VILLAGE OF GREENPORT
ZONING BOARD OF APPEALS

REGULAR MEETING
July 16, 2014
5:00 p.m.

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

APPEARANCES:
Douglas Moore - Chairman
Charles Benjamin
David Corwin
Ellen Neff
Eileen Wingate - Village Building Inspector
(Whereupon, the meeting was called to order at 5:04 p.m.)

CHAIRMAN MOORE: This is the regular meeting of the Village of Greenport Zoning Board of Appeals, and we have just a regular meeting agenda tonight and it's mostly administrative.

The only order of business we have is Item #1, which is discussion and possible closure on conditions required for an area variance granted April 16th, 2014 to Mark LaMaina, 119 Main Street, Greenport, New York; Suffolk County Tax Map 1001-5-4 to 34 -- I'm not sure of that printing there as far as the tax number -- for a directly illuminated sign.

Just as a background, we did approve a variance for a sign, which was erected, that was self-illuminated, and at the time it was very
bright and it was a flashing sign. And we did approve a variance based on conditions that the sign would remain in the current location. The sign must be softly self-illuminated. There were 40 border lights, which were acceptable if not bright, and the sign cannot be flashing, and no flashing lights are permitted.

And the Zoning Board of Appeals and the Historic Preservation Committee were to review the sign when lighted after dark to consider whether the sign was acceptable. And the variance was for the existing sign only, and does not carry over to a new or different business or owner.

So I asked the Boards, and the Historic Preservation Board had the opportunity, to look at it. Frank Uellendahl attended a viewing of the sign, along with the Building Inspector, and we thought it looked acceptable. And if the Board is agreeable, those that have looked at the sign, we can just tell the Building Inspector
it's a closed issue and the variance will remain
in effect, unless there are any changes to the
sign. Any comments on the sign as far as its
acceptability?

(No response.)

CHAIRMAN MOORE: If not, I would just make
a motion that we approve the sign as currently
lighted, and that the variance would stand, and
so moved. And may I have a second for that,
please?

MS. NEFF: Second.

CHAIRMAN MOORE: And any further
discussion?

(No response.)

CHAIRMAN MOORE: Then all in favor?

MR. CORWIN: Aye.

MS. NEFF: Aye.

CHAIRMAN MOORE: Aye.

MR. BENJAMIN: Aye.

CHAIRMAN MOORE: And it's unanimous, so the
variance is still in effect. And you can just
let the owner know that we are good.

MS. WINGATE: Yes.

CHAIRMAN MOORE: This has been signed, I believe.

MS. WINGATE: The one -- oh, okay. You don't have a signed one?

CHAIRMAN MOORE: Oh, do we not have a signed copy?

MS. WINGATE: I don't have a signed copy.

CHAIRMAN MOORE: Oh, okay, we can sign that. I'll take care of that just when we're finished.

MS. WINGATE: Okay.

CHAIRMAN MOORE: Then we have three appeals for variances currently being submitted. And, as far as I can tell, they're all now in order.

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And the Item #2 is a motion to accept an appeal for an area variance, publicly notice and schedule a public hearing for Thomas Farmokis (phonetic), is it pronounced?

MS. WINGATE: Farmakis.
CHAIRMAN MOORE: Farmakis, sorry, 437 First Street; Suffolk County Tax Map 1001-4-6-39, located in the R-2 District and within the Historic District. The applicant proposes to expand a mud room and porch addition, with an expansion of 58 square feet and 78 square feet, respectively.

Section 150-12A of the Village of Greenport Code requires a 10-foot yard — side yard setback in the R-2 District.

The proposed side yard setback for the new construction is 3.5 feet, requiring a 6.5-foot side yard variance for the new mudroom extension.

Section 150-12A of the Village of Greenport Code requires a 25 (foot) side yard setback, combined side yard setback, in the R-2 District.

The proposed aggregate side yard setback is 23.8 feet, requiring a 1.2-foot combined side yard variance for the new extension.

With that, I'll move that we accept this application for consideration. May I have a
second?

MS. NEFF: Second.

CHAIRMAN MOORE: And all in favor?

MR. CORWIN: Aye.

MS. NEFF: Aye.

MR. BENJAMIN: Aye.

CHAIRMAN MOORE: Aye.

So that's accepted. And I think we'll postpone the site visit timing and sequence until we get all of these done, and then we can decide the best approach to attending all of them.

Item #3 is a motion to accept an appeal for an area variance, publicly notice and schedule a public hearing for Jack and Jeffry Rosa, 506 Main Street; Suffolk County Tax Map 1001-4-3-33, located in the R-2 District and within the Historic District.

The applicants propose to construct a new covered porch, a new side stair and a new rear deck.

Section 150-13D of the Village of Greenport Code requires a calculated average of existing setback for neighboring properties to determine the minimum requirement.
The proposed front yard setback for the new covered porch is 4.08 feet, requiring a 7.42-foot front yard area variance, based on an average minimum requirement of 11.5 feet.

Section 150-12A of the Village of Greenport Code requires a 10-foot side yard setback.

The proposed front porch construction also requires a side yard variance; the proposed porch setback is .2 feet, requiring a 9.8 (foot) side yard variance.

And there are two additional items that are necessary. I should point out that this is an improvement of the house on three sides, so it affects front, side and back, apparently.

So Section 150-12A of the Village of Greenport Code requires a 25 (foot) combined side yard setback.

The proposed landing with side step on the south side of the building is 5.8 feet wide, requiring a 19-foot combined side yard variance.

And, lastly, Section 150-12A of the Village of Greenport Village Code requires a 10-foot side
yard setback. The proposed rear deck is .7 feet from the north property line, requiring a side yard setback of 9.3 feet.

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1 With those four variances required, I make that motion to accept this application. May I have a second?

2 MR. CORWIN: Question.

3 CHAIRMAN MOORE: Yes.

4 MR. CORWIN: This application isn't signed?

5 CHAIRMAN MOORE: I believe it is at this point. It was signed today, on your question regarding the application.

6 MR. CORWIN: Is it notarized, signed and notarized?

7 MS. WINGATE: Yes, it is.

8 MR. CORWIN: The copy I have is not signed.

9 MS. WINGATE: I have a copy for you, David. I also have the calculations that I did for the front yard setback.

10 CHAIRMAN MOORE: Okay. So could I have a second, please?
MR. BENJAMIN: Second.

CHAIRMAN MOORE: And without further discussion, all in favor?

MR. CORWIN: Aye.

MS. NEFF: Aye.

CHAIRMAN MOORE: Aye.

MR. BENJAMIN: Aye.

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CHAIRMAN MOORE: And so that application is accepted.

And Item #4, motion to accept an appeal for an area variance, publicly notice and schedule a public hearing for Virginia Ludacer, 131 Sixth Street; Suffolk County Tax Map 1001-7-1-15.1. The property is located in the R-2 District. The applicants seek a building permit for a 15-by-30-foot in-ground swimming pool.

Section 150-7C(3)(A) of the Village of Greenport Code requires not less than a 20-foot setback from all property lines.

The side yard setback for the swimming pool is 7.3 feet, requiring a side yard area variance.
of 12.7 feet.

Before I make that motion, I should just point out this is an existing condition, and the variance is needed to issue a CO based on a pending sale of the property.

With that, I make the motion to accept this application. May I have a second, please, without any other discussion?

MR. BENJAMIN: Second.

CHAIRMAN MOORE: Second from Mr. Benjamin.

And all in favor?

MR. CORWIN: Aye.

MS. NEFF: Aye.

CHAIRMAN MOORE: Aye.

MR. BENJAMIN: Aye.

CHAIRMAN MOORE: And that motion carries.

Now to schedule the visits, what would everyone suggest? We have one on Main Street, one on First Street, and then one down on Sixth Street. So would it be best to go to Sixth Street first, do you believe?
MR. CORWIN: Main Street first.

CHAIRMAN MOORE: Main Street? Okay. So we can do Main Street at 4 p.m.? Would that be acceptable? It will give 20 minutes for each visit, with some travel in between. So the Main Street property would be at 4 p.m.

MS. NEFF: Okay.

CHAIRMAN MOORE: And then we'd go to First Street, I assume, at 4:20, and then, lastly, on south end of Sixth Street at 4:40. Is that acceptable to everyone?

MS. NEFF: Uh-huh

MR. BENJAMIN: Uh-huh

CHAIRMAN MOORE: Okay. So those are the times that we'll attend those different properties. And then the regular meeting will be scheduled normal time, at 5 p.m.

I don't know the properties, whether they need to be marked out.

MR. CORWIN: I think they should all be staked out.
CHAIRMAN MOORE: The additions are fairly small, but if the corners of the new portions of the additions that are being proposed could be marked off with some stakes, that would be helpful to the degree possible. And, of course, the swimming pool is there, so we'll be able to see it.

MR. CORWIN: Then the property line is --
CHAIRMAN MOORE: Yes, that would be a good point. Excellent.
MR. CORWIN: -- staked out on the Sixth Street one.
CHAIRMAN MOORE: So then Item #5, motion to accept the ZBA minutes for June 18, 2014. So moved. May I have a second, please?
MR. BENJAMIN: Second.
CHAIRMAN MOORE: Any discussion about the minutes?
(No response.)

CHAIRMAN MOORE: If not, those in favor?
MS. NEFF: Aye.
MR. CORWIN: Yes, aye.

CHAIRMAN MOORE: I say aye. And Charlie?

MR. BENJAMIN: Yes.

CHAIRMAN MOORE: Yes, okay.

Number 6, motion to approve the ZBA minutes for May 21st, 2014. So moved. May I have a second, please?

MS. NEFF: Second.

MR. BENJAMIN: Second.

CHAIRMAN MOORE: All in favor?

MR. CORWIN: Aye.

MS. NEFF: Aye.

MR. BENJAMIN: Aye.

CHAIRMAN MOORE: Aye.

So that motion carries.

And then, finally, a motion to schedule the next regular ZBA meeting for August 20th, 2014. Of course, that would be at 5 p.m. So moved. May I have a second, please?

MR. BENJAMIN: Second.

CHAIRMAN MOORE: All in favor?

MR. CORWIN: Aye.

MS. NEFF: Aye.
CHAIRMAN MOORE: Aye.

MR. BENJAMIN: Aye.

CHAIRMAN MOORE: The motion carries.

And then, finally, a motion to adjourn.

I'll make that motion. May I have a second, please?

MR. BENJAMIN: Second.

CHAIRMAN MOORE: Is there any discussion among the Board members necessary?

(No response.)

CHAIRMAN MOORE: If not, we will ask for all those favor?

MR. CORWIN: Aye.

MR. BENJAMIN: Aye.

MS. NEFF: Aye.

CHAIRMAN MOORE: Aye.

MS. NEFF: Okay.

CHAIRMAN MOORE: So meeting is adjourned, and thank you.

(Whereupon, the meeting was adjourned at 5:15 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 July 16, 2014.

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

IN WITNESS WHEREOF, I have hereunto set my hand this 26th day of July, 2014.