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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

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1 (Whereupon, the meeting was called to order
2 at 5:04 p.m.)

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

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

15 Just as a background, we did approve a
16 variance for a sign, which was erected, that was
17 self-illuminated, and at the time it was very

18 bright and it was a flashing sign. And we did
19 approve a variance based on conditions that the
20 sign would remain in the current location. The
21 sign must be softly self-illuminated. There were
22 40 border lights, which were acceptable if not
23 bright, and the sign cannot be flashing, and no
24 flashing lights are permitted.

25 And the Zoning Board of Appeals and the

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1 Historic Preservation Committee were to review
2 the sign when lighted after dark to consider
3 whether the sign was acceptable. And the
4 variance was for the existing sign only, and does
5 not carry over to a new or different business or
6 owner.

7 So I asked the Boards, and the Historic
8 Preservation Board had the opportunity, to look
9 at it. Frank Uellendahl attended a viewing of
10 the sign, along with the Building Inspector, and
11 we thought it looked acceptable. And if the
12 Board is agreeable, those that have looked at the
13 sign, we can just tell the Building Inspector

14 it's a closed issue and the variance will remain
15 in effect, unless there are any changes to the
16 sign. Any comments on the sign as far as its
17 acceptability?

18 (No response.)

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

24 MS. NEFF: Second.

25 CHAIRMAN MOORE: And any further

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1 discussion?

2 (No response.)

3 CHAIRMAN MOORE: Then all in favor?

4 MR. CORWIN: Aye.

5 MS. NEFF: Aye.

6 CHAIRMAN MOORE: Aye.

7 MR. BENJAMIN: Aye.

8 CHAIRMAN MOORE: And it's unanimous, so the
9 variance is still in effect. And you can just

10 let the owner know that we are good.

11 MS. WINGATE: Yes.

12 CHAIRMAN MOORE: This has been signed, I
13 believe.

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

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

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

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

22 MS. WINGATE: Okay.

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

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

5 MS. WINGATE: Farmakis.

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

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

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

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

22 The proposed aggregate side yard setback is
23 23.8 feet, requiring a 1.2-foot combined side
24 yard variance for the new extension.

25 With that, I'll move that we accept this

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1 application for consideration. May I have a

2 second?

3 MS. NEFF: Second.

4 CHAIRMAN MOORE: And all in favor?

5 MR. CORWIN: Aye.

6 MS. NEFF: Aye.

7 MR. BENJAMIN: Aye.

8 CHAIRMAN MOORE: Aye.

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

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

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

22 Section 150-13D of the Village of Greenport
23 Code requires a calculated average of existing
24 setback for neighboring properties to determine
25 the minimum requirement.

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1 The proposed front yard setback for the new
2 covered porch is 4.08 feet, requiring a 7.42-foot
3 front yard area variance, based on an average
4 minimum requirement of 11.5 feet.

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

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

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

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

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

21 And, lastly, Section 150-12A of the Village
22 of Greenport Village Code requires a 10-foot side

23 yard setback. The proposed rear deck is .7 feet
24 from the north property line, requiring a side
25 yard setback of 9.3 feet.

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

4 MR. CORWIN: Question.

5 CHAIRMAN MOORE: Yes.

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

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

10 MR. CORWIN: Is it notarized, signed and
11 notarized?

12 MS. WINGATE: Yes, it is.

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

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

17 CHAIRMAN MOORE: Okay. So could I have a
18 second, please?

19 MR. BENJAMIN: Second.

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

22 MR. CORWIN: Aye.

23 MS. NEFF: Aye.

24 CHAIRMAN MOORE: Aye.

25 MR. BENJAMIN: Aye.

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1 CHAIRMAN MOORE: And so that application is
2 accepted.

3 And Item #4, motion to accept an appeal for
4 an area variance, publicly notice and schedule a
5 public hearing for Virginia Ludacer, 131 Sixth
6 Street; Suffolk County Tax Map 1001-7-1-15.1.
7 The property is located in the R-2 District. The
8 applicants seek a building permit for a
9 15-by-30-foot in-ground swimming pool.

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

13 The side yard setback for the swimming pool
14 is 7.3 feet, requiring a side yard area variance

15 of 12.7 feet.

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

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

23 MR. BENJAMIN: Second.

24 CHAIRMAN MOORE: Second from Mr. Benjamin.
25 And all in favor?

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1 MR. CORWIN: Aye.

2 MS. NEFF: Aye.

3 CHAIRMAN MOORE: Aye.

4 MR. BENJAMIN: Aye.

5 CHAIRMAN MOORE: And that motion carries.

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

11 MR. CORWIN: Main Street first.

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

17 MS. NEFF: Okay.

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

22 MS. NEFF: Uh-huh

23 MR. BENJAMIN: Uh-huh

24 CHAIRMAN MOORE: Okay. So those are the
25 times that we'll attend those different

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1 properties. And then the regular meeting will be
2 scheduled normal time, at 5 p.m.

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

5 MR. CORWIN: I think they should all be
6 staked out.

7 CHAIRMAN MOORE: The additions are fairly
8 small, but if the corners of the new portions of
9 the additions that are being proposed could be
10 marked off with some stakes, that would be
11 helpful to the degree possible. And, of course,
12 the swimming pool is there, so we'll be able to
13 see it.

14 MR. CORWIN: Then the property line is --

15 CHAIRMAN MOORE: Yes, that would be a good
16 point. Excellent.

17 MR. CORWIN: -- staked out on the Sixth
18 Street one.

19 CHAIRMAN MOORE: So then Item #5, motion to
20 accept the ZBA minutes for June 18, 2014. So
21 moved. May I have a second, please?

22 MR. BENJAMIN: Second.

23 CHAIRMAN MOORE: Any discussion about the
24 minutes?

25 (No response.)

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1 CHAIRMAN MOORE: If not, those in favor?

2 MS. NEFF: Aye.

3 MR. CORWIN: Yes, aye.
4 CHAIRMAN MOORE: I say aye. And Charlie?
5 MR. BENJAMIN: Yes.
6 CHAIRMAN MOORE: Yes, okay.
7 Number 6, motion to approve the ZBA minutes
8 for May 21st, 2014. So moved. May I have a
9 second, please?
10 MS. NEFF: Second.
11 MR. BENJAMIN: Second.
12 CHAIRMAN MOORE: All in favor?
13 MR. CORWIN: Aye.
14 MS. NEFF: Aye.
15 MR. BENJAMIN: Aye.
16 CHAIRMAN MOORE: Aye.
17 So that motion carries.
18 And then, finally, a motion to schedule the
19 next regular ZBA meeting for August 20th, 2014.
20 Of course, that would be at 5 p.m. So moved.
21 May I have a second, please?
22 MR. BENJAMIN: Second.
23 CHAIRMAN MOORE: All in favor?
24 MR. CORWIN: Aye.
25 MS. NEFF: Aye.

1 CHAIRMAN MOORE: Aye.

2 MR. BENJAMIN: Aye.

3 CHAIRMAN MOORE: The motion carries.

4 And then, finally, a motion to adjourn.

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

7 MR. BENJAMIN: Second.

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

10 (No response.)

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

13 MR. CORWIN: Aye.

14 MR. BENJAMIN: Aye.

15 MS. NEFF: Aye.

16 CHAIRMAN MOORE: Aye.

17 MS. NEFF: Okay.

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

20 (Whereupon, the meeting was adjourned at
21 5:15 p.m.)

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C E R T I F I C A T I O N

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STATE OF NEW YORK)

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) SS:

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COUNTY OF SUFFOLK)

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I, LUCIA BRAATEN, a Court Reporter and

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Notary Public for and within the State of New

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York, do hereby certify:

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THAT, the above and foregoing contains a

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true and correct transcription of the proceedings

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taken on July 16, 2014.

13

I further certify that I am not

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related to any of the parties to this action by

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blood or marriage, and that I am in no way

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interested in the outcome of this matter.

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IN WITNESS WHEREOF, I have hereunto

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set my hand this 26th day of July, 2014.

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Lucia Braaten

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