VILLAGE OF GREENPORT
COUNTY OF SUFFOLK STATE OF NEW YORK

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ZONING BOARD OF APPEALS
REGULAR MEETING
----------------------------------------x

April 18, 2017
6:00 P.M.

Third Street Fire Station
Greenport, New York

BEFORE:

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

JOSEPH PROKOP - Village Attorney
EILEEN WINGATE - Village Building Inspector
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(The meeting was called to order at 6:05 p.m.)

CHAIRMAN SALADINO: Folks, it's 6:05. This is the regular meeting of the Zoning Board, Greenport Zoning Board of Appeals.

Item # -- Item #1 is to -- a motion to accept the minutes of the March 21st, 2017 ZBA meeting. So moved.

MS. NEFF: Second.

CHAIRMAN SALADINO: All in favor?

MR. CORWIN: Aye.

MS. GORDON: Aye.

MS. NEFF: Aye.

MR. TASKER: Aye.

CHAIRMAN SALADINO: Aye.

Opposed?

T (No Response)

CHAIRMAN SALADINO: Item #2 is motion to approve the minutes of the February 21st, 2017 ZBA meeting. So moved.

MS. GORDON: Second.

CHAIRMAN SALADINO: All in favor?

MS. GORDON: Aye.

MS. NEFF: Aye.

MR. TASKER: Aye.

CHAIRMAN SALADINO: Aye.
Opposed?

MR. CORWIN: I abstain.

CHAIRMAN SALADINO: Four yes, one abstention.

Item #3 is motion to schedule the next ZBA meeting for 6 p.m. on May 16th, 2017 at Station One of the Greenport Fire Department. So moved.

MS. NEFF: Second.

CHAIRMAN SALADINO: All in favor?

MR. CORWIN: Aye.

MS. GORDON: Aye.

MS. NEFF: Aye.

MR. TASKER: Aye.

CHAIRMAN SALADINO: Aye.

Opposed?

T (No Response)

Item #4 is a public hearing on the application for Alexander and -- how do you say that name?

MR. HARBES: Ju-lie.

CHAIRMAN SALADINO: Ju-lie Bell, 302 Sixth Street, Greenport, New York, 11944; Suffolk County Tax Map #1001-6.-7-8.

The public notice is here, we're not going to read it. Public notice is online. Someone...
from the applicant. Oh, do we have the mailings, before we open?

MS. WINGATE: Excuse me?

CHAIRMAN SALADINO: Do we have the mailings?

MS. WINGATE: Yes.

CHAIRMAN SALADINO: And I have a couple of letters. Am I going read them after this guy talks or before he talks?

MS. WINGATE: It's up to you.

CHAIRMAN SALADINO: I've got a couple of letters. Thanks. I got a couple of letters. Am I going to read them before he speaks or after?

What pleases the Board?

MR. CORWIN: Before.

CHAIRMAN SALADINO: Before? All right. I have the mailings. The neighbors that were notified are Kathryn -- Kathryn Conklin, 237 Sixth Street, Greenport, New York, 11944; David D'Amico, 282 South Fifth Street, Apartment 9E, Brooklyn, New York; Dena Zemsky, 310 Greenwich Street, New York, New York; Thomas Tupper, 361 77th Street, Brooklyn, New York; Paul Haining, 65 Main Avenue, Sea Cliff, New York; Robert Buchanan, 251 Clermont Avenue, Brooklyn, New

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York; Stephen -- Stephen Ferrari, 311 Sixth Street, Greenport, New York, and John Williams, 229 Fifth Street.

I have two letters from neighbors, from the neighbors that we'll read now, and then we'll let the applicants representative -- here they are.

"Zoning Board of Appeal, Village of Greenport, 236 Third Street, Greenport, New York, 11944.

"Dear ZBA Board, I am a resident in the neighborhood and like to voice my concern regarding the proposed pool being built in the front yard of 302 Sixth Street. It will in all respects be a front yard pool right of" -- "right on top of us, along with the noise, safety issues, and the inevitable blockade around that property that will be a result of the variance.

If you've seen the property, you know how much that corner will change. I believe this is exactly the circumstances for which these rules were created, and I hope the Board will consider voting against it. It will be a permanent change for the worse.

We treasure our little part of the Village, and as" -- "and as I'm sure you do with yours."
We appreciate your efforts to preserve our neighborhoods in cases like this. Please help us keep it a charming Village. Sincerely, A Concerned Neighborhood Resident."

MS. GORDON: Is there no signature?

AUDIENCE MEMBER: That doesn't count.

MS. GORDON: This is an anonymous letter?

AUDIENCE MEMBER: Does that count?

MS. GORDON: What is the rule about an anonymous letter?

CHAIRMAN SALADINO: We're going to ask the Attorney.

MR. TASKER: I share your concern, Dinni.

CHAIRMAN SALADINO: We're going to ask the Attorney.

MR. PROKOP: There's no rule one way or the other, it's up to the Board. If it's -- a letter is considered testimony or a statement. If it cannot be attributed to an individual, then my recommendation is that it not be made part of the record, because it would not be -- it could not be considered testimony, because the speaker of the testimony or the writer of the letter cannot be identified. So my recommendation would be if it can't be -- if it's not signed or identified
as to the -- identifiable as to the person that sent it, then it should not be considered for the record.

    CHAIRMAN SALADINO: As testimony or as a comment?

    MR. PROKOP: Well, either, either.

    AUDIENCE MEMBER: It's the same thing.

    CHAIRMAN SALADINO: Because -- I ask because I have another one here.

    MS. NEFF: Is there a letter?

    MS. GORDON: Also anonymous?

    MR. TASKER: Yes.

    CHAIRMAN SALADINO: Also anonymous, Greenport homeowner.

    MS. NEFF: Does the letter --

    MR. PROKOP: Can I see the letter, the one first?

    CHAIRMAN SALADINO: Did you want to see it?

    MS. GORDON: There's no return address on either one, so there is --

    CHAIRMAN SALADINO: I don't have the envelope.

    MR. PROKOP: Yeah, I don't think that -- if it doesn't have the person's name, I don't think it should be made part of the record.
MS. NEFF: Do they identify themselves as a neighbor? I see -- I get that they're homeowners in Greenport.
CHAIRMAN SALADINO: Well, I didn't -- I didn't read it.
MS. NEFF: Okay. Well, let's listen.
CHAIRMAN SALADINO: If I read it, then it's part of the record.
MS. NEFF: That's true. Excuse me.
MS. LINGG: I have the envelope.
MS. NEFF: Could we look at the envelopes, please?
CHAIRMAN SALADINO: Is there an address?
MS. LINGG: It doesn't have a return address on it.
MS. NEFF: Is that our past practice, does any member recall?
MR. PROKOP: I don't think we every got any --
CHAIRMAN SALADINO: I'm not sure we ever had an anonymous letter before. I can't remember every getting an anonymous letter.
MS. NEFF: I think that we have.
MS. GORDON: Ellen, you're the person who's been on the Board the longest; do you know?
MS. NEFF: I know. Well, I believe we have, but they usually identify themselves as a neighbor.

MS. GORDON: Or you've been on the Board the longest. Have we ever gotten an anonymous letter?

MR. CORWIN: No.

CHAIRMAN SALADINO: Well, this says as "A Greenport Homeowner".

MS. NEFF: Which is --

CHAIRMAN SALADINO: And this is "A Concerned Neighbor." I'm going to take a consensus of the Board. What -- how does the Board feel about this? I have another letter here, which it's -- well, it's obvious this homeowner lives close, but there's no name.

MS. NEFF: Well, what is the phrase that identifies close, please?

CHAIRMAN SALADINO: "As a longstanding Greenport homeowner... open air, quiet, neighborhood charm."

MS. NEFF: I think that does necessarily go to close.

CHAIRMAN SALADINO: Well, I didn't read the whole letter, but --
MS. NEFF: Okay. But if there is anything in it, I'm interested, because I've been in the position of --

CHAIRMAN SALADINO: Do you want to read it?

MS. NEFF: No. I will read it, but if you want -- I'm getting the sense the Board does not want to read it into the record.

CHAIRMAN SALADINO: Well, their opinion is going to be expressed in their vote.

MS. NEFF: I've been in the position where having to say something about something I objected to in the neighbor's yard involved going through the process of what can I do, and finding out I have some choices. And all of them involved in some way identifying myself. And, thank God, I was at that time blessed with good sense, we could quibble with whether I still have that good sense, of not engaging in a battle or a war, but doing what I could.

CHAIRMAN SALADINO: Well --

MS. NEFF: I lost, but anyway.

CHAIRMAN SALADINO: I think -- I think that --

MS. NEFF: But I did sign my name. And I understand the Board's reluctance, but I cannot
believe that all the time I've been on this Board we've never had something that is not fully identified as the person's name.

CHAIRMAN SALADINO: Well, I think -- I think --

MS. NEFF: But "homeowner" is not sufficient.

CHAIRMAN SALADINO: Okay.

MS. NEFF: In my view.

CHAIRMAN SALADINO: No. We're going to vote on that. And just my own thought is, is that, obviously, these two people are perhaps adjacent neighbors and they just don't want to make their neighbor --

MS. GORDON: It's a --

CHAIRMAN SALADINO: You know, voice an opinion against their neighbors. But what's the --

MS. NEFF: It is what it is.

CHAIRMAN SALADINO: Let's just -- just so we make it official, we're going to vote. Are we going to reject these letters as being read into the record?

MR. TASKER: So moved.

CHAIRMAN SALADINO: David? I'm going to
take a roll call vote, this way there's no --

MR. TASKER: I second.

MS. GORDON: Say it again.

CHAIRMAN SALADINO: I second, I second.

MR. TASKER: Oh, you did. I'm sorry, I didn't hear you.

CHAIRMAN SALADINO: David?

MR. CORWIN: No.

MS. GORDON: Would you repeat that? How are you phrasing the motion?

CHAIRMAN SALADINO: Whether to reject reading these into the record.

MS. GORDON: But are you moving to reject them or --

CHAIRMAN SALADINO: Yes.

MS. GORDON: Okay. I vote yes.

CHAIRMAN SALADINO: Ellen?

MS. NEFF: Yes.

MR. TASKER: Yes.

CHAIRMAN SALADINO: I'm going to vote yes, too. All right. So we're not going to read them. We're going to hear from --

MS. NEFF: What did you vote?

CHAIRMAN SALADINO: Yes.

MS. NEFF: Okay. Thank you.
CHAIRMAN SALADINO: We're going to hear from the applicant. We apologize to the public.

MR. HARBES: Hello. So as far as those letters that you read that are irrelevant --

MR. CORWIN: Can you give your name, please.

CHAIRMAN SALADINO: Well, we --

MR. HARBES: My name is Peter Harbes.

CHAIRMAN SALADINO: I'm sorry. We --

MR. HARBES: I'm here representing Alex and Julie Bell.

CHAIRMAN SALADINO: We read one letter. Do you have a concern about that?

MR. HARBES: The letter and the validity of it?

CHAIRMAN SALADINO: Well, I'm not sure. Once it's in the record, I'm not sure what we can do about it, you know, but we chose not to read the second letter.

MR. HARBES: Okay. Well, as far as it being an undesirable change, I don't believe that it is going to be an undesirable change granting the variance for a 16-by-32 pool and a six-foot fence on 302 Sixth Street. Just because you guys have seen the property itself, it's engulfed in long-lived beautiful perennials. The property is
gorgeous, it's an outstanding property. Even the previous homeowner herself was a landscape designer. So as far as it being undesirable and it not -- it being a detriment to the neighborhood, I don't believe that that's going to be -- it's not going to be a detriment.

Alex and Julie are seeking a benefit to themselves and it simply can't be achieved without granting this variance, because the property is simply too small as a direct result of Greenport Village specs. It simply cannot -- it's not feasible without granting this variance. It's not a substantial variance either. There are many properties in the Village of Greenport that have swimming pools and six-foot fences as well.

CHAIRMAN SALADINO: On corner lots? You have a --

MR. HARBES: I don't have a number. I don't have a number, but I know that there are a decent amount of pools.

And it's not going to have any kind of impact on the environment or physical impact on the neighborhood itself, as you can see by the proposed dry well that's on the survey to -- in
case of any kind of an overflow or situation that would happen.

And it's not a self-created -- it's not a self-created problem, it's just the lot itself is too small.

CHAIRMAN SALADINO: Okay.

MR. TASKER: How small was it before they bought it?

MR. HARBES: How small was it before they bought it?

MR. TASKER: How small was the lot before they purchased it, was it too small?

MR. HARBES: For -- to put in a swimming pool, as far as --

MR. TASKER: To do what they're proposing to do.

MR. HARBES: For Greenport specs, yes.

MR. TASKER: To do what they are proposing to do.

MR. HARBES: Yes, the lot is too small --

MR. TASKER: Too small before they purchased it.

MR. HARBES: -- before they purchased it.

MR. TASKER: Okay. And are you familiar with the definition of a self-created hardship?
It's called coming to the nuisance or walking into the problem with prior awareness.

MR. HARBES: Okay.

MR. TASKER: So I don't agree with you, that it is not a self-created hardship. The hardship is you're looking for a change -- you're looking for a variance and you're not sure you're going to get it.

MR. HARBES: Absolutely.

CHAIRMAN SALADINO: Anyone have any questions?

(No Response)

CHAIRMAN SALADINO: Okay.

MS. NEFF: Uh --

CHAIRMAN SALADINO: I'm sorry.

MS. NEFF: Did -- we were at the site, but there -- was there maybe sufficient discussion of the mechanical --

CHAIRMAN SALADINO: We had to ask -- we asked --

MR. HARBES: We did discuss --

CHAIRMAN SALADINO: If I could.

MR. HARBES: Sure.

CHAIRMAN SALADINO: We asked the applicant's representative last month to provide

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us with updated drawings, or something that shows
you have a dry well that, for all intents and
purposes, could serve as -- to collect the storm
water from the garage, but it has no function as
far as the pool. There's no -- there's no
mention on this, on this plan of --

MS. NEFF: Filter.
CHAIRMAN SALADINO: Of --
MR. HARBES: The dry well is serving a
purpose to protect any kind of overflow that's
going to happen from the pool so that won't be
leached into the ground.
CHAIRMAN SALADINO: How could that be
possible, just -- and I apologize for asking
that, but I find that question -- that answer
like -- I mean, it's --
MR. HARBES: And it's been raining in the
wintertime.
CHAIRMAN SALADINO: It's 28 feet -- it's 36
feet from the pool. How's it going to handle --
an overflow from where? What kind of overflow
are we talking, if the pool fills up too much?
MR. HARBES: No, it's not only that. It
just could be the potential overflow from water,
but it's also for draining it in the wintertime.
You only drain it down to --

CHAIRMAN SALADINO: But that's illegal in the Village of Greenport.

MR. HARBES: No, we only go down a couple -- a little bit of water. It's just down to -- you can't drain past the jets in the pool.

CHAIRMAN SALADINO: I'm just -- unless I made a mistake, I'm just telling you where you have to put --

MR. HARBES: Okay.

CHAIRMAN SALADINO: -- whatever you take out of that pool and it's not a dry well.

MR. HARBES: Okay.

CHAIRMAN SALADINO: So --

MR. TASKER: What's the volume for the dry well?

MR. HARBES: It's a single cell. I'm not sure.

MR. TASKER: I don't know what that is?

MR. HARBES: I don't know the -- I don't the volume off the top of my head.

MR. TASKER: I don't know what a single cell is.

MS. NEFF: Right.

MR. TASKER: Can you help me?
CHAIRMAN SALADINO: Are you talking like an eight-foot ring, one ring?

MR. HARBES: One ring.

CHAIRMAN SALADINO: Eight-foot ring?

MR. HARBES: Yes.

CHAIRMAN SALADINO: David, how tall are those rings?

MR. CORWIN: Generally, they're four feet.

MR. TASKER: That's about 20 cubic feet or 140 gallons.

CHAIRMAN SALADINO: My problem is we asked -- even to phrase it as a heads-up, that we would be asking for this this month and I don't have it. These are -- these are kind of questions that I would like to --

MS. NEFF: But the proposed structure, you know, there's -- it's vague, is what I --

MR. CORWIN: Well, let me just say, in fairness to Mr. Harbes, he's the contractor, and he's got a subcontractor to do the pool, so he really doesn't have all the answers.

CHAIRMAN SALADINO: Well, we have a -- we have a form here that says he's represent -- he's the guy that's representing the owner.

MR. CORWIN: You are correct.
CHAIRMAN SALADINO: So with the owner not being here, and the subcontractor not being here, he's the guy I got to -- we have to ask these questions to.

MR. CORWIN: Yes.

CHAIRMAN SALADINO: So --

MR. HARBES: So I would say that it's a single cell --

CHAIRMAN SALADINO: Oh, we -- yeah. We can't, we can't.

MR. HARBES: -- dry well that's going to prevent any kind of environmental impact from putting in this pool, from leaching into the ground in the Village of Greenport.

CHAIRMAN SALADINO: Again, that doesn't even make sense. You're talking about a dry well to prevent water from leaching into the ground. Isn't that -- isn't that --

MS. NEFF: That's what -- that's what they do.

CHAIRMAN SALADINO: Isn't that what a dry well is?

MR. HARBES: (Nodded yes).

CHAIRMAN SALADINO: I'm thinking we're going to need the information that we asked for.
MS. GORDON: But there are other issues. Can we deal with the other issues, too?

CHAIRMAN SALADINO: Sure, sure, we could. And we're going to hear from the public about what's in front of them now. But these are some of the things that I think would be -- have to be cleared up before we -- I think it would have to be cleared up before we even close the public hearing.

MR. TASKER: Oh, yes.

MS. NEFF: Right, right.

CHAIRMAN SALADINO: So is there anything else you'd like to add?

MR. HARBES: Can I specifically ask what is this very, very specific question that I need to answer?

CHAIRMAN SALADINO: We want to know -- we want to know -- me, personally, I would like to know a little more information about the mechanicals for the pool. I would like to see a drawing of how you're going to get the backflush from the pool into the sanitary system. I would like to know -- you don't have to provide me a drawing, perhaps my colleagues would like it, how you're going to get the overflow that you say you
drain down the pool and the drain into the septic system, into the wastewater septic system, because that's where it has to go. So those are a few of the questions that I -- just on that, that I have. My colleagues might have a few of their own as far as this, before we move on to the other variances.

MR. HARBES: Okay.

MS. NEFF: Anybody else?

CHAIRMAN SALADINO: Dinni, do you have anything? Dinni?

MS. GORDON: Not on this.

MR. TASKER: John, you're just ending for the moment the discussion of the dry well issues?

CHAIRMAN SALADINO: And the drainage for the pool, yeah.

MR. TASKER: Yeah, okay.

CHAIRMAN SALADINO: No?

MS. NEFF: What I recall is we've frequently had much more information about the mechanical systems, the noise level, the volume of water, the -- lots of more technical --

CHAIRMAN SALADINO: What the enclosure would look like.

MS. NEFF: Yes. You know, like this has

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got dimensions, but not height. How the noise of
that, which is, of course, necessary for the
operation of the pool, to impact the
neighborhood.

MR. HARBES: Right.

MS. NEFF: Significantly.

MR. HARBES: So I do have a proposed --
it's what they call -- it's built by a company
called Noisy Pump. They are insulated pumps --
insulated capsules that you put over the fuel
pump, and they're 70 to 90% effective. I have
pictures of what they look like exactly with me,
if you'd like to see. And then along with that
insulation that goes over the fuel pump, the box
itself that we're going to build around it will
have an insulated sound barrier.

MR. CORWIN: You say fuel pump. I don't
think that's what you mean to say. The
circulating --

MR. HARBES: No, pool pump. Pool pump,
yes.

MS. NEFF: Right.

MR. HARBES: Not fuel pump. My apologies.
The pool pump.

MR. CORWIN: And, really, we need that
stuff before us before we can -- that it's
insulated for sound, or whatever, some kind of
drawing, or spec sheets, or stuff like that,
because, as I said before, we've had complaints
about noise before. But don't hand it up to us
now, because from my perspective, I need time to
look things over. I'm very slow.

MR. HARBES: It's a simple picture of what
it looks like. I have it, it's right here. This
is exactly what it looks like. You wrap it
around the fuel pump and then you build.

MR. CORWIN: You said fuel pump again.

MR. HARBES: I mean, I keep saying --

MR. CORWIN: You've got to get that out of
your mind.

MR. HARBES: I'm sorry, I'm sorry, I'm
sorry. Pool pump, and then you build this box
around it. That's what I plan on doing.

MR. PROKOP: Do you know what the decibel
ratings of the pool pump?

MR. HARBES: I'm sorry.

MR. PROKOP: The decibel rating.

MR. HARBES: I'm sorry, say that again.

MR. PROKOP: The decibel rating of the pool
pump.
MR. HARBES: No, I don't, I don't, I don't know the decibel rating.

MS. NEFF: Is part of this proposal to make the garage a pool house to have plumbing, any other --

MR. HARBES: This proposal?

MS. NEFF: Yes.

MR. HARBES: No.

MS. NEFF: No.

CHAIRMAN SALADINO: And I'm reading your EAF here, and on the EAF, it says, "Will proposed action connect to an existing wastewater utility?" And you have, "No." And it says, "Describe the method for providing wastewater treatment." It said, "Dry well." That's -- that's not allowed, so we're going to have to correct that, too.

MR. HARBES: Okay.

CHAIRMAN SALADINO: But we're going to -- I think we're all decided, we're going to keep this public hearing open so you can provide us with that stuff. As long as the public hearing is open, we can't make a decision. We're going to let the public speak as to the other requests for variances, and then we'll take a consensus of the
Board of what we're going to do. Do you have anything else for us?

MR. HARBES: I don't believe so.

CHAIRMAN SALADINO: Thank you. Is there anyone from the public that would like to speak?

Chatty, name and address.

MS. ALLEN: Chatty Allen, 137 Third Street. I'm a little taken aback by some of the comments that were just made. That's my neighborhood, that's where I grew up, so I know what this property looks like. And in the center of this property is a tree. The tree's going to have to come out. I'd like to know how old the tree is.

This is a house from the '60's until today I would walk past, going from my house on the other corner on Fifth to go to my best friend's just off of Sixth. This is a very tiny lot. This has always been a very tiny lot.

My first objection is a 6-foot fence. I sat through two hearings where the 6-foot fences were denied. I'm not so much disapproving of a 6-foot fence, because to me it's on the side, it's not at a corner. But when you have just denied recently two 6-foot fences, I don't think this fence should be approved.
He says the variances are basically minimal, no big deal. I do not call 8.2 feet -- 18.2 feet and 16.5 feet minimal. These are extremely large variances.

This lot which was purchased the same size it is right now, and to try and put a pool on this little lot, you need to shrink the size of the pool, first of all. But my other thing was -- I just lost my train of thought.

CHAIRMAN SALADINO: Take your time.

MS. ALLEN: Oh, are the letters that were submitted. We're living in a time now which a recent meeting kind of showed a divide. And when you speak out against something that everybody else seems to want, you're the one that gets attacked for it. I have recently had that happen with me with some of the stuff that's been going on, because I have a different take on things. These could be people that live in that neighborhood, and they could be people that have lived there for decades and know what the neighborhood looks like. And they don't want another 6-foot fence put up, because it does after -- it does take away. When you start having these huge fences -- like I said, that's
my neighborhood, and, you know, I see the fences in those neighborhoods now. And, you know, it breaks my heart, you know, that everything now, people just want to box everything in. It's a gorgeous little area, and, personally, I feel this should be denied, given the large variances it needs, a 6-foot fence, and especially tearing a tree out of a yard that's been there for I don't know how long. Thank you.

CHAIRMAN SALADINO: Thank you, Chatty. Just if I could to explain. Not to explain as far as what Chatty had to say about people being attacked and stuff, but we had -- how many notifications were there, nine, eight?

MR. HARBES: Eight.

MS. NEFF: Something like that.

CHAIRMAN SALADINO: Eight? Eight. You know, we have eight adjacent property owners. Assuming that the applicant is going to live in this house for a while, it's a beautiful house, you know, assuming they're going to live there, these eight people are going to be their neighbors. So it's not unreasonable for me, anyway. I wouldn't do it, because that's not my personality. But it's not unreasonable, I think,
for a neighbor to not want to get off on the wrong foot with another neighbor and voice an opinion. So that might be the explanation why the letters are unsigned. They weren't read into the record, so there's no harm, no foul. But just perhaps the mindset of neighbors that live -- Mr. Kehl.

MR. CORWIN: Please --

MR. KEHL: Bob Kehl.

CHAIRMAN SALADINO: Oh, I'm sorry.

MR. KEHL: 242 Fifth Avenue.

MR. CORWIN: I'm wondering, Mr. Chairman, if I can ask you if you had any knowledge of or would care to divulge any knowledge of where those letters came from and if they were neighbors?

CHAIRMAN SALADINO: I think it's -- I think an anonymous letter is just that. If the person -- if the person chooses to remain anonymous, that's their choice. It's not up to me to -- I'm sorry, Arthur.

MR. TASKER: Well, I just want to add, too, I -- just following on the Chairman's remarks, frankly, I'm sympathetic to the concerns of the people of these letter writers. My concern is
that it would be inappropriate for the reasons
that Counsel said to permit them to be part of
the record, unfortunately.

MS. NEFF: And if I may reiterate again,
Mr. Chairman, and excuse me, Bob. Again, if we
aren't as a Board promoting civil discourse, even
around very strong felt differences of opinion
among neighbors and community members, what else
are we?

And I -- again, I am definitely sympathetic
for the person who doesn't wish to sign. And, actu-
ally, I do believe, although they didn't
identify themselves when they called me, that one
of them did call me, okay? And I explained what
my point of view is, is that you have to take a
look at what you're writing, and you have to make
it say what you think and feel, and try to base
it on the grounds of your disagreement is,
rather than attacking somebody for wanting what
they want. People are not wrong for wanting what
they want, but they don't, to borrow the words of
a song we all know, always get what they want.
And that that's what we --

CHAIRMAN SALADINO: Is that a song?

MS. NEFF: Yeah.
CHAIRMAN SALADINO: Is that a song?

(Laughter)

MS. NEFF: That is our job, to try and keep it civil, and I think we do a pretty good job of that.

CHAIRMAN SALADINO: I didn't read that. Well, in all fairness to the letter-writers, I didn't read anything that was disrespectful or discourteous.

MS. NEFF: No, I didn't --

CHAIRMAN SALADINO: I just don't see a signature.

MS. NEFF: Exactly.

CHAIRMAN SALADINO: And this Board has decided that we're not going to take anonymous letters, which is the public hearings -- the second part of that statement should be that the public hearing is going to remain open.

MS. NEFF: Okay.

CHAIRMAN SALADINO: And perhaps these neighbors will reconsider and submit the letter with their -- with their signature.

Mr. Kehl, I'm sorry.

MR. KEHL: I sympathize with these people, too, because I know, as you know, I'm outspoken.

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I get a lot of flack back on stuff, but it
doesn't bother me. But I could see as older
people and stuff in the community that have been
here a long time are scared to open their mouth.
They don't want anyone -- they don't want to get
any kickback on it, and I do understand that.

As for the variances here, I think they're
all very excessive, especially with the fence. I
know, like Chatty said, that two of the other
ones were turned down for the 6-foot fence. And
this isn't like it's for someone's house that's
being built there. This is -- you know, when
you're building -- putting a pool in, this is a
luxury, this isn't something that has to be.
And, therefore, I really think that a lot of what
they're calling for on this is very excessive,
and I don't think -- I don't agree with any of
it. Thank you.

CHAIRMAN SALADINO: Thank you. Anyone
else? Joanne.

MS. MC ENT EE: Joanne McEntee, Fifth
Avenue.

I do -- on these letters, when I'm seeing
that you only have the receipts that are mailed
out, have you received all the cards back from

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those homeowners?

CHAIRMEN SALADINO: Well, that's what I read.

MS. MC ENTEE: No. You've gotten the little cards that --

CHAIRMEN SALADINO: They're return receipt.

MS. WINGATE: We've been through this many, many times.

MS. MC ENTEE: So you have gotten them all back?

MS. WINGATE: We don't require they get back. The law says that they have to be mailed out. Whether people receive them or not is not part of the situation here and now.

MS. MC ENTEE: So it could very well happen that some residents or homeowners nearby may not have --

MR. HARBES: I have the green receipts.

MS. MC ENTEE: -- received them.

MR. HARBES: I have the receipts.

CHAIRMEN SALADINO: No. Actually -- actually, we spoke to the -- we spoke to the applicant's representative, and he, in fact, pointed out the neighbors that he did mail to.

And I live on the block, so I know everybody that
he pointed to, so -- and those are the people
that -- whose names I read.
The law says -- our code says -- actually, it says adjacent to. So in this particular situation, there's only -- if we went by the reality of the situation, I think there's only two.

MS. WINGATE: Adjacent means across the street, though.

MR. PROKOP: We've always interpreted it as across the street.

CHAIRMAN SALADINO: Well, there's an interpretation, but that's not the definition of -- but there's --

MR. TASKER: How is this an issue?

CHAIRMAN SALADINO: There's eight, there's eight responses of -- and I don't want to sound like I'm the applicant's advocate here, but I think he made an effort to get in touch with everyone.

MS. MC ENTEE: I think my one concern was, when it did happen to us, it went to a wrong address. And that's what I'm concerned, that we didn't have, when we were -- had to go to a hearing, and we had a problem with the lot next

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to us. So that's where I feel that maybe in the future, that getting the actual cards, the law can change. I know what the law reads as it is, because if we don't get it, we don't get it. We just happen to -- we happen to know what's going on in the neighborhood as well, so it's just something I wanted to address.

I do understand that the letters did come in. They -- obviously, one did come in an envelope. Another one was not folded, one was folded. So how did that one not get there -- I mean, get there when it was -- so --

CHAIRMAN SALADINO: Oh, wait, wait, wait.

I -- there's two letters.

MS. MC ENTEE: Right.

CHAIRMAN SALADINO: One I got tonight, and this --

MS. MC ENTEE: So did it just get dropped off?

CHAIRMAN SALADINO: And if you'd wait, I could explain.

MS. MC ENTEE: Okay.

CHAIRMAN SALADINO: One I got tonight that was mailed to the Village. The other letter --

MS. LINGG: That was mailed as well.
CHAIRMAN SALADINO: That was mailed. When did we get it?

MS. LINGG: I made copies for everybody, that's why it's not folded.

CHAIRMAN SALADINO: And both envelopes --

MS. MC ENTEE: Thank you.

CHAIRMAN SALADINO: And both envelopes didn't have a return address.

MS. MC ENTEE: Okay.

MR. TASKER: Mr. Chairman, isn't all of this moot? We have elected not to receive these letters as part of the record.

CHAIRMAN SALADINO: I agree, Arthur, but --

MR. TASKER: We're spinning our wheels.

CHAIRMAN SALADINO: But our policy here is we're going to let the public kind of say what they want to say. Go ahead, Joanne.

MS. MC ENTEE: I do -- I am not in favor of having -- because this is a corner lot, of having a 6-foot fence in what we're going to call the front yard. This is, again, a self-created issue.

I also do believe, and when people do feel, and this is going back to the letters again, some people do feel threatened, or feel that there is
some kind of animosity, or something will get --
you know, may come back at them somewhere, could
be years down the line, that they don't want to
cause a ruckus with the neighbors, so maybe there
does become a problem there.

I would ask that the people that did send
those letters, to resend them with their
signatures on, or come to the next meeting, as
this is going to be an open hearing.

I am going to address an issue. Item #4
really is concerning to me about the shower
enclosure, that there is no permit currently; is
that correct? And so is that -- that's existing.
So how does that happen?

CHAIRMAN SALADINO: It's an as-built. It's
an as-built.

MR. GARRITANO: It was existing.

CHAIRMAN SALADINO: We're going to -- we're
going to talk, all right?

MR. GARRITANO: All right.

CHAIRMAN SALADINO: You can talk in a few
minutes. It was as built without a permit.

They're looking to codify it here.

MS. MC ENTEE: With this whole application?

CHAIRMAN SALADINO: But the applicant,
also, I'm sure, he'll have something to say about it.

        MS. MC ENTEE: Okay. Thank you.

        CHAIRMAN SALADINO: Anyone else from the

        public?

        MR. GARRITANO: Yeah. Bruce Garritano, 915

        Main Street, Greenport. I represent Alex and

        Ju-lie Bell as well. I'm Peter Harbes' partner.

        As far as the tree is concerned, the tree

        is rotted and is a danger, first of all. I just

        want to address a few of the issues that the

        Board has brought up.

        The 6-foot fence -- Alex and Ju-lie Bell,

        that is their second home. They're -- they've

        been here for a few years now, and they have

        little children, and they don't want people

        walking by, seeing their little children in a

        pool, they want their privacy. We could -- we

        could put a 4-foot fence there, but then they're

        going to want to put up a 6-foot high hedge wall

        all the way around that property to keep their

        privacy.

        There was an issue with the dry well as

        well. And the question with the dry well was? I

        wasn't here for that, I just came in on that.

        CHAIRMAN SALADINO: Well, we would like
know what it's going to service.

MR. GARRITANO: The dry well is to service
any drainage from the pool.

CHAIRMAN SALADINO: But if you were here,
you would have heard that that's not within the
code, you can't do that. That's why we asked
last month the applicant's --

MR. GARRITANO: Okay.

CHAIRMAN SALADINO: -- representative to
show us the corrected drawings. We raised it as
an issue.

MR. GARRITANO: Correct.

CHAIRMAN SALADINO: We wanted an answer.
We thought we would have it tonight.

MR. GARRITANO: Okay.

CHAIRMAN SALADINO: And, obviously, we
don't. So that was the reason for that question.

MR. GARRITANO: Gotcha, okay. I just think
that some of these issues are -- you know, it's
their home, it's --

CHAIRMAN SALADINO: Their what?

MR. GARRITANO: It's their home. You know,
they want to put a pool there.

CHAIRMAN SALADINO: Well, you also -- you
also have to realize that -- that it's not --
MR. GARRITANO: There are so many pools in the Village of Greenport and it's not the only applicant for a pool.

CHAIRMAN SALADINO: You also have to realize it's not a prairie, they don't live on a prairie.

MR. GARRITANO: Right, exactly.

CHAIRMAN SALADINO: They live in an incorporated village with a zoning code.

MR. GARRITANO: We understand that. We understand that. We're trying to work with you and do whatever it is to --

CHAIRMAN SALADINO: Well, we didn't say you weren't, we're here to listen.

MR. GARRITANO: You know, whatever it is that, you know, would make this -- facilitate this. You know, we've been working on this since January. You know, we're hoping to have these people swimming this summer. But, you know, it's been a long, lengthy process, and, you know, we're willing to work with the Village in any shape, manner or form to work this out.

CHAIRMAN SALADINO: We didn't get this applica -- the Notice of Disapproval was written on January 30th, and we didn't get it until last
MS. WINGATE: Swimming pool applications are difficult. We’ve been requiring the surveys.

CHAIRMAN SALADINO: No, I'm not -- I'm not questioning that, Eileen.

MS. WINGATE: So that takes time. It takes time.

MR. GARRITANO: Right, we're aware of that.

CHAIRMAN SALADINO: I just want the applicant's -- you got to speak to the Board. I just want the applicant's representative to know that we're not dragging our feet on this.

There's no --

MR. GARRITANO: No, I know, and neither are we.

CHAIRMAN SALADINO: Okay. That's good to know. Okay. Thank you.

MR. GARRITANO: Thank you.

MS. NEFF: Can I raise one other issue, which I just --

CHAIRMAN SALADINO: Sure.

MS. NEFF: Just looking at this for a length of time. I know that we had this discussion about another pool, which was not on a corner lot. But the child who comes out of the back porch, out of the little deck has, is on
this drawing, directly can walk into the pool.
And I think we had an in-turned fence so that
that was not the situation.

MR. TASKER: I think that was Doug Roberts'
property --

MS. NEFF: Yes, I do believe. But, you
know, you have to think about it. Like children
walk out of doors --

MR. GARRITANO: Absolutely.

MS. NEFF: -- if they're not locked. And
if they step out for a second --

MR. GARRITANO: Right.

MS. NEFF: -- and you're looking this way
to get your coffee --

MS. WINGATE: New York State, New York
State has requirements where every door gets an
alarm.

MR. GARRITANO: Every door has an alarm.

MS. NEFF: Okay, an alarm. All right.

Thank you.

MS. WINGATE: You have choices. You could
alarm your door, your rear -- any wall --

MS. NEFF: Any door.

MS. WINGATE: -- that's part of the
enclosure either has to have an alarm. You could
have an automatic cover, or you could have a 
barrier.

MS. NEFF: Right, okay, you have choices.
MS. WINGATE: So those are your options.
MS. NEFF: Right. Thank you.
CHAIRMAN SALADINO: I think --
MR. GARRITANO: Or all three. We're 
willing to do all three.
CHAIRMAN SALADINO: Well, I think that's 
something you would have to work out with the 
Building Department. That's I think outside our 
mandate to --
MR. GARRITANO: It's one of the codes for a 
pool. It has to be done and we're aware of that.
CHAIRMAN SALADINO: As far as the fence, 
6-foot fence is required by code on corner 
properties. If he has --
MR. CORWIN: You said that wrong.
CHAIRMAN SALADINO: I'm sorry?
MR. CORWIN: You said that wrong.
MS. NEFF: Yes, you did.
MR. TASKER: That's prohibited.
CHAIRMAN SALADINO: Oh, prohibited, I'm 
sorry. I'm sorry. Six-foot --
MR. GARRITANO: Would it be okay if we put

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a 4-foot fence and a hedge wall?

MR. TASKER: No.

CHAIRMAN SALADINO: Hedges --

MR. GARRITANO: Hedges.

CHAIRMAN SALADINO: There's a prior -- there's a prior interpretation about -- informal interpretation from a previous administration. That's something -- my personal feeling is a hedge is a fence, but that's something that --

MS. WINGATE: There is also a part of the code that says 30 feet from the corner in both directions --

CHAIRMAN SALADINO: From the corner.

MS. WINGATE: -- you can't have anything over 30 inches.

MR. GARRITANO: Okay.

MS. WINGATE: And I think it's 30 inches. And the Village is fairly generous with hedges, but you certainly -- you obstruct traffic if there's a giant hedgerow on the corner.

MR. GARRITANO: Right. But we wouldn't bring it down to the corner, we'd bring it to that --

MS. WINGATE: You're going the other way.

MR. GARRITANO: To the edge. We would
bring it back 120 feet from the back property to
where that -- where the shower is.

CHAIRMAN SALADINO: Yeah, but, Bruce, in
all fairness, that's something you would work
out. That's something you would work out with
the Building Department. You would do it -- you
would do it and it would be okay with the Code
Enforcement Officer, or you wouldn't do it.
We're not going to sit here and legislate if you
should put a hedge, or opine if you should put a
hedge.

MR. GARRITANO: Well, would it be okay if
we put a 6-foot fence around the back end of the
property, a 4-foot fence down that side?

CHAIRMAN SALADINO: Do you want to change
your application?

MR. GARRITANO: No (laughter). No. I want
to know if that would expedite this, and we
remove the shower. We're willing to remove the
shower, put a smaller fence there, if that would
expedite this process, so that we could be
swimming this year and not next year (laughter).

CHAIRMAN SALADINO: We're not -- this
public hearing is not going to close tonight.

MR. GARRITANO: Okay.
CHAIRMAN SALADINO: That's the only thing I can tell you.

MR. GARRITANO: Okay.

CHAIRMAN SALADINO: So if you want to --

MS. NEFF: Modify.

CHAIRMAN SALADINO: -- modify your application and submit it for the next --

MR. GARRITANO: Okay.

CHAIRMAN SALADINO: To the next ZBA meeting.

MR. GARRITANO: For the next hearing next month.

CHAIRMAN SALADINO: Next month, that would be --

MR. GARRITANO: Which is awful to have that kind of construction going on in people's summer. We were trying to get it done before the summer, but we understand the process. So if there's anything we can do to move things along and make it more favorable for the next hearing, we'd love to hear it.

CHAIRMAN SALADINO: Well, I kind of --

MR. GARRITANO: We'd love to hear any suggestions.

CHAIRMAN SALADINO: Well, I kind of think,
if you were listening, we made our suggestions.

MR. GARRITANO: Okay.

CHAIRMAN SALADINO: We -- you know. And you kind of --

MR. GARRITANO: I'm sorry I got here late.

CHAIRMAN SALADINO: You kind of like --

MR. GARRITANO: I got here --

CHAIRMAN SALADINO: I think you're kind of asking us for an answer now --

MR. GARRITANO: Right.

CHAIRMAN SALADINO: -- you know, and we're not prepared to do that.

MR. GARRITANO: Okay.

CHAIRMAN SALADINO: So --

MR. GARRITANO: Okay.

CHAIRMAN SALADINO: Is that it?

MR. GARRITANO: That's it.

CHAIRMAN SALADINO: Okay. Thank you.

MR. GARRITANO: Thank you.

MS. MC ENTEE: Joanne McEntee, Fifth Avenue. In -- I understand that this family has younger children, I get that. We all like our privacy, but I'd like to have my privacy in my backyard, too. I have eight to nine families looking over my backyard, and so I do not
completely understand why he feels this family needs their privacy when other families -- because we are in a small town, we have small lots. We all are going to not -- we're not going to have our privacy as we expect it. Thank you.

CHAIRMAN SALADINO: Anybody else?
(No Response)

CHAIRMAN SALADINO: I'm going to make a motion we hold this public hearing open, and request from the applicant to address the questions that we have. Is that kind of like the sense of the Board here?

MR. CORWIN: Yes. But I want to note to the applicants that just because you get the fence and the shower thing straightened out, you still got a big hurdle with the setback in the front yard. I don't want you to go away with the idea you're going to get this next month just because you did the fence and the shower.

CHAIRMAN SALADINO: If anything we said here indicated to anybody in this room that we pre-decided what the outcome of this is going to be, that's wrong. I mean, we're going to hold the public hearing open. We might have more comments from perhaps neighbors that aren't too
concerned about speaking up. We might have different people in the audience. We're going to look at the plans that the applicant's representative submits. And if all things go well, we'll close the public hearing at that time. And, usually, if you look at our agenda, we close the public hearing, and after all the public hearings are closed, we have a discussion on the issue and we may or may not vote. We have 60 days to vote.

MS. GORDON: I'd like to add to --

CHAIRMAN SALADINO: Sorry, 62 days.

MS. GORDON: -- something that David said. The question about the setback is a very -- deals with one of the most basic of the five things we have to consider. Whether an undesirable change will be produced in the character of the neighborhood or a detriment to nearby properties will be created by the granting of the area variance? That's a much more profound, it seems to me, consideration than the technical one of getting the drainage taken care of, so we still have to deal with that.

And I'm just really adding to what David was saying, that we should be sure that the
applicant -- I mean, I'm not suggesting we've made a decision in any way based on these five considerations, but that is a very important one that we haven't dealt with yet.

CHAIRMAN SALADINO: Well, I think the applicant's -- without getting into too much discussion, I think the applicant's answers to all five questions can kind of be disputed, so -- and, you know, every one of them I've made a note about as far as environmental impact, you know, with question number four. Was the difficulty self-created? I mean, you know, these are -- every one of these questions -- no undesirable change will be produced. You have to remember, that's your opinion. We can debate opinions we, can't debate facts.

MR. GARRITANO: Correct.

CHAIRMAN SALADINO: You know, so that's your opinion. There's eight other neighborhoods, 10 other people, 2400 people in the Village that might have a different opinion, plus the five members here.

MS. NEFF: And some of them are on the ZBA.

CHAIRMAN SALADINO: And some of them, yes. And --
MR. GARRITANO: We appreciate that.

CHAIRMAN SALADINO: And, you know, as far as it's -- I can only speak for myself, but when I read in an applicant's answer, "Variance approvals are absolutely necessary," to me, that -- to me, sometimes --

MS. NEFF: We might as well go home.

CHAIRMAN SALADINO: Exactly. Why have a ZBA? Well, it's absolutely necessary. But we're going to -- we're going to adjourn this public hearing to our next meeting, which is --

MR. TASKER: May 16th.

CHAIRMAN SALADINO: May 16th. So moved.

MS. NEFF: Second.

CHAIRMAN SALADINO: All in favor?

MR. CORWIN: Aye.

MS. GORDON: Aye.

MS. NEFF: Aye.

MR. TASKER: Aye.

CHAIRMAN SALADINO: Aye.

Any opposed?

(NO RESPONSE)

CHAIRMAN SALADINO: That motion carries.

Thank you.
MR. GARRITANO: Thank you.

CHAIRMAN SALADINO: And for the representatives, we've kind of voiced our concerns. If you were listening, you'll have that information for us next time.

All right. Item #5 five is a public hearing regarding the following matter: An Interpretation requested by the Building Inspector of how Chapter 150-18 of the Code of the Village of Greenport relates to the Village zoning districts. The request interpretation should include which zoning districts should use Chapter 150-18 as a guideline for development.

I'm not going to read the article. I'm sure everybody that's here probably read it. We're going to open this public hearing. We're going to hear from the Building Inspector, and she's going to perhaps explain to us a little bit about this request.

MS. WINGATE: Nothing to explain. It's a question about where the multi-family --

CHAIRMAN SALADINO: Eileen, there's a request from the Board. Maybe you get up and just say it from there. Is that possible for you to do that?
MR. TASKER: This is going to be part of the record, I believe.

CHAIRMAN SALADINO: It is.

MS. WINGATE: My boss would like me to sit here and not do anything except ask the question. This is -- the question is -- the question is for your interpretation, and the question is where does Section 150-18 fit into the development for the Village of Greenport? Which -- which districts should be influenced by this section of the code? That's the question.

MR. TASKER: John, let's hear from the public, and then we can have our discussion.

CHAIRMAN SALADINO: Well, I would -- I would have -- since you're asking the question, an interpretation requested by the Building Inspector, I would just ask what is it in your mind that makes you question this? What is it that -- are you saying you don't know what zoning districts these standards should be held?

MS. WINGATE: There has been development in the past several years, some in the residential zone, some in the commercial zone, that have been questioned as to intensity. So I would like the Zoning Board to come up with their interpretation...
of the code, so that when I get an application, I
could then respond and write Notices of
Disapproval according to an interpretation.

CHAIRMAN SALADINO: I'm not sure I
understand. And we don't want to make new law
here, so that's the reason my question is to you.
I'm not sure I understand when you say there's a
question of intensity. There's seven or eight
different places in our code that -- five or six
different places in our code that define
multi-family dwelling. If a particular --
MS. WINGATE: Multi-family --

CHAIRMAN SALADINO: If a particular project
is a multi-family dwelling, why would it be a
question in your mind if these standards would
have to apply, as the Code Enforcement Officer?

MS. WINGATE: For the past 13 years, the
Commercial District was never asked to look at
multi-family housing the way it has in the past
one or two. The commercial code was never --
ever came in line with the multi-family section,
and the multi-family section was always used in
the Residential Districts. Basically, there's a --

CHAIRMAN SALADINO: But I'm not sure by
what portion of the code you interpret that,
because, as you know, I've looked and looked and
looked.

MS. WINGATE: Truly, there's one section of
the code that talks about conversions and
multi-family in residential districts, and that
is the only place that there's any significant
tie-in from Section 150-18 into everything else
in the Zoning Code. Section 150-9(18) says
that --

CHAIRMAN SALADINO: Residential over
commercial.

MS. WINGATE: Residential over commercial
can have apartments, plural. I have read those
meeting notes minutes from years ago, 2002, I
believe, and there was never any discussion about
limits, about limiting the number of apartments.
So that's why I'm asking for an interpretation.
Because if you're asking the Building Inspector
to write Notices of Disapproval for renovation,
reconstruction, construction and you want me to
use the multi-family code, I don't believe it
suits the district at all. So that's why I'm
asking for an interpretation.

CHAIRMAN SALADINO: Well, just to -- just
to counter that, and since you said you did read
these minutes --

MS. WINGATE: I did.

CHAIRMAN SALADINO: Just to counter that, we've all read them also, and the intent of the law in the minutes was that --

MS. NEFF: And these minutes are from when, if you just -- I lost the thread. When are the minutes from?

CHAIRMAN SALADINO: July 11th, 2002.

MS. NEFF: Okay, thank you.

CHAIRMAN SALADINO: They do actually say two-family. They also go on to say that they're not looking to increase that.

MS. WINGATE: That's -- two-family is not commercial, though, two-family is --

CHAIRMAN SALADINO: They also --

MS. NEFF: It's not multi-family.

MS. WINGATE: Is a residential designation.

CHAIRMAN SALADINO: They also say that the same logic applies in the Commercial District, so -- and I have it outlined here, if you want to refresh your memory. So if the Village Board at that time made it plain to the public, which they did, that they're only talking about two apartments in a building, not multi-family --
wait. And when asked about -- when asked about
the Commercial Zone, and they responded that the
same logic applies there, wouldn't that lead you
to believe that --

MS. WINGATE: I don't recall reading that.

CHAIRMAN SALADINO: Would you like to
refresh your memory?

MS. WINGATE: Yes, please.

MS. NEFF: Why don't we mark which page.

MR. TASKER: Why don't you read the
appropriate section.

MS. WINGATE: Yes, that works better.

MS. NEFF: And mark which page. Do you
have the page number.

MR. TASKER: Save Eileen the time to
chase -- to try and find it.

CHAIRMAN SALADINO: Well, they're
highlighted, but that's fine.

MS. NEFF: Paper clip, anybody?

CHAIRMAN SALADINO: Do we want to --

MS. NEFF: Mark it with a paper clip or
something.

CHAIRMAN SALADINO: "Two-family use is a
permitted use. We're not talking about creating
a new use. The R-1 will stay the same. The
maximum number of dwelling units that would be allowed in a house would remain at two. So there's no potential here by this creation" -- "by the creation of a small accessory apartment in one of these houses for another one to be created. You would have a three-family house, you would have a multiple dwelling. In the Business District the same logic applies. What we're proposing is to make it permissible for upper stories of strictly existing buildings in the Business District." It's kind of in black and white here.

MR. TASKER: That was the then Mayor speaking, correct?

CHAIRMAN SALADINO: That was the -- that was --

MR. TASKER: Then Mayor.

CHAIRMAN SALADINO: That was then Mayor. And then there's further -- there's a further comment later on by one of the Trustees that says -- someone asked about doing major -- what we're -- this was Trust -- well, one of the Trustees. "What we're proposing is extremely modest, extremely modest, and we're not increasing the zoning regulations at all. What
we're talking about is places where two-family already is a possibility. I think you misunderstand what we're doing."

MS. WINGATE: I think two-family, again, is not commercial lingo, it's residential lingo.

CHAIRMAN SALADINO: Lingo?

MS. WINGATE: It's vocabulary, or whatever you want to --

CHAIRMAN SALADINO: But if you want to go by -- if you want to go -- again, if you want to go by the definition or the lingo, there's --

MS. WINGATE: The question, again, is what --

CHAIRMAN SALADINO: Well, I think we should decide -- I understand the question that you're asking, but you can't ask a question without --

MR. TASKER: Into a vacuum.

CHAIRMAN SALADINO: Thank you.

MS. GORDON: I'd like to say something about the interpretation task that we have. It seems to me that we are talking about some competition between 15-year-old minutes, the Legislative history, and the current text in the code. The current text in the code, as I read it, mentions multi-family housing only three times. Once is the definition of the
multi-family dwelling, a housing -- any dwelling house designed to accommodate or accommodating three or more families, and then some examples. And then in the -- let's see. There's another place.

CHAIRMAN SALADINO: I have seven definitions.

MS. GORDON: Okay. Within the code itself, within section --

CHAIRMAN SALADINO: Well, I have the numbers, if you want them. Chapter 60 -- I'm sorry.

MS. GORDON: Could I finish?

CHAIRMAN SALADINO: I'm sorry, of course.

MS. GORDON: In 150, which is where I think all the zoning -- direct zoning provisions are included, they're -- in the two-family district, there is reference to the R-2 District. There is reference to a situation, a conditional use where conversion of an existing dwelling to a multi-family dwelling is provided in the chapter, subject to the following conditions, which -- which are very rigorous, these conditions. A thousand square feet of livable floor area for each dwelling unit, and a minimum of 15,000
square feet of lot area, and so forth. So it
would be very, very difficult to use the R-2
District.

And then the third place is general
standards for multi-family dwellings. Now it
seems to me none of this deals -- it's very, very
narrow. None of it deals with the Commercial
District at all. And I just don't see how -- I
mean, there is a competition. We have to decide,
are we going to rely on 15-year-old minutes of a
meeting, or are we going to rely on the existing
text?

CHAIRMAN SALADINO: No, no, we're relying
on the law. This is 2-2002. That's a law that
they passed. I'm quoting from the law.

MS. GORDON: All of your discussion has
been about the minutes of the 2002 meeting, and I
just think we should be clear about whether we're
going to rely on --

MS. WINGATE: Well, the 2002 law --

MS. GORDON: -- the Legislative history or
on the existing text.

MS. WINGATE: The 2002 law says
"apartments" with an "S". It did not limit the
number of apartments.
MR. TASKER: Nor did it expand it.

MS. GORDON: I'm sorry, what? I didn't hear you, Arthur.

MS. WINGATE: It also --

MR. TASKER: I said nor did it expand the number.

MS. WINGATE: Well, at that point --

MR. TASKER: You can't -- you can't -- as was pointed out, the Legislative intent is one thing. Mr. Saladino has given some -- the several examples that he pointed out are, in fact -- are in support of an interpretation that says that there is very stringent limitations on where multi-family housing can be constructed.

Be that as it may, what counts is the text of the ordinance.

And what you have to do, and I think Ms. Gordon was leading to this, is you have to examine the depth of the ordinance, very clear rules of interpretation, if you will, of statutes and ordinances, and the most significant one is -- the first thing you look for are ambiguities. If there are no ambiguities, that's the end of the interpretation, because there's nothing to be interpreted. That's what the
purpose of the interpretation is, is to look at the ambiguities. So that I think it bears examining it in that -- in that regime as to what ambiguities there are, and to that point, I'd look for either, since this is a public hearing or we're speaking with a building official, I'd look to that kind of input as to where ambiguity is seen there, so that we can determine whether or not we really have something to interpret.

CHAIRMAN SALADINO: Well, I'm willing to open it up to the public. Just -- I would just like to respond to Diana about the definitions in different chapters. There is reference. Chapter 88-1(B), it says a multi -- multi --

MS. NEFF: Could you read those a little slower? 88 dash --

CHAIRMAN SALADINO: I'm going to give you this copy and then you could copy that down.

MS. NEFF: Okay.

CHAIRMAN SALADINO: Chapter 88-1(B), Multi-Dwelling Building: Any building where there are two or more dwelling units, any building. Chapter 150-2(B), Multi-Family Dwelling: Any dwelling house designed to accommodate or accommodate three or more
families, and shall include, but not limited to, apartment house, garden apartment, co-op apartment, apartment hotel, and condominium.

Building: Any combination of material forming any construction. The term "building" shall include the term "structure".

Chapter 103-4, a building, dwelling limit or self-contained port -- dwelling unit or self-contained portion containing complete house, household facilities for only one family. Multiple dwelling building: A building or portion thereof containing three or more dwelling units. Structure --

MR. TASKER: What's the cite on that, John, the one using multiple dwelling buildings?

CHAIRMAN SALADINO: 103-4.

MR. TASKER: That's the one you just read?

CHAIRMAN SALADINO: That's the one I just read. Chapter 68 dash --

MS. GORDON: Well, 150, it's dwelling house.

CHAIRMAN SALADINO: But how do -- how do you --

MS. GORDON: And are we considering a dwelling house when we're talking about buildings...
downtown?

CHAIRMAN SALADINO: Well, I just read you the definition of a building. You're going to have to show me someplace in the code where downtown is different than the R-1, R-2, or -- I've looked, I can't find it. Perhaps that should be the interpretation.

We're going to open -- does anybody else have anymore -- anything else to say before I open it up to the public?

MR. TASKER: We'll talk more later.

CHAIRMAN SALADINO: Oh, I'm sure we're going to talk some more.

Is there anyone from the public that would like to speak?

MS. MULCAHY: I just have some questions.

CHAIRMAN SALADINO: Sure.

MS. MULCAHY: Hi. Name is Mary Mulcahy, I'm from Broad Street.

I just want -- in what you were just discussing, the code definitions that you were reading, are -- was that residential code or commercial code? And is there -- because I'm not familiar. I don't have 150-18 in front of me.

That one didn't get printed out, so I don't have
that. And I was just wondering, is it not --
downtown, is that not commercial? Is that not
commercial zoning? So wouldn't that be
commercial code being applied and not
residential?

CHAIRMAN SALADINO: The problem is, is --
the problem is, is that it doesn't differentiate.
Our code doesn't differentiate between the
Residential District and the Commercial District,
as far as -- as far as this issue.

MS. MULCAHY: Should it?

MR. TASKER: Certainly.

CHAIRMAN SALADINO: Absolutely.

MS. MULCAHY: So isn't that what needs to
be done, then?

CHAIRMAN SALADINO: We don't, we don't make
the law.

MS. MULCAHY: You don't make the law. Who
makes the -- who makes the zoning law?

CHAIRMAN SALADINO: You got to go to the
other, the other Board meeting on Thursday. The
Village Board legislates.

MS. MULCAHY: (Laughter) Okay. I just
thank you for -- I just wanted clarification,
because I didn't know what the definitions are
that we're dealing with here.

CHAIRMAN SALADINO: Just as an -- just as
an explanation, I don't think anybody, regardless
how this interpretation might go, or what would
come of it, or whatever law is enacted later on,
I don't think anybody is saying that they're not
in favor of multi-family housing.

MS. MULCAHY: Uh-huh.

CHAIRMAN SALADINO: And I won't speak for
my colleagues, I'll speak for myself. All I'm
saying is, is that if it's contrary to what's in
the code, just get a variance for it, just ask
for a variance.

MS. NEFF: And if --

CHAIRMAN SALADINO: If that's too
laborious, then you have to lobby the Village
Board to change the code to make it clearer, or
easier, or whatever.

Never once would I ever suggest that there
shouldn't be multi-family housing. All I'm
saying is, is that to do it, you should come and
get a variance to do it, because in my mind it's
contrary to what's in our code.

MS. NEFF: Well, if I may just mention, in
150-18, if you look at the following standards,
after it says what a multi-family is, there are very few places, in fact, maybe even, you know, like two or three or four in the whole Village that these standards would operate. So, clearly, the idea of multi-family where the most common thing you can find throughout the code is it means three or more. And even the size of them, each one should be 1,000 square foot. I don't know the rest of you who have lived in the Village long enough to know that three-family houses existed somewhere that you can see from your front yard that are not, not those things, and yet they existed.

So I think this, following standards, no one could develop multi-family housing practically, I would say -- let me modify that and say it would be very difficult to develop anything like multi-family housing in the commercial code or R-1 and R-2 without ending up in front of the ZBA. I mean, that's -- and how you apply with an individual parcel, an individual plan is what this is about.

CHAIRMAN SALADINO: Well, the interpretation here tonight at this moment in time is where does this apply? I gave her mine.
Where does this apply? If it doesn't apply in
the -- in the CR, which is some people's
contention, or the WC, or the GC, then it
wouldn't come in front of --

MS. WINGATE: It can't apply in WC, because
that's Commercial District, okay? The only --
the only residential use you have in a Commercial
District is artist studios. It can't work in CG,
because that's also a Commercial District. You
can allow it to work in CR, because they have
some component of residential use, as they do in
R-1 and R-2.

CHAIRMAN SALADINO: Did you -- did you just
hear? You can't have it in WC, it's a Commercial
District, you can't have it in General
Commercial, because it's a Commercial District,
but you can have it in Commercial Retail because
it's not a Commercial District?

MS. WINGATE: No, because within the CR
rules and regs, there is a residential component,
okay?

CHAIRMAN SALADINO: But not multi-family.

MS. WINGATE: That's what I'm asking you
guys. That is the question, John.

CHAIRMAN SALADINO: Okay.
MS. MULCAHY: Well, thank you very much.
CHAIRMAN SALADINO: Thank you.
MS. MULCAHY: You answered my questions. Thank you.
CHAIRMAN SALADINO: Is there anyone else from the public that would like to speak?
MS. MC ENTEE: You know I'm good for a few questions. Joanne McEntee, Fifth Avenue.
I'm reading 150-18, and Item #A specifically says 48,000 square feet minimum lot area. So I went through our -- the entire Village --
MS. NEFF: Right, if you look at the --
MS. GORDON: 150-18?
MS. NEFF: One, two, three.
MS. MC ENTEE: Yeah, this. There are approximately, let's see, 16, 17, 18, 19, 20 lots in our Village that are eligible for this.
MS. NEFF: That are vacant?
MS. MC ENTEE: That are not vacant, that are -- that already have existing -- with structures on it. This does not make sense to me. There are slightly undersized, which would obviously go for variances, slightly under an acre. So that concerns me deeply. Where --
CHAIRMAN SALADINO: Joanne, just could you just express your concern again?

MS. MC ENTEE: Well, there are -- there are hardly any lots. These lots have to be -- it says here on 150-18, Item A, it says the minimum lot area is 48,000 square feet, and it's bigger than an acre, and an acre is what, 43,650?

CHAIRMAN SALADINO: Forty-four thousand.

MS. MC ENTEE: Right? So that's a big lot. We don't have that in our Village. That's in our code already.

It's also stating that each of these -- in Item #L, that there's a minimum off-street parking area, one-and-a-half cars. That's -- that has to be. If you're talking commercial downtown in the retail area, that -- we already have a parking problem. We can't -- we've had a parking problem this weekend and this is just April.

I can tell you that I came up with, that are overs, over one-acre lots that are being used, six R-1s, five R-2s, five WCs, three RCs, one CG, and then there are -- like I said, there are couple of under lots -- undersized lots.

We also recently had an issue on Main

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Street, I believe it was Main Street, there are
-- an applicant came in, and there were four
families in an apartment, and then they knocked
it down. One was removed, and then it was three
families. And then the decision on the Board was
to -- that -- and they went with what the
original Building Inspector said on his
paperwork, basically, that it was a two-family
home. That to me is the way it should work,
where -- and then we also have another issue on
Center Street.

CHAIRMAN SALADINO: Joanne, excuse me one
second.

(Discussion with Chief Wayne Miller of the
Fire Department)

MS. MC ENTEE: So on Center Street, there
was -- there was a home, a one-family that was
converted to a two-family, and then the garage
was turned into an accessory apartment.
Unbeknownst to everybody else in this Village,
the Building Inspector allowed this to go through
without it hitting any of the Boards. So that
just went through, and that happened to be now
what we call a multi-family dwelling that's now
illegal.
What I don't understand in this whole entire process is that we are here and this is being presented to the Board for an interpretation, which to me is somewhat ass backwards, and excuse my language.

CHAIRMAN SALADINO: No.

MS. MC ENTEE: Generally, I would think that we know the circumstances. Let's find out what you're talking about. Let's find out what -- where this information is coming from, why you need it, and let's fix those particular issues and address them at that time.

CHAIRMAN SALADINO: I thought that's what we were doing.

MS. MC ENTEE: Well, we don't know who it is. In other words, I'm not saying who, what person. Like what law are you talking about? Are you really talking about --

CHAIRMAN SALADINO: We're not talking about a specific lot, we're talking about zoning districts.

MS. MC ENTEE: And that's it. So I'm just -- my point is that, sure, I would not want multi-family in my R-2s or my R-1s. And that to me is -- we are so crowded here in our Village,
how much more can you put in my backyard?

CHAIRMAN SALADINO: Just --

MS. MC ENTEE: If you can sympathize.

CHAIRMAN SALADINO: Just as an explanation, the code is permissive. It tells you where you -- if it doesn't mention where you can do something, you can't do it there. There's no dispute that multi-family is not a permitted use in the R-1 District. I don't think there's any dispute on this Board or with the Building Department that multi-family is a possibility as a conversion in the R-2 District.

MS. GORDON: But only with those enormous lots and --

MR. TASKER: Very stringent requirements.

MS. GORDON: Right.

MS. NEFF: Which don't exist, for all practical purposes.

CHAIRMAN SALADINO: But you always -- there's always the possibility everybody's entitled to appeal. So, again, if there was no right of appeal, there would be no Zoning Board of Appeals.

MS. NEFF: Right.

CHAIRMAN SALADINO: And we would all be out
of jobs.

(Laughter)

MS. NEFF: Who is going to change it?

MS. MC ENTEE: So I imagine --

CHAIRMAN SALADINO: And we would have to
give up that big paycheck.

(Laughter)

CHAIRMAN SALADINO: The other zoning
district that I don't think there's any dispute
about is the Waterfront Commercial. I think most
of us agree, along with the Building Department,
although I hesitate to speak for the Building
Inspector, that multi-family is not a permitted
use in the Waterfront Commercial. The General
Commercial I don't think it's a possibility,
because --

MS. WINGATE: They have no residential
conditions.

CHAIRMAN SALADINO: It's basically railroad
tracks.

MS. WINGATE: That, too.

MS. MC ENTEE: That's a park district.

CHAIRMAN SALADINO: So it boils down to the
CR. And the question is does the "S" at the end
of "apartments" constitute more than two?
MS. MC ENTEE: So let's look at the three CRs we have. You've got Sterling Commons.

MS. WINGATE: Which has five -- six existing apartments.

MS. MC ENTEE: Uh-huh. You got Mitchell Park, that's 2.92 acres. I'm sure we're not going to do anything with that.

MS. WINGATE: That's zoned WC.

MS. MC ENTEE: And you got --

CHAIRMAN SALADINO: That's --

MS. MC ENTEE: You said CR, right?

CHAIRMAN SALADINO: But that's -- but we're getting --

MS. MC ENTEE: And then Townsend Manor.

CHAIRMAN SALADINO: We're getting off track with that, with that. It's -- the Commercial Retail District, is more than two apartments a permitted use? If it's not, does it have to comply with 150-18?

MR. TASKER: There's a question before that, is can it be --

CHAIRMAN SALADINO: I'm sure there's a million questions before that, Arthur.

MR. TASKER: Can it be permitted at all, irrespective of whether or not it complies with

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CHAIRMAN SALADINO: Well, I thought I said that, if it's a permitted use at all.

MR. TASKER: Okay.

CHAIRMAN SALADINO: If it's not, if it's not, it would have to comply with -- and you would ask -- again, nobody is looking to abolish multi-family housing. All I think is trying to be resolved is where this enormous -- and for the people that kind of -- you know, there was a mindset that why this was passed. Whether people are willing to admit it or not, there was a mindset back in the day why this was passed, 48,000 square feet, 200 feet, 240 feet. If the Village Board thinks this is -- this is -- it would be up to them to change. All I think with all that's on my mind is, is if it's a permitted use, you don't need a variance. If it's not a permitted use, you got to go for a variance.

MS. MC ENTEE: Thank you.

CHAIRMAN SALADINO: Is there anyone else from the public that would like to speak?

(No Response)

CHAIRMAN SALADINO: This looks like one of
those public hearings that we might --

MR. TASKER: Leave open.

CHAIRMAN SALADINO: Leave open. Is that --

MS. NEFF: Sounds like dinner over there.

MS. GORDON: Why are we leaving it open?

MR. CORWIN: I'd like to see it left open, because I have to study this some more, and some other people might come in and say whatever, and send a letter.

CHAIRMAN SALADINO: Plus I don't think -- I mean, we're not under any time constraints with this, our backs not to the wall with this. It's the Village that's making the request. I mean, we could take --

MS. WINGATE: I have all the time in the world.

CHAIRMAN SALADINO: We could take as much time as we want with this, right? It would be nice to resolve it, but -- so if --

MR. TASKER: So, clearly, if a building permit application were to come in in the meantime that might invoke questions regarding this, you'd bring it to our attention.

MS. WINGATE: I'm not anticipating any of that going into busy season.
MR. TASKER: Good.
MS. NEFF: Okay.
MR. TASKER: Then let's leave it open.
MS. WINGATE: The other thing I just might throw out there, in reading 2002 minutes, there's a statement from the Board of Trustees about accessory apartments and garage apartments and how they are a permitted use, to which --
CHAIRMAN SALADINO: Well, what he said was, what the comment was, "Well, yeah, maybe I think you might be able to convert your garage."
MS. WINGATE: I think that, water under the bridge, we are working under new guidelines. But it certainly -- if you start taking minutes as Gospel, it's there.
CHAIRMAN SALADINO: Well, the reason -- if you're making that statement to me, the reason I chose to read from the minutes was because I had made a comment about three apartments in a particular building in the Commercial Retail Zone, and I was told by a former Village official -- two former Village officials that I should read the law and I would understand what their intent was. That's the only reason I brought up these minutes. And in these minutes
their intent, at least what they conveyed to the public, was clear.

MR. TASKER: And quite different from what was asserted.

CHAIRMAN SALADINO: So --

MS. WINGATE: What I would really like to read is when they initiate Village law, there's usually a document that says "Intent", and nobody has been able to come up with that. That's what gets filed with the State. So we have -- we have minutes, we have a law, and there's still a couple of pieces of the puzzle missing.

MR. TASKER: Counsel, maybe you will enlighten us on this, but it's only relatively recently, compared to the discussions we're having here about the Zoning Code and its various iterations. It's only relatively recently that those kind of stringencies on local laws and local legislation, and particularly the filing thereof, came into being; is that so?

MR. PROKOP: No, they were always -- you were always required to state the intent of the law, and they were always required to be filed. What's more recent is the fact that the ability to go online, look at the law. So the 2002 law
should be online at the Department of State.

MS. WINGATE: Oh, really?

MR. PROKOP: And you should be able to see the intent. The intent should be stated.

MS. WINGATE: Oh, that's a good next step for me.

MS. NEFF: All right.

CHAIRMAN SALADINO: So I'm going to make a motion we keep this public hearing open. We adjourn it to --

MR. CORWIN: Second.

CHAIRMAN SALADINO: We adjourn it to -- we adjourn it to --

MS. WINGATE: May 19th?

MS. LINGG: Sixteenth.

MS. NEFF: Sixteenth.

MS. WINGATE: Sorry.

MS. NEFF: Yeah.

CHAIRMAN SALADINO: To our next regular meeting, May 16th. So moved.

MR. CORWIN: Second.

CHAIRMAN SALADINO: All in favor

MR. CORWIN: Aye.

MS. GORDON: Aye.

MS. NEFF: Aye.
MR. TASKER: Aye.

CHAIRMAN SALADINO: And I'll vote aye.

Since both these public hearings are open, -- since both these public hearings are open, there'll be no discussion on Alexander and Julie Bell, and there'll be no discussion on item Number 7.

So Number 8 is motion to adjourn. So moved.

MR. TASKER: Second.

MR. CORWIN: Second.

CHAIRMAN SALADINO: All in favor

MR. CORWIN: Aye.

MS. GORDON: Aye.

MS. NEFF: Aye.

MR. TASKER: Aye.

CHAIRMAN SALADINO: Aye.

Any opposed?

(No Response)

CHAIRMAN SALADINO: No? Okay.

MS. NEFF: Oh, did we do the Findings and Determinations?

CHAIRMAN SALADINO: Oh. Did I close the meeting?

MS. WINGATE: You did. Too late for you.

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MR. PROKOP: You can vote. We'll need a vote to reopen.

MS. NEFF: Reopen.

CHAIRMAN SALADINO: Can I reopen this meeting?

MR. PROKOP: Yes.

MR. TASKER: So moved.

MS. GORDON: What is it for?

CHAIRMAN SALADINO: All in favor? To vote on the Findings and Determinations.

MS. GORDON: Oh, yes.

MS. NEFF: Second.

CHAIRMAN SALADINO: All in favor?

MR. CORWIN: Aye.

MS. GORDON: Aye.

MS. NEFF: Aye.

MR. TASKER: Aye.

CHAIRMAN SALADINO: Aye.

Do we have a copy of that? I don't --

MS. NEFF: We do.

MR. PROKOP: I have a copy of that.

CHAIRMAN SALADINO: I just want to read the headline.

I'm going to make a motion to accept the Findings and Determinations on the application of

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James Olinkiewicz for variance approval of 221 Fifth Avenue; Suffolk County Tax Map #1001-4-4-29. So moved

MS. NEFF: Lot 1 and 2.

CHAIRMAN SALADINO: No.

MS. NEFF: Well, it's about both of them.

CHAIRMAN SALADINO: It's the application.

MS. NEFF: Okay.

CHAIRMAN SALADINO: The entire -- we voted --

MS. NEFF: All right.

CHAIRMAN SALADINO: We voted the application as a whole for 221; is that correct?

MS. NEFF: Not sure. I have to look at that.

CHAIRMAN SALADINO: 238 we listed the variance, 221 we voted as a whole.

MS. GORDON: That's correct. So the Findings and Determinations for 221 is for the application as a whole.

MS. NEFF: Okay.

MS. WINGATE: (Nodded yes).

CHAIRMAN SALADINO: So moved.

MS. GORDON: Second.

CHAIRMAN SALADINO: All in favor?
MR. CORWIN: Aye.
MS. GORDON: Aye.
MS. NEFF: Aye.
MR. TASKER: Aye.
CHAIRMAN SALADINO: I'm going to vote aye also.
So item Number 8-2-0 is motion to adjourn. So moved.
MS. NEFF: Second.
CHAIRMAN SALADINO: Oh, I got to sign it. I don't have a copy.
MR. PROKOP: I have a copy.
CHAIRMAN SALADINO: Oh, all in favor?
MR. CORWIN: Aye.
MS. GORDON: Aye.
MS. NEFF: Aye.
MR. TASKER: Aye.
CHAIRMAN SALADINO: Aye.
We're adjourned.
(The meeting was adjourned at 7:39 p.m.)
CERTIFICATION

STATE OF NEW YORK )
) SS:
COUNTY OF SUFFOLK )

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

THAT, the above and foregoing contains a true and correct transcription of the proceedings taken on April 18, 2017.

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

IN WITNESS WHEREOF, I have hereunto set my hand this 30th day of April, 2017.

Lucia Braaten

Flynn Stenography & Transcription Service
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 get [1] - 9:7
 gentle [1] - 4:12
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