already." When something is
2 saturated, it means you cannot add anymore to it,
3 it can't hold that volume. Now Bob White isn't
4 with us anymore, but I thought I'd mention that,
5 because I thought it was the most apt term.

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

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

18 CHAIRMAN SALADINO: Thank you.

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

21 CHAIRMAN SALADINO: Name and address.

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

23 What Jack said was right to the point. He
24 said if you do with this variance, we'd like, as a
25 community, like to see an impact study for the

1 road, for traffic and for saturation of septic.
2 From my corner at Front Street and Fifth to
3 Gagan's, which is south, every year, seven times,
4 you could look it up, we have to call septic from
5 the Village to clean it out. It's antiquated. If
6 you don't ask me, ask Skip Skrezec, because Skip
7 and Whitey do all the plumbing work down there.
8 And you put anything more over there, we're going
9 to have more problems. If it backs up, somebody is
10 going to be getting a nasty letter from my lawyer
11 to clean our place up. You know, this is
12 ridiculous.

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

1 your -- the little cop, Greg whatever.

2 MS. WINGATE: Greg Morris?

3 MR. REED: Morris. He had to go and he had
4 to nail them for a ticket for illegal registration.
5 The car had to be moved. And we've been dealing
6 with this for years. And then a couple of years
7 ago, we had a car that had no plates, no nothing,
8 had a hole in the tank, and they had to come, the
9 Fire Department had to come in with a HAZMATic
10 problem. This is stuff we've done, we've had to
11 deal with. Prior to that, there was another one.
12 When they got evicted from the place, it looked
13 like something off of Time Squares in the late
14 '70's. You had all their goods out on the side of
15 the road. We shouldn't have to deal with that. Is
16 that fair to us? It shouldn't be.

17 We just want quality of life and we're not
18 getting any. You know, I don't want to be
19 egregious about anything, but, you know, we've gone
20 on for four to five years. And back in 2012 or
21 '14, when Nyce was Mayor, I can't remember the day,
22 didn't they have a moratorium on anymore building,
23 correct?

24 CHAIRMAN SALADINO: There was a moratorium on
25 subdivisions.

1 MR. REED: All right. How -- is that still
2 in effect or --

3 CHAIRMAN SALADINO: No.

4 MR. REED: No?

5 MS. GARRIS: No, that was prior to.

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

8 MS. GARRIS: Yes.

9 MR. REED: But just -- I know you guys are
10 tired, so are we. Just be in our shoes. A lot of
11 our families, a lot of these houses are older than
12 most people, you know, from the 1800s, the late
13 1800s. A lot of families have been here forever;
14 Jesters, Millers, Goldsmith, my aunt, Marilyn
15 White, Mr. White. They're the pillar of the
16 community. You know what, enough's enough.
17 Please. Thank you.

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

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

1 this inspection. So who is he protecting?

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

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

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

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

25 There have been three car accidents within

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

7 So --

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

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

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

13 Thank you.

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

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

23 I ask that you please protect the quality of
24 life and the privacy for our neighbors on Fifth
25 Avenue. I ask that the Zoning Code be enforced for

1 maximum protection for residential property, and to
2 eliminate the nonconforming uses. Thank you.

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

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

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

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

24 Now our school taxes have already gone up.
25 Now we're going to be building more houses on more

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

19 Thank you very much.

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

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

1 CHAIRMAN SALADINO: Do you want it read?

2 MS. REA: I'll read it.

3 CHAIRMAN SALADINO: Okay.

4 MS. REA: Because it's important.

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

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

8 MR. PROKOP: No. Please, don't argue with
9 me, just let me -- excuse me. Just let me finish.
10 I'm sorry. Excuse me, please, very respectfully.

11 The public is here to comment and they
12 don't -- they're not aware yet of the letter. They
13 may want to comment about the letter. That's all I
14 wanted to say. So I think it's --

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

18 MR. PROKOP: Okay.

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

21 MS. REA: Yes.

22 CHAIRMAN SALADINO: Okay. I'm sorry, folks.

23 MR. HOLLID: It's all good. I'm sorry. Joe
24 Hollid, 415 South Street. I live around the corner
25 from Fifth.

1 And, as Michael said, you have to live in our
2 shoes, but you all do at the Board. You all live
3 in our shoes, so you know what to deal with.

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

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

19 So it is -- it's a big problem, but we've had
20 enough of space taken up. And how much more space
21 can we have taken up? You're going build houses
22 upon houses? And Mr. Olinkiewicz is -- he's like
23 that guy, he wants to have that property taken up.
24 He wants to build a cottage in back of where my
25 house is, which I don't know how that's going to

1 pan out. But I don't appreciate that, because that
2 means more cars behind me. Even though there's a
3 fence there, there's more activity, there's more
4 problems with cars sounding in the morning, getting
5 up early, whatever the case may be. And there's
6 more houses on the street itself, too.

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

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

23 CHAIRMAN SALADINO: Just so it doesn't turn
24 into a different discussion, Mr. Olinkiewicz is a
25 legal resident, he's a citizen. So --

1 MR. HOLLID: He's in Shelter Island.

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

3 (Laughter)

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

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

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

11 CHAIRMAN SALADINO: No, no, no, no passport.

12 So before we get on to a different topic,
13 you know --

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

18 CHAIRMAN SALADINO: Okay.

19 MR. HOLLID: Done. Thank you.

20 MS. ALLEN: Chatty Allen, Fifth Avenue. And
21 after next week, I will no longer be living on
22 Fifth Avenue, but I still need to say my piece.

23 I have a landlord who did not bother to clear
24 our parking area, so I've had to park on the street
25 since the last snowstorm. And at night I'll go out

1 for a ride and I'll sometimes just sit there. The
2 cars that fly up and down that road, that's partly
3 why it was brought to the Board's, the Village
4 Board's attention about maybe putting a stop sign in.

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

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

22 It's hard sometimes to even pull over to let
23 somebody -- you know, for someone to pass you. And
24 like the gentleman said, South Street, people are
25 starting to use that to get back and forth. So,

1 yeah, now between Fourth Avenue and Fifth Avenue,
2 South Street is being saturated with cars, and
3 there's cars always on both sides of those. I'm
4 getting to the point where I don't even know how to
5 get home sometimes, because the traffic is unreal.

6 But I really hope you think long and hard
7 about the quality of life for the people that live
8 on Fifth Avenue, the sewer issues that are there.
9 And there are going to be so many more issues if
10 you're going to start adding more people in an area
11 where there's already too many people. So I really
12 hope you take that into consideration and deny the
13 variances. Thank you.

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

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

21 CHAIRMAN SALADINO: When did I say that?

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

24 MR. SWISKEY: No. How many subdivisions have
25 been granted that didn't need a variance?

1 MR. PROKOP: That didn't need a variance?
2 I'm not sure. I don't keep track of them, I'm
3 sorry. I'm being told that it's two

4 MR. SWISKEY: Two out of how many?

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

6 MR. SWISKEY: Because --

7 MR. PROKOP: We can get you that information.

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

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

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

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

24 MR. SWISKEY: I realize that, but if you
25 determine he gets these variances, chances are he's

1 going to get these subdivisions, is what I'm
2 getting at. It's -- we know it. You know, we're
3 adults here.

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

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

9 CHAIRMAN SALADINO: That's the reality of the
10 situation

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

22 So you can see it with your own eyes. It's
23 in denial. I mean, to grant these is -- the
24 subdivisions for these two properties -- because
25 there will be cars parked in the street, that's

1 just common sense, we all know that.

2 And, oh, there was one other question I
3 wanted to ask you. This is just the hearing on
4 221. There's going to be another hearing on 238,
5 right?

6 CHAIRMAN SALADINO: Oh, sure.

7 MS. GORDON: Right

8 MR. SWISKEY: Where the public will be
9 allowed to speak again.

10 CHAIRMAN SALADINO: Absolutely, absolutely.

11 MR. SWISKEY: All right, because I just
12 wanted to clarify that.

13 But, you know, we required -- you know, I
14 think this is almost in the same league with the
15 hotel on Third and Front. Mr. Olinkiewicz should
16 be required to do a traffic study and a utility
17 study before he gets these subdivisions -- before
18 these variances are even considered, because there
19 may be things here that we don't know about, in
20 other words.

21 It's a four-inch water main in that block.
22 Is the Village going to change it? Because that's
23 a small main and you're overloading it right now.
24 You got a hydrant on the corner on a four-inch
25 main. You got a lot of usage that day, that

1 hydrant might not produce enough water pressure for
2 a fire truck.

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

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

10 AUDIENCE MEMBER: Move it closer.

11 MS. JAEGER: Pardon?

12 AUDIENCE MEMBER: Get closer to it.

13 MR. WEISKOTT: Get closer.

14 MS. BRAATEN: Could you just repeat your
15 name?

16 MS. JAEGER: Everyone's talking about the
17 amount of cars --

18 MR. WEISKOTT: Give your name.

19 MS. JAEGER: Huh?

20 AUDIENCE MEMBER: Your name.

21 MS. JAEGER: I gave my name.

22 MS. WEISKOTT: She didn't hear you.

23 MS. JAEGER: Oh, I'm sorry. Mary Ann Jaeger,
24 J-A-E-G-E-R.

25 AUDIENCE MEMBER: Mary Ann, we can't hear you

1 with the microphone. You got to get closer to the
2 mic.

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

5 MS. JAEGER: But I have a loud voice.

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

18 You have my next door across this way, the
19 garbage pit I call it, which is owned by Stu, has
20 got more junk over there, and it seems like people
21 are going in and out of that. That's fine. Then
22 we got the other part with eight cars. So now I
23 figured this way. If we count up the 10 that were
24 there, the eight in that place, maybe six cars in
25 and out of the other one there, we've got quite a

1 few cars. Do you know what it's like to try to
2 come out of my driveway when cars are on both
3 sides? And God forbid I should ever hit them. Oh,
4 Lord, they're all willing to sue. But, you know,
5 who's going to pay for us when they hit our cars?
6 And it's already been done. Mirrors have been
7 broken, dents in the car. Nobody stops to say,
8 "Oh, well, you know, sorry, I hit your car."

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

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

15 (Laughter)

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

24 Is it fair to us to have to live like this?
25 I pay my taxes and I damn well expect to get

1 something back for it. I get sewers that back up.
2 As I told you the last time, when that rain storm
3 came, my little garage was filled with water.
4 Never had it all these years, not even through a
5 hurricane. Now, as luck had it, most of my stuff
6 was up out of the water. And if you had to pay for
7 all my Christmas decorations, I don't think the
8 Village would be happy.

9 (Laughter)

10 CHAIRMAN SALADINO: Billy will pay.

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

15 CHAIRMAN SALADINO: Street light.

16 MS. JAEGER: Oh, yeah.

17 MS. NEFF: Yes, street light.

18 MS. JAEGER: Most of the time we get it fixed
19 very quickly. I have to say that, in all fairness,
20 but I am getting sick and tired of everything
21 breaking down. I'm sick and tired of smelling
22 sewer, and I have to call them. And one time it
23 even almost cost me for a plumber, because when I
24 told the Village, they said, "Oh, we checked, there
25 was nothing wrong with it." That same afternoon,

1 they were down by Mike Goldsmith's house digging
2 out everything they were worth and the blockage was
3 there. And I went to the Village and I told them,
4 if I get -- if I get a bill from the plumber, I'm
5 sending it back to the Village. Was luck had it,
6 my girlfriend's husband owned the business, then he
7 didn't charge, because he couldn't find anything
8 wrong with my stuff. But then I called him back
9 and I explained, the Village, of course, made a boo
10 boo. They finally took, you know, the idea that,
11 "Hey, yeah, we were wrong."

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

19 I value that property, I take darn good care
20 of it. I bust my back in the summer working on it.
21 We make sure everything is plowed, we make sure
22 everything is mowed. We take care of even the curb
23 on the outside of it, because nobody comes around
24 and cleans up. And God forbid they should have
25 weeds, because nobody's experienced enough with

1 chemicals to shoot down the weeds, so I dig them up.

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

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

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

1 care of the property. That's called respecting the
2 place that you live in.

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

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

22 CHAIRMAN SALADINO: Thank you.

23 MS. PETERSON: Diane Peterson, 228 Sixth
24 Avenue.

25 I want to thank the ZBA members for yet again

1 listening to our concerns about the variances that
2 we're discussing this evening. We've all heard on
3 multiple occasions and at multiple meetings the
4 reasons why local residents do not want to see ZBA
5 approval on the variances for the purpose of
6 dividing the property on 221 Fifth Avenue into
7 substandard sized lots.

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

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

22 Unsafe housing conditions on all sides of the
23 property due to the closeness of property lines,
24 and inability for the rescue and fire departments
25 to be able to respond.

1 Signed petitions from members of Fifth and
2 Sixth Avenues and adjacent roads about the quality
3 of life issues. The high number of variances
4 needed. The unnecessary development of every empty
5 piece of land in the Village limits. We do not
6 need to become urbanized with more and more
7 building in a rural area.

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

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

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

1 Village of Greenport. Thank you.

2 CHAIRMAN SALADINO: Thank you.

3 MS. CHILTON-MILLER: Carol Chilton-Miller,
4 239 Fourth Avenue.

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

9 (Laughter)

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

12 CHAIRMAN SALADINO: That's good enough for me.

13 MS. CHILTON-MILLER: -- herons and water.
14 And I got to tell you, this place is really going
15 downhill. I say to him on a more-than-he'd-like-to-hear
16 basis, I can't wait to get out of Greenport,
17 because you guys are just giving it away. It's not
18 a pretty harbor town anymore. It's not even
19 remotely safe in many areas. You have cars all
20 over the road. And, yeah, I don't drive, so thank
21 God I don't have to deal with it. But we drive
22 past houses to go to work in the morning, and we go
23 to work 5:30 in the morning, there's eight, nine
24 cars at these houses already. You're going to tell
25 me that this is not an overcrowded house?

1 Avenue.

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

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

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

21 The road is saturated, there's no room for
22 anymore cars. Every piece of property in this
23 Village does not have to be developed. There's no
24 place for kids to go. Oh, take them to Third
25 Street. They have to cross streets to get there.

1 Take them down to Fifth Street Park. They have to
2 cross roads to get there. When somebody gets
3 killed, are we going to do something about it?
4 Thank you.

5 (Applause)

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

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

25 The only reason I'm kind of pushing it, guys,

1 is because the attorney asked to go last. And
2 everybody will be able to rebut what she says, but,
3 you know, we want to -- we want to get her up.

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

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

8 CHAIRMAN SALADINO: I'm sorry?

9 MS. GORDON: We've got another hearing.

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

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

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

20 MS. REA: Okay.

21 CHAIRMAN SALADINO: Tonight.

22 MS. REA: We're an hour into this public
23 hearing and no one has said anything tonight so far
24 about the variances that we've requested. There
25 has been an hour's worth of very upset testimony

1 about saturation, failing sewers, dented cars, too
2 many cars on the street, nothing about the
3 variances that we're here seeking, whether they're
4 reasonable or not.

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

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

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

19 CHAIRMAN SALADINO: I'm sorry to interrupt
20 you.

21 MS. REA: That's all right.

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

25 MS. REA: The -- we have two -- we have two

1 FOIL -- actually, three FOIL requests that we have.
2 Right now, let me -- let me take them in order.

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

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

25 I'd like to go back to the earlier FOIL

1 request that I referenced, and that was for all of
2 the subdivisions granted. And I'd like to now
3 review for the Board the results of that FOIL
4 request.

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

7 MS. REA: Sure

8 CHAIRMAN SALADINO: -- on this FOIL request.

9 MS. REA: Uh-huh.

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

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

13 CHAIRMAN SALADINO: These here?

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

15 CHAIRMAN SALADINO: And this is from 2002?
16 This was prior to our subdivision law?

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

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

21 MS. REA: Right, right.

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

24 MS. REA: Right.

25 CHAIRMAN SALADINO: -- for this FOIL request.

1 MS. REA: Which was paid, by the way, by my
2 client immediately.

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

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

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

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

14 CHAIRMAN SALADINO: Okay.

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

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

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

25 CHAIRMAN SALADINO: I'm not disputing what

1 you're saying, I'm just -- I'm just trying to get
2 the logistics here. I'm just trying --

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

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

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

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

20 MS. REA: You will. I'm going to actually --
21 well, actually, the Village has them, but I'm going
22 to go over right now all of those. There were nine
23 that I know of that have some similarity to this.
24 And, in fact, of those nine, the variances were
25 either similar, or required much greater relief

1 than what we are asking for for 221, and, in fact,
2 for 238.

3 CHAIRMAN SALADINO: Do you have the dates?

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

9 Two new lot sizes proposed. Lot 1, 5,049
10 square feet, which consisted of a 2,451 square foot
11 variance. Lot 2, 5,051 square feet, which required
12 a 2,449 square foot variance. On Lot 2, the lot
13 widths required variances. Lot 1 asked for a
14 50-foot width, which required a 10-foot variance.
15 Lot 2 required a 50-foot width, which required and
16 was given by the ZBA a 10-foot variance. Those
17 variances were granted and the subdivision was
18 passed. Significantly greater relief than what we
19 are asking here.

20 2004, George Baumuelers (phonetic) --
21 Baumiller, excuse me, 136 Bay Avenue --

22 MR. PROKOP: Excuse me. Can I just ask you a
23 question? What you just said about that
24 application request requires significant relief
25 greater than what you're applying for.

1 MS. REA: That's right, yes.

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

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

9 MR. PROKOP: Okay.

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

12 MR. PROKOP: Thousands.

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

15 MR. PROKOP: Okay, thank you.

16 MS. REA: Thanks. Mr. Baumiller, 136 Bay
17 Avenue, his request was to subdivide one lot into
18 two substandard lots, with existing dwellings on
19 both proposed lots. Two new lot sizes were
20 proposed. Lot 1 was 4,388 square feet, which
21 required 3,112 square feet of variance, granted by
22 the ZBA. Lot 2, 4,388 square feet proposed,
23 requiring and receiving from the ZBA a variance of
24 3,112 square feet in relief. Similarly, the lot
25 widths received -- relief, Lot 1 proposed 33.25

1 square feet, which required a 26.75-foot variance
2 granted by the ZBA. Lot 2 requested 33.25 feet,
3 which required 26.75 feet variance, granted by the
4 ZBA, and that subdivision was passed.

5 MR. TASKER: What was the date of that one,
6 please?

7 CHAIRMAN SALADINO: 2004.

8 MS. REA: 2004.

9 MR. TASKER: Date?

10 MS. REA: 2009, Thomas Monsell, 525 First
11 Street. The proposal was to subdivide one lot into
12 two substandard lots with existing dwellings on
13 both proposed lots. Two new lot sizes were
14 proposed. Lot 1, 8,160 square feet, so no relief
15 was required. Lot 2, 6,900 square feet, so 600
16 square feet of variance. Two new lot depths were
17 proposed. Lot 1 was 50.24 feet, which required a
18 9.76 variance. Lot 2 proposed 50.22 feet,
19 requiring and receiving a 9.78-foot variance. That
20 subdivision was passed.

21 In 2009, Kenneth Lockhart applied and
22 received permission to subdivide 602 First Street
23 based upon variances submitted and approved by this
24 Zoning Board of Appeals to subdivide one lot into
25 two substandard lots, to create a new building lot

1 with existing dwelling on one proposed lot. Two
2 new lot sizes proposed. Lot 1, 7,000 square feet,
3 requiring 500 square feet of variance. Lot 2,
4 7,000 square feet, requiring 500 square feet of
5 variance. Two new depths proposed. Lot 1, 60
6 square feet, so no variance. Lot 2, 55 feet,
7 requiring a 5-foot variance.

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

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

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

16 MS. REA: Two new lot depths.

17 MR. TASKER: Depths.

18 MS. REA: Those are feet.

19 MR. TASKER: Front to back.

20 MS. REA: Those are feet, yes.

21 MR. TASKER: Front to back.

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

1 variances.

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

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

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

12 MR. PROKOP: Of what? A 10-foot variance of
13 what?

14 MS. REA: Of the lot width.

15 2009, Michelle Myers, 100 -- I'm sorry, 143
16 Sixth Street, to subdivide one lot with -- into
17 two, with existing dwelling on one lot, creation of
18 one substandard lot. Two new lot widths were
19 proposed. The first lot was 95 and would require
20 no variance. Lot No. 2 proposed 52 feet in width,
21 requiring and receiving 8-foot variance.

22 2010, Hugh Prestwood, 519 First Street, to
23 subdivide one lot into three, one existing dwelling
24 and two new substandard lots to be sold as separate
25 parcels. Two new vacant lot sizes proposed. Lot 2

1 proposed at 5,775 square feet, requiring 1,725
2 square feet in variance. Lot 3 proposed at 5,775
3 square feet, requiring and receiving from this
4 Board also a 1,725 square foot variance. The same
5 subdivision also required two variances for lot
6 widths. The proposed lot width for 2, Lot No. 2
7 was 50 feet, a 10-foot variance, granted by this
8 Board. Lot 3, similarly, requested and proposed a
9 50-foot lot width, requiring a 10-foot variance,
10 granted by this Board, and the subdivision was
11 permitted.

12 Finally, Mr. Olinkiewicz' subdivision in
13 2011, at 314 Center Street. That was to subdivide
14 one lot into two, with existing dwelling on the
15 proposed lot. Two new lot sizes were proposed.
16 Lot No. 1, no variance, as it was 7,558 square
17 feet. Similar, I might add, to 221 Fifth, where
18 Lot No. 1 is standard, actually larger than
19 necessary. And Lot No. 2, 6,509 square feet,
20 requesting 991 square feet in variance that was
21 granted. The front lot setbacks were proposed at
22 24 feet, which required a 6-foot variance, granted.

23 Those are the ones that I know of.

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

1 of --

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

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

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

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

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

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

18 MS. REA: Right.

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

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

25 CHAIRMAN SALADINO: I understand.

1 MS. REA: Which are comparable to the
2 variances that we are asking for here, and in some
3 cases require significantly more relief and got it.

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

10 MS. REA: Well, let --

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

19 MS. REA: Do I?

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

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

25 CHAIRMAN SALADINO: Okay.

1 MS. REA: And I'd like to say also that --

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

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

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

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

19 (Laughter from Audience)

20 CHAIRMAN SALADINO: Folks, please.

21 MS. REA: And that's not for the purposes of
22 your consideration. The variances that we're
23 requesting here have been granted uniformly. So I
24 don't have -- we don't have anything in this
25 record, specifically in this record, that I'm aware

1 of to have this Board deviate from settled
2 standards, other than the animus of the neighbors,
3 who are clearly very unhappy.

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

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

7 CHAIRMAN SALADINO: -- for interrupting.

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

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

25 And in response to what one speaker has said

1 here tonight about no one turning out in favor of
2 Mr. Olinkiewicz' applications, I have to ask this
3 Board, if you were an immigrant Hispanic tenant of
4 Mr. Olinkiewicz, would you want to come down here
5 and face this kind of animosity and open hostility?

6 (Outburst from Audience)

7 AUDIENCE MEMBER: Give me a break.

8 AUDIENCE MEMBER: Really?

9 AUDIENCE MEMBER: If you're illegal.

10 CHAIRMAN SALADINO: Folks, folks, folks,
11 folks.

12 MR. REED: This is Bullshit.

13 CHAIRMAN SALADINO: Mike, folks, folks.

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

16 AUDIENCE MEMBER: Good.

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

25 MS. NEFF: May I raise a question about the

1 one we're talking about now, the one to approve?

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

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

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

25 MS. REA: Ms. Neff, fair enough, but that's

1 not for this Board to decide, that's the Planning
2 Board's decision.

3 CHAIRMAN SALADINO: This Board is --

4 MS. NEFF: Well, I'm responding to your
5 statement.

6 MS. REA: May I state -- wait. But let me --
7 let me come back to you with that. For example,
8 there has not been one word --

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

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

18 CHAIRMAN SALADINO: Density?

19 MS. REA: No.

20 CHAIRMAN SALADINO: What?

21 MS. REA: The variances that are before you.
22 You're here to determine variances.

23 MR. REED: It's been there four years.

24 MS. REA: For example, for example, may I
25 say, this is a perfect example. The proposed lot

1 width for Lot 1 is -- that we've asked for for 221
2 is 47.82 feet, whereas Section 150-12(A) requires a
3 minimum lot width of 50 -- sorry, 60 feet,
4 requiring a minimum lot -- lot width variance of 12
5 feet. No one's addressed that here tonight.

6 AUDIENCE MEMBER: Who cares.

7 AUDIENCE MEMBER: Not tonight.

8 MR. PROKOP: But could I --

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

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

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

16 MR. PROKOP: But the application, you have
17 the burden. It's -- excuse me. With all -- just
18 try to keep this on track with all --
19 constructively. They don't have the burden.
20 Unless you think I'm mistaken, you have the burden.
21 It's not their application, it's your application.

22 MS. REA: I'm asking you to consider this
23 application. I'm asking you to consider the
24 specifics of this application. No one's doing
25 that.

1 MR. TASKER: Well, they may not have --

2 MS. REA: All I'm hearing about is --

3 MR. PROKOP: There's no presentation.

4 MR. TASKER: There seems to be nothing
5 tonight to address, and what you have said, if you
6 feel that the specifics of the variances being
7 requested haven't been addressed, you haven't been
8 at all the meetings that have gone on here over
9 many -- over a year or two, at least, to my
10 personal knowledge, that did specifically address
11 questions like that. You can't just pull out of
12 the blue and say, well, tonight nobody's brought up
13 the fact that the driveway width really isn't wide
14 enough in this particular one, or some such
15 question regarding the variances that are being
16 sought. Furthermore --

17 MS. REA: Mr. Tasker, I've represented
18 Mr. Olinkiewicz from the beginning of this
19 application, so I have been at all of these. And
20 there's been --

21 MR. TASKER: Well, thus my -- thus my point.

22 MS. REA: And we really are spending time
23 talking about broken sewers here. We're not
24 talking about the lot width that he's asking for
25 here. No one's talking about the fact that he

1 wants a side yard setback variance of 5 feet.

2 Let me do this. Mr. Prokop makes a point
3 here. Let make sure that this is in the record.
4 For 221 Fifth, we are requesting the following:
5 The proposed subdivision creates Lot 1 with an area
6 of 6,587 square feet, where Section 150-12(A)
7 requires a minimum lot size of 7,500 square feet,
8 requiring a minimum lot size variance of 913 square
9 feet. The proposed lot width is 47.82 feet, where
10 Section 150-12(A) requires a minimum lot width of
11 60 feet, requiring a minimum lot width variance of
12 12.18 feet.

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

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

21 The proposed subdivision creates a 5-foot
22 side yard setback on the north property line, where
23 Section 150-12(A) requires a minimum side yard
24 setback of 10 feet, requiring a side yard setback
25 variance of 5 feet.

1 Now the variances that I read here, what
2 we're here asking you to consider, and I'm asking
3 you to consider them in the light favorable that I
4 believe it -- I don't think that these are drastic
5 requests. I think it's fairly modest relief in an
6 area where --

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

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

12 (Laughter)

13 CHAIRMAN SALADINO: Okay. So we'll --

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

16 CHAIRMAN SALADINO: I was just asking.

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

19 CHAIRMAN SALADINO: Okay.

20 MS. GORDON: Don't you need to make the
21 argument that the general welfare of the
22 neighborhood will not be affected by, A, a new
23 house, and, B, substandard lots? I mean, it seems
24 to me you need to make the argument that this isn't
25 going to make much difference. And sometimes I

1 think it won't make much difference, but then I
2 also hear arguments, not just the ones you object
3 to, but arguments about the parking and the crowded
4 streets, and so forth, that do make it sound as
5 though those aspects of Village -- of living in
6 this street in the Village will make a difference.
7 And I think you need to persuade us --

8 MS. REA: All right.

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

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

19 MR. WEISKOTT: Some of them.

20 AUDIENCE MEMBER: They're not.

21 AUDIENCE MEMBER: They're not.

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

24 CHAIRMAN SALADINO: Folks, folks, folks.

25 MS. REA: I mean, really. I'd also like to

1 say that other -- other accusations about
2 overcrowding, I'm not there, I don't know.

3 AUDIENCE MEMBER: That's right.

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

6 AUDIENCE MEMBER: We live there.

7 MS. REA: The building --

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

11 MS. REA: Thank you. The other FOIL request
12 that I sent on September 22nd was for -- and I'm
13 actually going to submit this to the record
14 tonight, for the record tonight. I'm going to
15 produce these records as well. The Village has
16 them. But this FOIL request was all records and
17 files relating to inspections conducted by the
18 Village and/or Section 8 housing staff of 221 Fifth
19 Avenue, Suffolk County Tax Map Section 04, Block
20 04, Lot 29, and 238 Fifth Avenue, Suffolk County
21 Tax Map Section 04, Block 08, Lot 03, during the
22 period 1996 to 2016 to date.

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

25 MR. TASKER: Pages?

1 MS. REA: And I'll produce them for you, but
2 they're in the Village files.

3 MR. TASKER: Pages or records?

4 MS. REA: Pardon me?

5 MR. TASKER: Pages or records?

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

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

22 MS. REA: Yes.

23 CHAIRMAN SALADINO: On what date?

24 MS. REA: There was one production on October
25 21st.

1 MR. PROKOP: No. I think he's asking you
2 delivered to the ZBA.

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

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

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

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

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

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

25 CHAIRMAN SALADINO: The reason I ask is at

1 the last meeting that you attended, you felt that
2 your client wasn't getting his day in court. And
3 here tonight, and I can't speak for my colleagues,
4 but I get a sense of the Board that we would kind
5 of like resolve at least this public hearing
6 tonight. But now you're --

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

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

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

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

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

24 CHAIRMAN SALADINO: As far as violations?

25 MS. REA: The complaints about -- yeah,

1 violations and overcrowding within the -- within
2 the houses. They're just not.

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

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

8 CHAIRMAN SALADINO: And there was no
9 violation?

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

11 MR. TASKER: But --

12 MS. REA: So --

13 CHAIRMAN SALADINO: I'm sorry.

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

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

24 MR. PROKOP: I don't understand what's
25 happening here. The Board adjourned this so she

1 could do this, and she said she got them in October
2 and we're adjourning it again.

3 CHAIRMAN SALADINO: We're not adjourning it.

4 MR. TASKER: We're not adjourning it.

5 MR. PROKOP: But I don't understand what's
6 happening.

7 CHAIRMAN SALADINO: We're not if -- we're not
8 adjourning it again to produce it.

9 MS. REA: That's fine. I can submit them to
10 you tomorrow, if you'd like. If you don't want to
11 consider what your own Building Inspector has
12 found, I think that's important --

13 CHAIRMAN SALADINO: We have her testimony.

14 MS. REA: -- in light of -- in the light of
15 -- in the light of what has been said tonight and
16 previously.

17 CHAIRMAN SALADINO: Her testimony, her
18 testimony is on the record for those violations. I
19 don't think it's to this Board's benefit to delay
20 this to get one page of one FOIL request that you
21 received.

22 MS. REA: This isn't one page, this is nearly
23 100 pages of documents the --

24 CHAIRMAN SALADINO: One complaint is 100
25 pages?

1 MS. REA: No, no, no, no. Let me -- if I
2 have misspoken, I want to make this perfectly clear
3 for this record.

4 CHAIRMAN SALADINO: Perhaps I just
5 misunderstood, you know.

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

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

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

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

24 MS. REA: But yes.

25 MS. NEFF: All right. Thank you.

1 MS. REA: Yes, ma'am. Yes, ma'am, that's
2 correct.

3 MS. NEFF: Okay.

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

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

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

25 MR. PROKOP: When you say the Village's

1 files, I just want to clarify something. You're
2 not -- you're inferring that the Building -- you
3 said, I think, the Building Inspector, the Building
4 Department did 100 inspections or 100 --

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

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

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

10 MR. PROKOP: They weren't actually --

11 MS. REA: Several of them.

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

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

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

23 CHAIRMAN SALADINO: I don't think the
24 records -- we don't have the records, they
25 shouldn't be addressed.

1 MR. PROKOP: I suspect that they're Housing
2 Authority inspections.

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

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

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

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

17 MS. ALLEN: Chatty Allen, Fifth Avenue.

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

24 MS. WINGATE: No. You have the Housing
25 Authority, and you have the Housing Alliance.

1 MS. ALLEN: Okay.

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

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

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

19 People do jump to wrong conclusions. I got
20 accused of having someone live with me because I
21 moved my bed from one room to another room. But
22 when the people that are surrounding -- and it does
23 go to the variances, what everyone has been
24 speaking about for however long these hearings have
25 been going on.

1 People are speaking about what -- because
2 it's my understanding you need to take into account
3 the quality of living, the impact it will have on
4 the neighborhoods. A lot of these that she
5 brought -- the lawyer brought up with other
6 variances, it's my understanding that the Board's
7 job is to take each application separately, not
8 say, because you granted them this, then you have
9 to grant this one this. Each application is on a
10 case-to-case basis.

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

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

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

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

25 MS. ALLEN: Yeah. And it's just -- my hope

1 is you listen to the people that are living with
2 this right now to understand what's already
3 happening, and to add more in another neighborhood
4 where there's not that many people there, okay.
5 Then maybe, you know, a variance for that is okay,
6 because you don't have -- you're just throwing more
7 into a pot and it's going to explode.

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

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

19 CHAIRMAN SALADINO: Thank you.

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

1 brief as possible.

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

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

22 And I'd like to be sure that the Board has my
23 letter of September 19th, 2016, which I understand
24 is in the record. And I had asked at a prior
25 hearing, and I don't remember how many prior

1 hearings there were, that the record of
2 Mr. Olinkiewicz' prior application for this
3 variance some number of years ago, be incorporated,
4 because many of these issues were addressed then,
5 including the discussion of other variance and
6 subdivision relief granted by the Village.

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

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

23 And the applicant's attorneys and other's
24 references to a lot is not a lot, it's just a piece
25 of property which is now a side yard. And the

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

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

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

23 Let me just very briefly, if I may, address
24 the variances that the applicant mentioned were
25 granted by prior Zoning Boards of Appeal back many,

1 many years ago, and, therefore, not terribly
2 relevant from a time period. Yes, the boards have
3 to be uniform, I know you're aware of that, but you
4 have to be uniform within the context of the
5 application before you and the specific factors.

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

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

17 2009, Lockhart, same thing, very -- 7,000
18 square foot lots, both of them. That's not a large
19 variance, and only one 5-foot width variance.

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

22 The two in 2009 and '10, same thing. I could
23 give you a chart, but I think you can look at them
24 yourselves. They are minimal variances,
25 relatively. Maybe one or two of the variances are

1 large, but there's not the cumulative impact that
2 you have now. And, most importantly, there's no
3 relationship in these variances as to our
4 neighborhood here versus those neighborhoods.
5 There's no relationship in terms of what the other
6 aspects of the neighborhood might be, the parking,
7 anything else, the other homes. And there is
8 nothing to show that the factors that happened in
9 2004 or 2009 still pertain to 2017. So even the
10 most recent variance is over five years.

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

18 The applicant wants more records to submit on
19 inspections. Those inspections, as we've
20 ascertained, were done after notice to the owner.
21 Certainly, there were not as many, and they were
22 not as specific as the day-to-day operation --
23 observations, personal observations of a large
24 number of neighbors, and empirical testimony on the
25 parking on and off site, and all of those other

1 factors that they mentioned. Yes, some of the
2 things they mentioned were irrelevant, but many, as
3 you, I'm sure, can decipher were not, and I urge
4 you to deny these variances. Thank you.

5 CHAIRMAN SALADINO: Thank you.

6 MR. REED: Mike Reed, 430 Front Street.
7 Sorry for swearing. I'm very passionate about
8 this. I'm Italian and German, I'm kind of hot
9 blooded.

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

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

14 CHAIRMAN SALADINO: Put it in David's cup.

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

20 CHAIRMAN SALADINO: Two years.

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

23 MS. GORDON: Three.

24 MR. REED: Three. So none of you were here.
25 We're a different regime when David Nyce to David

1 Kapell. There again, apples to oranges, it was a
2 different thing.

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

9 (Laughter)

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

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

18 CHAIRMAN SALADINO: A lot is 7500.

19 MR. REED: Five hundred, correct. Still, 900
20 and change is still 900 and change over. There
21 again, apples to oranges. There are some
22 hardships, granted, and that's -- we've seen in the
23 past that have gone through. Then she said about
24 with the Planning Board. Correct me if I'm wrong.
25 The Planning Board said no and threw it to you guys

1 to take this mess, correct?

2 CHAIRMAN SALADINO: The Planning Board --

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

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

12 MR. REED: On the plan, okay.

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

16 MS. NEFF: For what?

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

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

24 CHAIRMAN SALADINO: October.

25 MR. REED: October. I'm sorry. And then she

1 was screaming at you guys that she -- no, she
2 wanted it either November or December. Now we're
3 in February, she doesn't do her due diligence to
4 come prepared. Everybody throws a curve ball. You
5 asked for different things, she doesn't have it.
6 Wouldn't it have done her due diligence to have
7 everything prepared just in case everything -- you
8 go to college, the professor is going to give you a
9 pop quiz. You don't know the answers, but you
10 study the whole realm of -- you know, of your
11 premise of your book, correct?

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

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

19 AUDIENCE MEMBER: Correct.

20 MR. REED: Correct?

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

24 MR. REED: You know, it's -- and thank you,
25 Dave, Diane, John, Ellen, Art. John, thank you.

1 It's a pain in the ass for here. I know, you guys
2 are like "Oh, my God," you're --

3 CHAIRMAN SALADINO: It's two dollars.
4 That's -- don't forget the money.

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

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

12 MR. REED: But the proof of burden --

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

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

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

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

1 Mexican, Italian, German --

2 CHAIRMAN SALADINO: Mike, thank the Board.

3 MR. REED: You know.

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

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

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

24 CHAIRMAN SALADINO: It's not us that's making
25 the request.

1 MR. REED: I understand.

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

5 MR. REED: And process.

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

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

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

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

18 MR. KEHL: Bob Kehl at 242 Fifth Avenue.

19 Most of the list of when they've done
20 subdivisions were all prior to the zoning change.
21 So -- well, to the new zoning laws. And what I'm
22 saying is the Board has changed over the years.
23 The Village has changed over the years. And she's
24 trying to set like a precedent, which is a lot of
25 BS, and -- because when I was running for the

1 position on the Zoning Board, I was reading through
2 the rules and regulation and how everything is
3 supposed to be done, and everything is supposed to
4 be done as a separate -- everything you look at for
5 a variance is supposed to be separate, there's not
6 supposed to be based on any precedences. That's
7 how I interpret it, what I -- what I read. And so
8 it's like we've wasted three months because she's
9 trying to set up a precedent for something that
10 didn't even matter.

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

13 MR. KEHL: Right.

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

16 MR. KEHL: Bound by it.

17 MS. GORDON: -- necessarily.

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

19 MS. GORDON: But we can certainly consider it.

20 MR. KEHL: Right.

21 MS. GORDON: So --

22 MR. KEHL: And as far as inspections, you get
23 the Housing Authority, they inspect housing a lot
24 of times before the people move in. They're not
25 seeing people, or when people move out, they check

1 to see what it is before the next bunch move in.
2 So you're not getting a true view of what's going
3 on.

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

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

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

14 (Laughter)

15 AUDIENCE MEMBER: Best line of the night.

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

17 MR. PROKOP: This is off the record.

18 MR. SWISKEY: My feelings are hurt.

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

20 (Laughter)

21 MR. SWISKEY: William Swiskey, 184 Fifth
22 Street.

23 Speaking to the facts, I believe, and I can't
24 remember, because this has been going on such a
25 long time, but I remember, I believe I spoke about

1 the driveway, two -- the two driveways that would
2 be at 221 Fifth Avenue, and how one would be right
3 up against the fence, and the other was out there.
4 And it would actually be dangerous for a kid coming
5 out of the house on that -- on that north driveway.
6 You could hit -- something like -- but it's been so
7 long.

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

13 CHAIRMAN SALADINO: What? What?

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

17 CHAIRMAN SALADINO: (Shook head no.)

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

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

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

24 MS. REA: No. Actually, this was brought up
25 months ago, as a matter of fact. It's in the

1 record previously, so.

2 CHAIRMAN SALADINO: The violations and --

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

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

6 MS. REA: Yeah, yeah.

7 CHAIRMAN SALADINO: -- were brought up months
8 ago?

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

13 MR. SWISKEY: All right. I understand that.

14 (Laughter)

15 MR. SWISKEY: But it would be nice if the
16 public had it so the public could comment on it,
17 because I could tell you right now, I know about
18 314 Center Street. I have a little history there
19 with the house that used to belong to Gordon, and
20 then it was subdivided, and the garage is now a
21 separate living, and I objected to that at the
22 time, and -- but it's a totally different aspect
23 from what would happen at 221 Fifth Avenue.

24 On one side of the street down there you've
25 got no parking, it's wide open, the houses are --

1 there's one house -- two houses to the corner and
2 then the new one he built. It's completely
3 different. If you -- you should go on out and
4 observe each one she's talked about and notice the
5 difference between that and 221, is what I'm
6 saying.

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

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

20 The variance thing, it was -- you know, it
21 was long and it was interesting. But I appreciate
22 Ms. Neff. What she said was each variance is
23 individual, it's not a whole blank thing, because I
24 happen to know for a fact one of them, the Finne
25 variance, was originally, originally a long time

1 ago two separate lots that then got put into one,
2 and he brought it back to the original way that --
3 you know, he put it back to the two, two lots. So
4 there's something that's completely different that
5 really, you know, it's not like all the rest of
6 them.

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

10 (Laughter)

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

20 Okay, that's all.

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

23 Ms. Rea states that she does not see that
24 there's a problem with the inspections. I do.
25 And, again, with notice, the tenants are being

1 noticed, and they pack their bags and move out. So
2 I believe that she's turning a blind eye to what
3 truly is going on, and further saying that she's
4 never been down there to see it. Again, this is
5 why Mr. Olinkiewicz has the 24-hour notice in his
6 lease for these surprise inspections.

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

19 (Laughter)

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

22 (Laughter)

23 MS. MC ENTEE: It is very unnecessary --

24 MR. PROKOP: My family is watching this.

25 (Laughter)

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

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

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

24 MS. GORDON: Right.

25 CHAIRMAN SALADINO: He can have --

1 MS. MC ENTEE: So then -- so then she calls
2 me out, she calls me out. Would you like me to
3 read it?

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

6 (Laughter)

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

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

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

25 MS. REA: No, I haven't asked for an

1 adjournment, not at all.

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

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

7 MR. HOLLID: Quick question.

8 CHAIRMAN SALADINO: Sure.

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

11 Now he had -- Mr. Olinkiewicz has a
12 stipulation in his lease that says he has to have a
13 24-hour wait time before --

14 CHAIRMAN SALADINO: We have no knowledge of
15 that.

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

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

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

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

24 MR. PROKOP: The lease has nothing do with
25 Code Enforcement. It can't -- the lease can't say

1 when Code Enforcement can go in there. The lease
2 has to do with when the landlord could do an
3 inspection, not Code Enforcement.

4 MR. HOLLID: Oh. So Code Enforcement can go
5 in at any time, right?

6 MR. PROKOP: If we -- if there's a reason to,
7 yes.

8 MR. HOLLID: Oh, they can't just -- okay.
9 There's got to be a reason.

10 MR. PROKOP: There has to be --

11 MR. HOLLID: Visually or --

12 CHAIRMAN SALADINO: We have a rental -- we
13 have a rental permit law.

14 MS. GORDON: There has to be -- aside from
15 that, there has to be a complaint.

16 MS. WINGATE: That's also by appointment. I
17 need a -- I need a search warrant.

18 CHAIRMAN SALADINO: But that --

19 MR. HOLLID: Got to be stipulated there is a
20 problem, per se, with the --

21 CHAIRMAN SALADINO: I honestly don't know.

22 MR. PROKOP: It's either with consent or with
23 a search warrant. That's the only way you can --
24 it has nothing to do with what's in the lease.

25 MR. HOLLID: Okay. Just curious. Okay.

1 Thank you.

2 MR. PROKOP: Thank you.

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

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

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

9 CHAIRMAN SALADINO: Okay.

10 MS. WICKHAM: I just wanted to respond.

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

16 Secondly, I have a concern about the
17 applicant submitting inspection reports after the
18 hearing, if it's closed tonight, that she's had for
19 some time. I understand that her FOIL request was
20 issued, the results of the FOIL request were issued
21 in December. I don't know if that pertains to the
22 inspection, but I don't think it's appropriate for
23 the Board to close the hearing and then let her
24 submit something that she's already had previously
25 after that.

1 MR. HOLLID: True.

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

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

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

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

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

24 AUDIENCE MEMBER: It's back since September.

25 MS. REA: That's -- that's my error, but let

1 me just say that these are material records.
2 They're in the Village files. So if you decide not
3 to review them, you decide not review them. I
4 believe that you should.

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

18 I'd also like to address what you said
19 earlier about times changing, because that is, as I
20 said, a fair question. In 2004, the ZBA heard an
21 application from Mr. Kehl on 242 Fifth Avenue. He
22 wanted to construct a new single family house and
23 detached two-car garage with a second story
24 accessory apartment. The variance is required
25 because the proposed north side yard is six feet

1 and the minimum is 10 feet. Two living units are
2 proposed where one is permitted on an existing
3 small lot. Accessory building is approximately 25
4 feet in height, where 15 feet is allowed. Proposed
5 front yard setback is eight feet, where adjacent
6 front yards average 10.5 feet. Proposed overall
7 lot coverage is approximately 42%, where 35% is
8 allowed. Proposed accessory building lot coverage
9 is 37%, where 30 is allowed. Property is located
10 at 242 Fifth Avenue.

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

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

23 "In fact," the Chairman said, "a small
24 cottage would be more attractive for rental
25 purposes. The 28-by-36-foot house is small and

1 projected garage is nearly as big." Ken agreed
2 with this, and commented that the R-2 District,
3 only an existing building can be built on.

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

9 Chairman Atkinson-Loveless said, "Although
10 adding to the housing stock in Greenport would be
11 good, in this case it is not." And having a new
12 garage plan drawn with less coverage, perhaps
13 24-by-24 and 15 feet high, was the only solution.
14 He would be allowed to commence work on the
15 proposed single family house as shown in the
16 drawing presented, and the plan for an accessory
17 building should be presented at the next meeting
18 for approval, and proceeded with the five criteria
19 for granting a variance.

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

25 So there you have your point of reference for

1 2004 and today. So I think that conditions have
2 changed, but I think that back then, when our
3 speaker, Mr. Kehl's request for variances, which
4 were substantial, were granted, are very similar to
5 this. Thanks.

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

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

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

14 MS. REA: It came from another FOIL request.

15 MR. PROKOP: Another FOIL.

16 MS. REA: Yeah.

17 MR. PROKOP: Thank you.

18 CHAIRMAN SALADINO: If there's no --

19 MS. CHILTON-MILLER: Carol Chilton-Miller,
20 239 Fourth Avenue, Greenport.

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

1 looking to vary it. You're taking a community
2 that's, okay, saturated, however you would like to
3 phrase it. If you put too many people in too small
4 an area, there are going to be problems, and there
5 are problems not only for the people that we're
6 bringing in, but for the people that have lived
7 there, as I said, for family generations. You
8 can't take a pig and put a hat on it and, you know,
9 make it a princess. It's just --

10 (Laughter)

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

1 and be pulled back. Sit down.

2 (Laughter)

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

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

1 (Applause)

2 MR. KEHL: Just a short one.

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

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

8 CHAIRMAN SALADINO: This Board is inclined to
9 like close.

10 MR. KEHL: Okay.

11 CHAIRMAN SALADINO: I think close this.

12 MR. KEHL: Okay. Just one quick thing. Bob
13 Kehl, 242 Fifth Avenue.

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

20 AUDIENCE MEMBER: Good for you.

21 (Applause)

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

25 MR. CORWIN: Well, let's make a motion and

1 vote on it.

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

4 MR. TASKER: You will.

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

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

9 MR. TASKER: Second.

10 CHAIRMAN SALADINO: All in favor?

11 MR. CORWIN: Aye.

12 MS. GORDON: Aye.

13 MS. NEFF: Aye.

14 MR. TASKER: Aye.

15 CHAIRMAN SALADINO: Aye. That motion
16 carries.

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

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

25 CHAIRMAN SALADINO: We're going to resume

1 this meeting.

2 Item #5 is a continuation of a public hearing
3 regarding area variances sought by James
4 Olinkiewicz -- Oh, I'm sorry, that's -- we're doing
5 Item #6. I apologize.

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

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

22 CHAIRMAN SALADINO: Okay.

23 MR. TASKER: We'll save on repetition.

24 MR. PROKOP: At their option. It's up to
25 you, just a suggestion.

1 CHIEF MILLER: Good evening, everyone. Wayne
2 Miller, 239 Fourth Avenue, lifelong resident of
3 Greenport. I've lived in my neighborhood for
4 basically my whole life, which is 51 years. Also,
5 the Chief of this Fire Department.

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

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

1 know, I think you should really --

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

4 CHIEF MILLER: Yes.

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

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

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

19 CHAIRMAN SALADINO: Wayne, this way.

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

23 But I've responded to calls down there
24 numerous times, had to wait for cars. Actually,
25 almost side-swiped a car with my mirror. You know,

1 so there are issues with traffic congestion and
2 things of that nature, but it's definitely a public
3 safety issue also.

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

6 CHIEF MILLER: Sure.

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

12 CHIEF MILLER: Fifth Avenue.

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

15 CHIEF MILLER: Right.

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

18 CHIEF MILLER: Yeah. I mean, it's sitting
19 back, way back off the road. I mean, for me to
20 hump -- my guys got to hump hoses back there, hook
21 up supply line. I don't have enough -- if I have
22 to try to pull a truck back there, you got cars
23 back there, he's got parking, correct, there's some
24 room for parking, so that's going to clutter things
25 up even more. So, you know, if you've ever seen

1 the five-inch supply line that we use, you know,
2 it's nothing -- it's not -- nothing small, you
3 know, that's coming off that truck. I need room to
4 work. So there's really no way to get a fire truck
5 in there and possibly fight that fire.

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

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

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

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

1 CHAIRMAN SALADINO: Thank you.

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

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

13 MR. CORWIN: Okay. Thank you.

14 CHIEF MILLER: Anything else?

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

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

21 CHAIRMAN SALADINO: Four inch.

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

25 MS. NEFF: Okay, I got it.

1 CHIEF MILLER: Okay? So there's a few
2 hydrants on that street. So that's what he's
3 talking about. The sewer -- the sewer system is
4 separate from the --

5 MS. NEFF: Right.

6 CHIEF MILLER: From the water main.

7 MS. NEFF: Okay, I gotcha.

8 CHAIRMAN SALADINO: Thank you. Marilyn?

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

11 (Laughter)

12 MS. WHITE-CORWIN: Does that work?

13 CHAIRMAN SALADINO: It works for us.

14 MS. WHITE-CORWIN: Okay.

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

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

22 (Laughter)

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

25 MR. WEISKOTT: Okay. And thank you very much

1 for your attention and patience.

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

5 One thing I'm kind of scratching my head
6 about, you closed out the application -- the public
7 hearing for 221, but the lawyer wants you to still
8 review records. I think it was a little
9 disrespectful for her to say, "Well, they're in
10 Village Hall, go look at them." That's not your
11 job, that's not the public's job, that was the
12 attorney's job to have those records here for you.
13 So I don't know what you're going to do as far as
14 your decision goes, but I don't think that those
15 forms, the inspections, should be any part of this.

16 If the attorney could not provide them
17 tonight, she got them in the FOIL request in
18 December. We are now towards the end of February.
19 If they wanted them included, they should have been
20 here this evening.

21 And the attorney is saying, "Well, we're
22 trying" -- you know, yes, there is a housing
23 problem. I said up until a couple of days ago I
24 was looking at living in my car, because I have to
25 be out of where I am by the 28th. I was having a

1 hard time finding a place in Greenport so that I
2 can still get back and forth to work. I had an
3 angel on my side and I did find a place to move
4 into for March 1st.

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

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

21 You could bring up variances from the
22 beginning of time, but it has to be looked at where
23 are they, what's around it. Every application
24 stands alone, and every application has to have an
25 impact to say no, this is not the right place for

1 this application. If it was in another
2 neighborhood where there weren't as many, okay,
3 then you look at it there.

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

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

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

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

25 Currently, there are seven living units in

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

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

18 If you flip the page, number four happens to
19 be to the north, our north view. There is a house
20 there, is a one property house, and on that
21 property -- excuse me, is a -- there are two homes
22 on that one property. In the back there is also a
23 shed. And so that is number five, is the second
24 home on that -- on that one lot, and there is --
25 number six is the shed, and number seven, if you

1 look, there's another house behind us, really to
2 the northwest, which is another two-family.
3 I've listed the ones that are the two-family or two
4 families on the same lot.

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

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

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

21 There will be an environmental impact on
22 Fifth Avenue with traffic, parking. I am repeating
23 some of this. With impact on Fifth Avenue with
24 traffic, parking, accidents, such as my daughters,
25 and adding sewer line -- sewer pipe usage.

1 The Village is currently in the process of
2 approving a three-way stop sign and to slow down
3 excessive speeding vehicles.

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

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

12 238, by the way, has had several backups
13 alone this year, three that I know of that I just
14 happened to witness myself.

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

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

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

25 Please protect the quality of life and the

1 privacy for us and our neighbors on Fifth Avenue.
2 I ask the Zoning Board to enforce the maximum
3 protection of residential property, and to
4 eliminate nonconforming uses.

5 I do request that we close this hearing
6 tonight.

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

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

11 MS. MC ENTEE: Say again.

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

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

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

21 Anyway, let's get back to this one variance,
22 I'm looking at it. First of all, I have to agree
23 with the Chief. How wide would this driveway be
24 that goes to the backyard, or right-of-way,
25 whatever you want to call it?

1 MS. REA: Twelve feet.

2 CHAIRMAN SALADINO: Do we have a firm --

3 MS. WINGATE: I do.

4 MS. GORDON: It's in the variance.

5 MS. NEFF: One part of it shows 12 feet, but
6 then the other end is not that --

7 CHAIRMAN SALADINO: The only reason I'm
8 asking the Building Inspector is because we had two
9 or three different numbers.

10 MR. SWISKEY: Yeah, I know, that's what I'm
11 asking.

12 CHAIRMAN SALADINO: We're asking the Building
13 Inspector.

14 MS. REA: Sure.

15 MS. WINGATE: Give me a second.

16 MR. SWISKEY: I can wait, I'm patient.

17 MS. WINGATE: They have proposed a 12-foot
18 right-of-way.

19 MS. NEFF: Twelve foot is what was proposed.

20 MS. WINGATE: Yes.

21 MS. NEFF: Does part of that have to be moved
22 to change that?

23 MS. WINGATE: The --

24 CHAIRMAN SALADINO: Twelve -- I'm sorry.

25 MS. WINGATE: The little covered porch was

1 being removed to accomplish that.

2 CHAIRMAN SALADINO: Twelve feet is the
3 number.

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

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

9 MR. SWISKEY: All right.

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

12 MS. NEFF: Yes, that's right.

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

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

21 MS. WINGATE: It belongs to the front house.

22 MR. SWISKEY: So the front house, basically,
23 it belongs to the front, so the back house has no
24 -- they have to have a right to it. Because what
25 worries me about it is, like the Chief said, it's

1 kind of narrow. But you take a snow plow that's 10
2 feet wide and it has to run up that driveway, and
3 on one side you have Mr. Kehl's fence and on the
4 other side you have this house. And you can't put
5 the snow in the street, because Village Code says
6 you can't. So this snow is going to come off the
7 plow and it's going to hit both sides, and it's
8 going to have a very narrow entrance. It's going
9 to make the entrance a lot narrower than it is.
10 It's like it -- it has to do with like -- his
11 lawyer talks about size. Well, that has to do with
12 size of the right-of-way. I mean, where are you
13 going to put the snow? Has anybody considered
14 that? And I assume in this right-of-way there has
15 to be easements for the buried water, sewer and
16 electric line, since it won't be an overhead
17 electric line; am I right or wrong?

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

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

23 She talked about we should address the
24 variances. I see here to create Lot 2, Lot 2 needs
25 a variance of almost 45%, when we put in

1 perspective, right? Add from 7500, would be 3500,
2 3700 or something. All right? That would be 50%;
3 am I right or wrong, close to it? I don't have a
4 calculator.

5 MS. GORDON: Thirty-seven-fifty.

6 MR. SWISKEY: Yeah.

7 CHAIRMAN SALADINO: 46.32% variance.

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

10 MS. CHILTON-MILLER: Carol Chilton-Miller,
11 239 Fourth Avenue.

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

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

23 CHAIRMAN SALADINO: Thank you.

24 CHIEF MILLER: Also, I'd just like to
25 address, you said that it's only going to be a

1 12-foot wide entrance to the yard there.

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

4 CHIEF MILLER: You know, I don't know if
5 that's adequate, in my opinion. I think that we
6 need more room. Like I'd be more comfortable with
7 15 feet for my trucks to get in there and operate,
8 and really do the right job and save the houses and
9 stuff. But that's --

10 MR. CORWIN: Question for the Chief. If it's
11 8 feet or if it's 12 feet, can one of those rigs
12 come down Fifth Avenue, when there's usually cars
13 parked on each side, and make a turn into a
14 right-of-way?

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

17 MR. CORWIN: Can an ambulance?

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

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

25 CHIEF MILLER: That's what I'm telling you.

1 CHAIRMAN SALADINO: Okay.

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

6 AUDIENCE MEMBER: Washington's Birthday.

7 CHAIRMAN SALADINO: Right.

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

20 MS. PETERSON: Diane Peterson, 228 Sixth
21 Avenue.

22 As with the 221 Fifth Avenue hearing on the
23 variances, I would like my -- all of my remarks
24 applied to the hearing on these variances as well.
25 I am not in support of any of the variances being

1 granted.

2 I do also have a question about the
3 right-of-way that's proposed. If at some point all
4 of this goes through, and successfully there's a
5 house built back there, if the properties are then
6 sold, what happens to the right-of-way? Does the
7 property in the back still have that right-of-way?

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

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

16 MS. PETERSON: Okay.

17 MR. PROKOP: If it got --

18 MS. PETERSON: If it got that far. Okay.
19 All right. Thank you.

20 MR. HOLLID: Joe Hollid, 415 South Street.

21 When I owned the house in Southold, there was
22 a flag lot, but it was part of the deed, it was
23 part of the access that was deeded to that property
24 in the back of my house. It was part of my
25 property. I owned two acres. One acre was set

1 back with a separate drive that went to the back,
2 but it was deeded. I don't know how you could call
3 it a flag lot if it's not deeded to the house in
4 front.

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

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

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

16 MS. REA: That's correct.

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

19 MS. REA: Yes.

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

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

25 MR. HOLLID: Just an easement, then?

1 MR. PROKOP: Just an easement.

2 MS. REA: Right.

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

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

6 MS. JAEGER: Hi. Mary Ann Jaeger, 430 Fourth
7 Street.

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

11 CHAIRMAN SALADINO: It's a one-family
12 800-square-foot cottage.

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

15 MS. REA: Two.

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

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

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

20 MS. CHILTON-MILLER: How many people?

21 MS. JAEGER: Yeah. Now go on the
22 assumption --

23 CHAIRMAN SALADINO: We don't know that.

24 MS. JAEGER: -- that there's two adults, they
25 both work, they go different directions, they need

1 two vehicles. The people in the back, same thing,
2 husband, wife, whatever. Two cars, they go in
3 different directions. How are these people getting
4 in and out? Where are they parking? Because they
5 sure don't need to park on the street, because it's
6 full.

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

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

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

20 MS. JAEGER: Where?

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

22 MS. JAEGER: Where?

23 CHAIRMAN SALADINO: I don't know if this is
24 inappropriate, but I'm willing to let my copy pass
25 around of this. Is that --

1 MS. NEFF: I have a bigger one. Do you want
2 to use this one?

3 CHAIRMAN SALADINO: No, no, the smaller one.

4 MS. REA: It's behind the house. All the
5 parking is on the property.

6 CHAIRMAN SALADINO: I'm sorry?

7 MS. REA: There's adequate parking for both
8 houses.

9 CHAIRMAN SALADINO: No, I understand that,
10 but -- excuse me one second.

11 MS. JAEGER: Sure.

12 CHAIRMAN SALADINO: I understand that. But
13 to perhaps alleviate some of the questions that the
14 neighbors have, it might be easier for them to look
15 at the plan --

16 MS. REA: I understand, that's a good idea.

17 CHAIRMAN SALADINO: -- was what I was
18 thinking.

19 MS. REA: Sure, absolutely.

20 MS. JAEGER: Let me tell you something. I
21 have a big garage, right? I can fit four cars in
22 my driveway. If all my family came and stayed with
23 their cars, I wouldn't have enough room, except
24 that I do have another driveway that we put in. I
25 don't understand how they plan on putting all these

1 cars in the back, because there isn't -- that lot
2 is not as big as everyone seems to think it's going
3 to fit everything.

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

9 (Laughter)

10 MS. JAEGER: He's about the only one who
11 understands it.

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

23 MR. SWISKEY: Of the two houses?

24 CHAIRMAN SALADINO: For the two houses.

25 MR. SWISKEY: So --

1 CHAIRMAN SALADINO: Billy, Billy, we're not
2 going to talk.

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

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

21 MR. SWISKEY: Excuse me, John. William
22 Swiskey, 184 Fifth Street.

23 And I don't mean to get up and talk again,
24 but I need to clarify something. What is the
25 required parking spaces for the average -- say I

1 wanted to build a house in the Village. How many
2 parking spaces would the Village require me to
3 have?

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

6 MR. SWISKEY: Yeah, one-family house.

7 CHAIRMAN SALADINO: Two spaces.

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

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

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

16 (Laughter)

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

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

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

23 MS. REA: Kimberly Rea, Westervelt & Rea,
24 Shelter Island, on behalf of Mr. Olinkiewicz, the
25 applicant.

1 I'd like to incorporate my prior comments
2 from the earlier hearing to this one.

3 I'd also just like to clarify that with
4 respect to parking, the parking spaces are shown on
5 the sketch plan. There is adequate parking. The
6 10-foot, or, sorry, the 12-foot -- we keep calling
7 it a right-of-way, it's the driveway, is designed
8 pursuant -- to meet Village Code, which is 12 feet.
9 And it's my understanding that that's what it takes
10 to get a fire truck down the driveway.

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

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

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

17 CHAIRMAN SALADINO: New York State?

18 MS. WINGATE: Not in the Building Code. The
19 Building Code has no minimum size for residential
20 parking.

21 CHAIRMAN SALADINO: And what is it for the
22 commercial?

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

25 CHAIRMAN SALADINO: Yes, you do.

1 MS. WINGATE: No, I don't.

2 CHAIRMAN SALADINO: Yeah, you do.

3 MS. WINGATE: I really don't.

4 CHAIRMAN SALADINO: I was testing.

5 MS. REA: In any case, the 12 feet that has
6 been proposed would come by taking part of the
7 porch off the existing house. The garage would
8 also be removed to open that up. That provides
9 more room. So, to clarify the plans, I hope that
10 does that. Thanks.

11 MS. ALLEN: Can I just come up?

12 CHAIRMAN SALADINO: Sure, Chatty.

13 MS. ALLEN: Chatty Allen, Fifth Avenue.

14 If I'm remembering these plans correctly, and
15 this was another objection from another hearing, is
16 in between the two buildings is only going to be
17 parking. There is no yard at all. And as someone
18 who right now is living in an apartment complex
19 with no yard, children live there, and you really
20 have to pay attention when you go to pull in,
21 because they use it as their playground.

22 Now I've never seen the actual prints, but if
23 that was my understanding, that you had the house
24 in the front, parking, and the -- I guess they're
25 calling it a cottage, there's no grass, there's no

1 yard. So you're going to have people coming in and
2 out of there.

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

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

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

19 CHAIRMAN SALADINO: Thank you.

20 MS. MC ENTEE: I'm sorry. Joanne McEntee,
21 242. I did fail to mention this.

22 Besides the variance, the six variances, the
23 house that is proposed, the cottage, it's supposed
24 to be 1,000 square feet in our Village. I do see
25 on here it's barely 700 square feet.

1 CHAIRMAN SALADINO: They're asking for a
2 variance.

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

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

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

16 MS. NEFF: Yes.

17 MR. HOLLID: All right. Now these cars have
18 to turn backwards to get out and they're backing
19 into almost an area where the other three cars are
20 located that park behind the house. It's pretty
21 close. I mean, there may be a leeway, but, again,
22 I don't know how you're -- how they're going to
23 adjust that, make the cars pull out, and if there's
24 coincidental backing from one car to another, say
25 they were leaving at the same time. It's kind of a

1 safety issue, and I think it's a -- I think -- I'd
2 like to say avoid it, don't let it go through.
3 Thank you.

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

6 MR. TASKER: Second.

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

9 MR. TASKER: Second.

10 CHAIRMAN SALADINO: All in favor?

11 MR. CORWIN: Aye.

12 MS. GORDON: Aye.

13 MS. NEFF: Aye.

14 MR. TASKER: Aye.

15 CHAIRMAN SALADINO: Aye. Opposed?

16 (No Response)

17 MS. WINGATE: Who seconded it?

18 MR. TASKER: I did.

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

24 MR. TASKER: Can I ask the Chairman a
25 question?

1 CHAIRMAN SALADINO: Sure.

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

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

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

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

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

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

25 MS. NEFF: On the other hand, my point of

1 view is, having listened carefully to the course of
2 this evening's events, recalling it all to mind to
3 -- I mean, in other words, I'm in favor of doing
4 our vote tonight.

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

7 MS. NEFF: From my point of view.

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

10 MS. NEFF: Discuss and then vote.

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

13 MS. NEFF: Yes.

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

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

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

23 MS. GORDON: Well, I'm sort of with David
24 with respect to being tired. And I guess I feel,
25 you know, I took some notes about the things that I

1 thought were more relevant and less relevant. And
2 a part of me thinks that if I had a month to think
3 about this, I would be able to sort out what was
4 relevant and what was not so relevant better. But
5 I also -- like Ellen, I'm willing to go along with
6 what others want to do. I also think that it would
7 be easier to deal with 238 than with 221.

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

13 So, Arthur, did we hear from you?

14 MR. TASKER: No.

15 CHAIRMAN SALADINO: Are we going to?

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

18 MS. NEFF: And I think the point the
19 Chairman brings up, to deal with one of them. The
20 238 perhaps could be finished, I mean, dealt with
21 tonight, and that --

22 CHAIRMAN SALADINO: That's my intention.

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

25 CHAIRMAN SALADINO: Okay. So okay. So

1 Item #8 is a discussion and possible action on the
2 application for James Olinkiewicz, 238 Greenport,
3 Incorporated, 238 Fifth Avenue, Greenport, 11944,
4 Suffolk County Tax Map 1001-4-8-3.

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

12 Also, nine variances seems a bit excessive.
13 I mean, 28% variance for lot coverage on Lot 1, a
14 46% variance for lot coverage on Plot 2. Sometimes
15 -- sometimes a lot is just -- in my opinion, again,
16 sometimes a lot is just too small. Does the Board
17 have any comments?

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

24 One thing that is distinctive about this
25 particular one, 238, as compared to many, if not,

1 and I'll enumerate, of the variances that were
2 granted is that the lots that were created were
3 side by side, each having frontage on the street on
4 which they were located. In other words, they're
5 not set back one behind the other. So that there's
6 ample reason to suggest that Finne, and I didn't
7 keep full notes, but Finne on Second Street,
8 Monsell on First Street, with the lots that were
9 created faced Second Street, Lockhart on First
10 Street, facing the house I grew up in, was two lots
11 facing on First Street, Prestwood, two lots facing,
12 again, on Second Street, although it went back from
13 First Street, so that there's no -- certainly, no
14 precedential value with respect to at least those.
15 I don't -- I'm not as familiar with the other
16 properties that were -- that were mentioned.

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

20 Frankly, we see the layout, we see the
21 appropriate number of code required parking spaces
22 in each -- you know, for each of those two, but --
23 and I did not have the opportunity to see the
24 staked out lots, so I don't have that vision in my
25 mind, but several of you do. It looks -- it looks

1 rather crowded, even though it may meet the code.
2 And I think from the comments that have been made
3 by members of the public, it's hard to have good
4 confidence that that's the total number of cars
5 that are going to be parking there. Thank you.

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

13 CHAIRMAN SALADINO: David?

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

18 (Laughter)

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

25 Attorney Rea brought up a lot of subdivisions

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

11 MS. NEFF: Well, just about the same.

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

21 And then the Second Street one, which was
22 Prestwood, and at the time Mr. Tasker came in and
23 testified, and he said, "You're making two lots.
24 You can get everything you need with no variances
25 if you just make one lot." And that particular one

1 passed. I voted yes to that one. I'm embarrassed
2 by that. I was relatively new. And I knew it was
3 going to pass, because of the four people that were
4 going to vote for it, that was obvious. So I said
5 I'm not going to get into it with a guy that
6 carries a gun and threatened us, I'll just vote
7 yes, and I'm embarrassed to say that.

8 (Laughter)

9 MS. NEFF: I don't recall this.

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

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

21 CHAIRMAN SALADINO: Just the pages.

22 MR. CORWIN: Hundreds of pages. There was no
23 problems found. Well, most of those inspections,
24 and I'll tell you because I know, because I'm a
25 landlord, were, I'm sure, for Section 8 houses.

1 And I got to tell you, again, I know, the inspector
2 comes in, they go around and they always find
3 something. And the one thing they like to find is
4 cracked glass, because a child could run their hand
5 over the cracked glass. And you're sitting there
6 or standing there and you're saying, "But that's
7 five feet in the air." You don't say anything, you
8 just fix the window. But the point is the idea
9 that there were hundreds of pages of inspections,
10 but no problems, I don't think that's true.

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

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

19 AUDIENCE MEMBER: You take your time.

20 MR. CORWIN: It's a three family house. And
21 the way it came about was Lindell Dutcher, Lindell
22 Dutcher (phonetic) and his sister, she was a
23 telephone operator, he didn't do anything. I was a
24 little kid at the time. And it was a single family
25 house, and he just built two new apartments, two

1 apartments. Okay. Nobody from the Village came
2 around, because they weren't enforcing anything, I
3 guess. And at one time my mother owned the house,
4 and one time my brother and I owned the house, then
5 sold the house. I wish I hadn't, but that was a
6 mistake again.

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

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

24 And then going back again to Attorney Rea
25 said, "Well, there was no violations." At least

1 that's what I heard, unless I'm mistaken. Maybe
2 somebody on the Board can correct me. Well, yeah,
3 if you've got 24-hour notice, there's not going to
4 be any violations.

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

15 And I also want to make a comment about how I
16 believe the two-family housing came about in
17 Greenport. And maybe Mr. Tasker will straighten me
18 out if I'm incorrect. I think what happened was
19 you had World War II and the shipyard was going
20 strong. And I'll tell you, I'm a member of the
21 Historical -- I'm the Vice President of the
22 Historical Society, so I studied this stuff a
23 little bit. But you had World War II, the shipyard
24 was going strong. Two thousand people, shifts of
25 2000 people working on building landing craft down

1 there and mine sweepers. Of course that made a big
2 demand for housing. So I think a lot of places
3 that were probably one-family houses, there were
4 two-family houses. And a house back then had the
5 grandmother, the aunt, the father, the kids, so it
6 was a whole family, and maybe they called it a
7 two-family. But, anyway, as the war goes on,
8 they're taking these one-family houses and they're
9 breaking them up to make two-family houses,
10 three-family houses, rooming houses, to supply
11 housing for the war workers.

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

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

24 So another thing I want to point out,
25 constantly the cry goes up that we need low-income

1 housing in Greenport. And traditionally Greenport
2 has been Southold Town's solution to low-income
3 housing, and now Shelter Island's solution to
4 low-income housing. But with these new things like
5 Airbnbs, it's really changing the whole housing
6 situation in Greenport, because a lot of the
7 landlords say, "Well, I'm going to rent on weekends
8 for \$2,000. Ten weekends I pay for the house, and
9 I'm not going to bother with renting all year round
10 a two-family house to some "Joe Blows".

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

24 So I'll just finish up and say that we learn
25 things, I learned things. And I say these

1 undersized lots are not doing any favors to anybody
2 except the developers and the sellers. Thank you.

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

6 (Laughter)

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

9 MS. GORDON: You'll lose your mirror.

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

15 (Laughter)

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

23 CHAIRMAN SALADINO: Senior, senior member.

24 MS. NEFF: The balancing of the applicants,
25 see, some -- I have been an applicant. I wanted to

1 build an addition. My house sits on the property
2 line. I couldn't build something that connected
3 the little back room to the next room, because they
4 wouldn't -- I needed the ZBA, I needed five feet.
5 My -- you know, the -- all that process.

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

20 And so my point is, is our job is to try to
21 work towards a balance. And that the relief asked
22 for in this application, they're very substantial
23 the variances requested, and they seem --
24 especially I don't think just about the time
25 there's a fire. I think about the daily lives of

1 the people who live there, in and out, trying --
2 and the snow, I'm glad someone mentioned the snow.
3 But just in and out, and the people who are walking
4 in the street, particularly children, how you
5 maneuver around and get in and out, that happens
6 many times every day. So there are reasons that I
7 find this not a balance that is easy to say, "Well,
8 fine, this will work." It doesn't, in my view,
9 work in this case. I'm done.

10 CHAIRMAN SALADINO: Good job.

11 MS. NEFF: Okay.

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

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

20 For Lot 2, it's a 46% variance for lot
21 coverage. I don't think there's anybody, including
22 the applicant or his attorney, that would dispute
23 that that's substantial. The lot depth, it's
24 asking for a 50-foot variance. It's supposed to be
25 100 feet, they're asking for an area variance of 50

1 feet. The cottage is 15 feet from the front
2 property line, when it should be 30. Fifty percent
3 is considerable. The cottage is 10 feet from the
4 rear property line, when it should be 30, when
5 it -- and requiring a 20-foot variance,
6 considerable. The one story frame house has got
7 695 square feet of livable space. It needs a 304
8 square foot variance. Somebody do the math, 45%,
9 considerable variance. I think in the totality of
10 these variances -- and that's not even addressing
11 Lot No. 1. I think sometimes too small is just too
12 small.

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

24 I think that -- I think that the last -- the
25 last granted variances that eventually -- for

1 properties that eventually were subdivided was
2 2009. 2009? 2011.

3 MS. GORDON: Eleven.

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

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

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

19 MS. NEFF: Yes.

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

22 MR. TASKER: Just one further comment.

23 CHAIRMAN SALADINO: Sure

24 MR. TASKER: If I may, Mr. Chairman. The
25 substance of what several of us have been saying

1 seems to me to essentially support the rubric that
2 is one of the key purposes of the Zoning Code,
3 stating explicitly in the opening remarks, and that
4 is the maximum preservation of residential areas.
5 And I think when you look at the different factors
6 that have been addressed by us and by the public in
7 terms of their comments, that is a strong
8 consideration in terms of the decision we're about
9 to make.

10 One minor correction to one of Mr. Corwin's
11 remarks, the first Zoning Code was instituted in
12 1949. There was only one Residential District in
13 the Village, it was called R-1, but it permitted
14 both one and two-family houses, plus churches and
15 schools, and the same litany of things that I think
16 are present now. So it was not until some time
17 later, I don't know exactly when, that a specific
18 zone was created that permitted only one-family
19 houses. So, originally, it was both one and
20 two-family houses. Whether that makes a difference
21 or not, but it's part of the history. Thank you.

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

24 MR. CORWIN: Let's move on.

25 MR. TASKER: Let's move, yeah.

1 CHAIRMAN SALADINO: Okay. I'm going to read
2 these questions.

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

7 MR. PROKOP: That's correct.

8 CHAIRMAN SALADINO: Okay.

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

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

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

17 MS. WINGATE: They're all area variances.

18 MR. PROKOP: Pardon me?

19 MS. WINGATE: They're all area variances.

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

21 CHAIRMAN SALADINO: I'll make that motion.

22 Mr. Corwin?

23 MR. TASKER: I'll second.

24 CHAIRMAN SALADINO: I'm sorry. Arthur
25 seconded it. Mr. Corwin.

1 MR. CORWIN: Yes.

2 CHAIRMAN SALADINO: Diana.

3 MS. GORDON: Yes.

4 CHAIRMAN SALADINO: Ellen.

5 MS. NEFF: Yes.

6 CHAIRMAN SALADINO: Arthur.

7 MR. TASKER: Yes.

8 CHAIRMAN SALADINO: And I'm going to vote
9 yes.

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

15 MR. CORWIN: Yes.

16 MR. PROKOP: Basically, are you doing this --
17 you're doing it for the variances individually or
18 as a group? I'm sorry.

19 CHAIRMAN SALADINO: We were doing them as a
20 group.

21 MR. PROKOP: Okay.

22 CHAIRMAN SALADINO: Is that --

23 MS. NEFF: Right, right.

24 MR. PROKOP: Okay.

25 CHAIRMAN SALADINO: Well, I'll ask the

1 Attorney, is that appropriate?

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

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

10 MS. WINGATE: I do.

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

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

15 MS. WINGATE: I have no comment.

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

18 MR. TASKER: I agree.

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

21 CHAIRMAN SALADINO: Okay.

22 MR. TASKER: I agree.

23 MR. PROKOP: You can vote on that also.
24 That's something -- it really should be a motion as
25 to how you handle them. I mean, I recommend that

1 you do --

2 CHAIRMAN SALADINO: Well, I'm going to defer
3 to the Attorney. If the Attorney's legal opinion
4 is that we do nine variances individually, I don't
5 think we need a motion, we'll just -- we'll just do
6 that.

7 MS. NEFF: I can't recall a time that we did
8 that in that fashion.

9 MR. SWISKEY: I can't either.

10 MS. NEFF: I really --

11 CHAIRMAN SALADINO: Yeah, we did. We just
12 did it.

13 MS. NEFF: I find this very confusing.

14 MS. WINGATE: We always do.

15 CHAIRMAN SALADINO: We just did it with SSJD.

16 MR. PROKOP: We just did it with the last
17 one.

18 MS. NEFF: Well, that was a very different
19 project and it addressed over --

20 MR. PROKOP: It's up to the Board.

21 MR. CORWIN: Well, I make a motion that we do
22 them individually.

23 MS. GORDON: Second.

24 MR. TASKER: Aye.

25 CHAIRMAN SALADINO: All right. All in favor?

1 MR. CORWIN: Aye.
2 MS. GORDON: Aye.
3 MR. TASKER: Aye.
4 MS. NEFF: Opposed.
5 CHAIRMAN SALADINO: Any opposed?
6 MS. NEFF: Aye, I'm opposed.
7 CHAIRMAN SALADINO: Diana?
8 MS. GORDON: No, it's fine. Yes. I'm a yes.
9 CHAIRMAN SALADINO: I'm going to vote yes.
10 I'm going to take the Attorney's advice, even
11 though I pretend to be an attorney. I'm going to
12 have to get the list of the variances requested.
13 MR. SWISKEY: I'll take a nap.
14 MS. GORDON: It's 4 to 1.
15 CHAIRMAN SALADINO: It's -- I'm sorry.
16 MS. GORDON: Did you want --
17 CHAIRMAN SALADINO: I have them, I have them
18 here. I have them here. I'll read them from the
19 -- I have the public notice.
20 MS. WINGATE: Can we just number them?
21 MS. NEFF: Yes.
22 CHAIRMAN SALADINO: Can we number them one
23 through nine on the public notice?
24 MS. WINGATE: Eight, yes.
25 MS. GORDON: We have eight here.

1 CHAIRMAN SALADINO: One through eight on the
2 public notice? And the first guy I catch sleeping
3 gets ejected. If we got to stay up, you got to
4 stay up, too.

5 MS. GORDON: Lucky guy.

6 MS. WINGATE: Okay. Number one.

7 CHAIRMAN SALADINO: Number one, the proposed
8 subdivision creates Lot 1, which has an area -- has
9 an area of 5,389.5 square feet, where Section
10 150-12(A) requires a minimum lot size of 7500
11 square feet. The proposal requires a minimum lot
12 area variance of 2,110 1/2 square feet.

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

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

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

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

20 CHAIRMAN SALADINO: Okay.

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

24 MR. PROKOP: Yes.

25 MR. CORWIN: Or does it matter?

1 CHAIRMAN SALADINO: Only for the score sheet.

2 MS. WINGATE: I got it.

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

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

7 CHAIRMAN SALADINO: Okay. Squared away?
8 We'll read the question. This is for the variance
9 for Lot 1 that I just read.

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

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

17 MR. CORWIN: Yes.

18 CHAIRMAN SALADINO: Diana.

19 MS. GORDON: Yes.

20 CHAIRMAN SALADINO: Ellen.

21 MS. NEFF: Yes.

22 CHAIRMAN SALADINO: Arthur.

23 MR. TASKER: Yes.

24 CHAIRMAN SALADINO: And I'm going to vote
25 yes.

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

5 MR. CORWIN: No.

6 MS. GORDON: No.

7 MS. NEFF: No.

8 CHAIRMAN SALADINO: Arthur.

9 MR. TASKER: No.

10 CHAIRMAN SALADINO: And I'm going to make it
11 a no.

12 Whether the requested area variance is
13 substantial? David.

14 MR. CORWIN: Yes.

15 MS. GORDON: Yes.

16 CHAIRMAN SALADINO: Dinni.

17 MS. NEFF: Yes.

18 CHAIRMAN SALADINO: Ellen, yes. Arthur.

19 MR. TASKER: Yes.

20 CHAIRMAN SALADINO: And Saladino will be yes.

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

25 MR. CORWIN: I'm going to vote that yes, it

1 will. And I'm going to note that it's already a
2 very dense area, this avenue is, and this will only
3 intensify the density.

4 CHAIRMAN SALADINO: Diana.

5 MS. GORDON: Yes.

6 MS. NEFF: Yes.

7 CHAIRMAN SALADINO: Ellen votes yes. Arthur.

8 MR. TASKER: Yes.

9 CHAIRMAN SALADINO: And I'll vote yes.

10 MS. WINGATE: Can you speak up, John?

11 CHAIRMAN SALADINO: I'm sorry.

12 MS. WINGATE: Only for yourself.

13 CHAIRMAN SALADINO: I'm sorry.

14 MS. NEFF: Just you, just you.

15 CHAIRMAN SALADINO: I'll move this over.

16 MS. WINGATE: I got the yes.

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

22 MR. CORWIN: Yes.

23 CHAIRMAN SALADINO: Diana.

24 MS. GORDON: Yes.

25 MS. NEFF: Yes.

1 CHAIRMAN SALADINO: Ellen is jumping the gun.
2 Yes. Arthur.

3 MR. TASKER: Yes.

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

7 MR. TASKER: Second.

8 CHAIRMAN SALADINO: David.

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

11 CHAIRMAN SALADINO: Approve the requested
12 variance.

13 MR. CORWIN: No.

14 CHAIRMAN SALADINO: Diana.

15 MS. GORDON: No.

16 CHAIRMAN SALADINO: Ellen.

17 MS. NEFF: No.

18 CHAIRMAN SALADINO: Arthur.

19 MR. TASKER: No.

20 CHAIRMAN SALADINO: And Saladino will vote no.

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

23 MS. NEFF: No, everybody said no.

24 MR. CORWIN: No. But, I mean, I'm sorry if
25 I'm wasting time.

1 MS. GORDON: I understand, absolutely.

2 MR. CORWIN: I'm sorry.

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

5 MS. GORDON: Right, right.

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

7 MS. WINGATE: Okay. Lot width.

8 CHAIRMAN SALADINO: I need the score sheets.

9 MS. WINGATE: I got it.

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

12 MR. SWISKEY: Did the first variance fail?

13 MS. GARRIS: Yes.

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

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

18 (Laughter)

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

21 MS. WINGATE: I only have one extra.

22 CHAIRMAN SALADINO: I got it.

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

25 CHAIRMAN SALADINO: This is democracy. This

1 is democracy in progress.

2 MS. GORDON: Yeah, this is democracy.

3 (Laughter)

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

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

13 MR. CORWIN: Yes.

14 CHAIRMAN SALADINO: Diana.

15 MS. GORDON: Yes.

16 MS. NEFF: No.

17 CHAIRMAN SALADINO: Ellen says no.

18 MR. TASKER: I say no.

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

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

24 MR. CORWIN: No.

25 MS. GORDON: No.

1 MS. NEFF: No.

2 MR. TASKER: No.

3 CHAIRMAN SALADINO: And I'll vote no.

4 Whether the requested area variance is
5 substantial? David.

6 MR. CORWIN: Yes.

7 CHAIRMAN SALADINO: Dinni.

8 MS. GORDON: Right -- I mean, yes.

9 MS. NEFF: No.

10 MR. TASKER: No.

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

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

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

20 CHAIRMAN SALADINO: Okay.

21 MS. GORDON: I'm going to vote no on this
22 one.

23 MS. NEFF: No.

24 MR. TASKER: No.

25 CHAIRMAN SALADINO: I'm going to vote yes.

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

6 MR. CORWIN: Yes.

7 CHAIRMAN SALADINO: Dinni,

8 MS. GORDON: Yes

9 MS. NEFF: Yes

10 MR. TASKER: Yes.

11 CHAIRMAN SALADINO: And I'll vote yes.

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

14 MR. CORWIN: Second.

15 CHAIRMAN SALADINO: David.

16 MR. CORWIN: No.

17 CHAIRMAN SALADINO: Dinni.

18 MS. GORDON: No.

19 CHAIRMAN SALADINO: Ellen.

20 MS. NEFF: I'd like to say that I'm confused
21 about what we are doing. We're talking about the
22 10 feet, and that's why this -- splitting this up
23 this way, I don't know.

24 MR. SWISKEY: It's insane.

25 MS. NEFF: I am sorry, I don't understand.

1 CHAIRMAN SALADINO: You could always abstain.

2 MS. NEFF: I abstain.

3 MR. TASKER: No.

4 CHAIRMAN SALADINO: And I'm going to vote no.
5 Moving on.

6 MS. WINGATE: Lot coverage.

7 CHAIRMAN SALADINO: Lot 1, lot coverage. The
8 proposed lot coverage is 37% (2,024 square feet).
9 Section 150-12(A) of the Village of Greenport Code
10 limits the maximum lot coverage to 35% for a
11 two-family house in the R-2 District, requiring a
12 lot coverage area variance of 2% (107.75 square
13 feet).

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

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

20 MS. GORDON: No.

21 MS. NEFF: No.

22 MR. TASKER: No.

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

25 Whether the benefit sought by the applicant

1 can be achieved by some method feasible for the
2 applicant to pursue other than an area variance?
3 David.

4 MR. CORWIN: No.

5 MS. GORDON: No.

6 MS. NEFF: No.

7 MR. TASKER: No.

8 CHAIRMAN SALADINO: And I'll vote no.

9 Whether the requested area variance is
10 substantial? Mr. Corwin.

11 MR. CORWIN: No.

12 MS. GORDON: No.

13 MS. NEFF: No.

14 MR. TASKER: No.

15 CHAIRMAN SALADINO: And I'll vote no.

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

20 MR. CORWIN: No.

21 MS. GORDON: No.

22 MS. NEFF: No.

23 MR. TASKER: No.

24 CHAIRMAN SALADINO: And I'll vote no.

25 Whether the alleged difficulty was

1 self-created, which consideration shall be relevant
2 to the decision of the Board of Appeals, but not
3 necessarily preclude the granting of the area
4 variance? David.

5 MR. CORWIN: Yes.

6 CHAIRMAN SALADINO: Diana.

7 MS. GORDON: No.

8 MS. NEFF: No.

9 MR. TASKER: Yes.

10 CHAIRMAN SALADINO: And I vote yes.

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

13 MR. TASKER: Second.

14 CHAIRMAN SALADINO: David.

15 MR. CORWIN: No.

16 CHAIRMAN SALADINO: Diana.

17 MS. GORDON: No.

18 MS. NEFF: No.

19 MR. TASKER: No.

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

21 Moving on. Lot 2, Item 1. The proposed
22 subdivision creates Lot 2, which has an area of
23 4,026 square feet, where Section 150-12(A) of the
24 Village of Greenport Code requires a minimum lot
25 size of 7,500 square feet, requiring a minimum lot

1 size variance of 3,474 square feet.

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

6 MR. CORWIN: Yes.

7 MS. GORDON: Yes.

8 MS. NEFF: Yes.

9 CHAIRMAN SALADINO: Arthur.

10 MR. TASKER: Yes.

11 CHAIRMAN SALADINO: And I'll vote yes.

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

16 MR. CORWIN: No.

17 CHAIRMAN SALADINO: Diana.

18 MS. GORDON: No.

19 MS. NEFF: No.

20 MR. TASKER: No.

21 CHAIRMAN SALADINO: And I'll vote no.

22 Whether the requested area variance is
23 substantial? David.

24 MR. CORWIN: Yes.

25 MS. GORDON: Yes.

1 MS. NEFF: Yes.

2 MR. TASKER: Yes.

3 CHAIRMAN SALADINO: And I'll vote yes.

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

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

11 MS. GORDON: Yes.

12 MS. NEFF: Yes.

13 MR. TASKER: Yes.

14 CHAIRMAN SALADINO: And I'll vote yes.

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

20 MR. CORWIN: Yes.

21 MS. GORDON: Yes.

22 MS. NEFF: Yes.

23 MR. TASKER: Yes.

24 CHAIRMAN SALADINO: And I'll vote yes.

25 And I make a motion to approve the requested

1 variance.

2 MR. TASKER: Second.

3 CHAIRMAN SALADINO: David.

4 MR. CORWIN: No.

5 MS. GORDON: No.

6 MS. NEFF: No.

7 MR. TASKER: No.

8 CHAIRMAN SALADINO: I guess I will vote no.

9 Moving on.

10 MR. SWISKEY: Four more to go.

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

15 MS. NEFF: A hundred feet.

16 CHAIRMAN SALADINO: Requiring an area
17 variance of 50 feet.

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

22 MR. CORWIN: Yes.

23 MS. GORDON: Yes.

24 MS. NEFF: Yes.

25 MR. TASKER: Yes.

1 CHAIRMAN SALADINO: And I'll vote yes.

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

6 MR. CORWIN: No.

7 MS. GORDON: No.

8 MS. NEFF: No.

9 MR. TASKER: No.

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

13 MR. CORWIN: Yes.

14 MS. GORDON: Yes.

15 MS. NEFF: Yes.

16 MR. TASKER: Yes.

17 CHAIRMAN SALADINO: And I'll vote yes.

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

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

24 MS. NEFF: Yes.

25 CHAIRMAN SALADINO: Diana.

1 MS. GORDON: Yes.

2 CHAIRMAN SALADINO: Yes. Ellen, yes.
3 Arthur.

4 MR. TASKER: Yes.

5 CHAIRMAN SALADINO: And I'll vote yes.

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

11 MR. CORWIN: Yes.

12 MS. GORDON: Yes.

13 MS. NEFF: Yes.

14 MR. TASKER: Yes.

15 CHAIRMAN SALADINO: And I'll vote yes.

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

18 MR. TASKER: Second.

19 CHAIRMAN SALADINO: David.

20 MR. CORWIN: No.

21 MS. GORDON: No.

22 MS. NEFF: No.

23 MR. TASKER: No.

24 CHAIRMAN SALADINO: And I'll vote no.

25 Number 3, Eileen?

1 MS. WINGATE: Number 6 is --

2 MS. GORDON: Fifteen feet from the front.

3 CHAIRMAN SALADINO: I have it, I have it.

4 MS. WINGATE: -- the front yard setback.

5 CHAIRMAN SALADINO: The proposed cottage is
6 15 feet from the front (west) property line, where
7 section 150-12(A) of the Village of Greenport Code
8 requires a minimum 30-foot front yard setback,
9 requiring a 15-foot front yard setback.

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

14 MR. CORWIN: Yes.

15 MS. GORDON: Yes.

16 MS. NEFF: Yes.

17 MR. TASKER: Yes.

18 CHAIRMAN SALADINO: And I'll vote yes.

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

23 MR. CORWIN: No.

24 MS. GORDON: No.

25 MS. NEFF: No.

1 MR. TASKER: No.

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

4 Whether the requested area variance is
5 substantial? David.

6 MR. CORWIN: Yes.

7 CHAIRMAN SALADINO: Diana.

8 MS. GORDON: Yes.

9 MS. NEFF: Yes.

10 MR. TASKER: Yes.

11 CHAIRMAN SALADINO: And I'll vote yes.

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

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

18 MS. GORDON: Yes.

19 MR. CORWIN: Neighborhood.

20 MS. NEFF: Yes.

21 CHAIRMAN SALADINO: Diana is yes. Ellen.

22 MS. NEFF: Yes.

23 CHAIRMAN SALADINO: Arthur.

24 MR. TASKER: Yes.

25 CHAIRMAN SALADINO: And I'm going to vote

1 yes.

2 Was the alleged difficulty self-created? Can
3 I abbreviate that for the folks?

4 MS. GORDON: Yeah.

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

8 MS. NEFF: That's enough

9 CHAIRMAN SALADINO: Okay. David.

10 MR. CORWIN: Yes.

11 MS. GORDON: Yes.

12 MS. NEFF: Yes.

13 MR. TASKER: Yes.

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

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

17 MR. TASKER: So moved, second.

18 CHAIRMAN SALADINO: David.

19 MR. CORWIN: No.

20 MS. GORDON: No.

21 MS. NEFF: No.

22 MR. TASKER: No.

23 CHAIRMAN SALADINO: And I'll vote no.

24 MS. GORDON: We're getting there.

25 MS. NEFF: Ten feet from the rear.

1 CHAIRMAN SALADINO: The proposed cottage is
2 10 feet from the rear (east) property line, where
3 section 150-12(A) of the Village of Greenport Code
4 requires a minimum 30-foot rear yard setback,
5 requiring a 20-foot rear yard setback variance.

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

10 MR. CORWIN: Yes.

11 MS. GORDON: Yes.

12 MS. NEFF: Yes.

13 MR. TASKER: Yes.

14 CHAIRMAN SALADINO: And I'll vote yes.

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

19 MR. CORWIN: No.

20 MS. GORDON: No.

21 MS. NEFF: No.

22 MR. TASKER: No.

23 MS. GORDON: We're getting faster and faster.

24 MR. TASKER: We're getting our -- we're
25 getting our act together.

1 CHAIRMAN SALADINO: And I vote no.

2 Whether the requested area variance is
3 substantial? David.

4 MR. CORWIN: Yes.

5 MS. GORDON: Yes.

6 MS. NEFF: Yes.

7 MR. TASKER: Yes.

8 CHAIRMAN SALADINO: And I'll vote yes.

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

13 MR. CORWIN: Yes.

14 MS. GORDON: Yes.

15 MS. NEFF: Yes.

16 CHAIRMAN SALADINO: Wait. No sidebar on
17 that? No --

18 (Laughter)

19 MR. CORWIN: Well, it is a very dense
20 neighborhood on Fifth Avenue.

21 (Laughter)

22 And this will have an adverse effect in terms
23 of density and quality of life.

24 CHAIRMAN SALADINO: I didn't want you -- I
25 didn't want you to forget to say that. Diana voted

1 yes.

2 MS. GORDON: Yes.

3 CHAIRMAN SALADINO: Ellen.

4 MS. NEFF: Yes.

5 CHAIRMAN SALADINO: Arthur.

6 MR. TASKER: Yes.

7 CHAIRMAN SALADINO: And I'll vote yes.

8 Whether the alleged difficulty was

9 self-created? David.

10 MR. CORWIN: Yes.

11 MS. GORDON: Yes.

12 MS. NEFF: Yes.

13 MR. TASKER: Yes.

14 CHAIRMAN SALADINO: And I'll vote yes. I'm

15 going to make a motion to approve the requested

16 variance.

17 MR. TASKER: Second.

18 CHAIRMAN SALADINO: David.

19 MR. CORWIN: No.

20 MS. GORDON: No.

21 MS. NEFF: No.

22 MR. TASKER: No.

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

24 MR. SWISKEY: Down to the last one.

25 MS. NEFF: No, two more.

1 CHAIRMAN SALADINO: No, one more.

2 MS. NEFF: Oh, no, you're right.

3 MS. WINGATE: Give a little space.

4 CHAIRMAN SALADINO: One more.

5 The proposed one-story frame house is 800
6 square feet, with 695.5 square feet of livable
7 space, where Section 150(A) of the Village of
8 Greenport Code requires -- 150(A)? Is there a --
9 is there a --

10 MR. PROKOP: 12(A). It should be 150-12(A).

11 MS. WINGATE: 12(A).

12 CHAIRMAN SALADINO: 150-12(A) of the Village
13 of Greenport Code requires a one-family dwelling
14 located in the R-2 District to have 1,000 square
15 feet of livable floor area, requiring a minimum
16 livable space variance of 304.5 square feet.

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

21 MR. CORWIN: Yes.

22 MS. GORDON: Yes.

23 MS. NEFF: Yes.

24 MR. TASKER: Yes.

25 CHAIRMAN SALADINO: I'm going to vote yes.

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

4 Mr. Corwin.

5 MR. CORWIN: No.

6 MS. GORDON: No.

7 MS. NEFF: No.

8 MR. TASKER: Yes.

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

10 Whether the requested area variance is
11 substantial? David.

12 MR. CORWIN: Yes.

13 MS. GORDON: Yes.

14 MS. NEFF: Yes.

15 MR. TASKER: Yes.

16 CHAIRMAN SALADINO: And I'll vote yes.

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

21 MR. CORWIN: Yes.

22 MS. GORDON: Yes.

23 MS. NEFF: Yes.

24 MR. TASKER: Yes.

25 CHAIRMAN SALADINO: And I'll vote yes.

1 Was the alleged -- whether the alleged
2 difficulty was self created? David.

3 MR. CORWIN: Yes.

4 MS. GORDON: Yes.

5 MS. NEFF: Yes.

6 MR. TASKER: Yes.

7 CHAIRMAN SALADINO: And I'll vote yes.

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

10 MR. TASKER: Second.

11 CHAIRMAN SALADINO: David.

12 MR. CORWIN: No.

13 MS. GORDON: No.

14 MS. NEFF: No.

15 MR. TASKER: No.

16 CHAIRMAN SALADINO: And I'll vote no.

17 Item #9, motion to adjourn.

18 MR. CORWIN: Wait. Can I just --

19 MR. SWISKEY: When can we expect a marked up
20 agenda?

21 CHAIRMAN SALADINO: Wait, wait, wait. I'm
22 sorry, David. David.

23 MR. CORWIN: We've come this far.

24 CHAIRMAN SALADINO: Folk, folks, folks, one
25 second, one second, one second.

1 MR. CORWIN: We've come this far. We've come
2 this far. Maybe we should --

3 CHAIRMAN SALADINO: Guys, guys, wait one
4 second. What is it, David?

5 MR. CORWIN: We've come this far. Maybe we
6 should take up the other one, too.

7 MS. GORDON: The what?

8 MS. NEFF: No.

9 CHAIRMAN SALADINO: I'll take a sense of the
10 Board. Does this Board want to address -- David,
11 I've got to be honest with you, I think there's
12 going to be a lot more discussion than just the
13 five questions and stuff.

14 MR. CORWIN: All right.

15 CHAIRMAN SALADINO: I think next month. You
16 know, I can ask the Building Inspector if she has a
17 sense of what our calendar, our agenda would look
18 like next month.

19 MS. WINGATE: It's getting spring. Right now
20 I think there's two new applications.

21 MS. NEFF: But we haven't accepted them yet.

22 MS. WINGATE: It's hard to say.

23 CHAIRMAN SALADINO: So all we have is the
24 public hearing and --

25 MS. WINGATE: Yes.

1 CHAIRMAN SALADINO: -- proposed applications?

2 MS. WINGATE: Yes.

3 CHAIRMAN SALADINO: Oh. No, I think we'll
4 take it up next month, David.

5 MR. CORWIN: Okay.

6 CHAIRMAN SALADINO: So where was I?

7 MR. SWISKEY: Motion to adjourn.

8 MS. NEFF: Yes.

9 CHAIRMAN SALADINO: Motion to adjourn. Is
10 there a second?

11 MS. NEFF: Second.

12 CHAIRMAN SALADINO: All in favor?

13 MR. CORWIN: Aye.

14 MS. GORDON: Aye.

15 MS. NEFF: Aye.

16 MR. TASKER: Aye.

17 CHAIRMAN SALADINO: Aye. We're adjourned.

18 Thank you, folks.

19 (The meeting was adjourned at 10:10 p.m.)

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