

1 VILLAGE OF GREENPORT
COUNTY OF SUFFOLK STATE OF NEW YORK
2 -----x

3 PLANNING BOARD
REGULAR MEETING
4 -----x

7 Third Street Firehouse
8 Greenport, New York

9 June 4, 2015
10 5:00 P.M.

11
12
13 B E F O R E:

14
15 DEVIN MCMAHON - CHAIRMAN

16 BEN BURNS - MEMBER

17 PETER JAUQUET - MEMBER

18 PAT MUNDUS - MEMBER

19 JOSEPH PROKOP - VILLAGE ATTORNEY

20 GLYNIS BERRY - PLANNING BOARD COORDINATOR

21
22
23
24
25

1 CHAIRMAN MCMAHON: This is the
2 Village of Greenport Planning Board,
3 June 4, 2015 Regular Meeting. Item No. 1
4 Motion to act on Use Evaluation
5 Application for Wayne Turrett. The
6 property is located at 746 Main Street.
7 The proposed one-family house is a
8 permitted use in the R-1 (One Family
9 Residential) District. It is also located
10 in the Historic District. We had a public
11 hearing on it. At the last work session.
12 This is SCTM #1001-2-3-8.02. I believe we
13 resolved most of the issues for this. I
14 didn't see any thing else. Does anyone
15 else have any comments or concerns?

16 MR. PROKOP: Do we have a SEQRA
17 Resolution on this?

18 CHAIRMAN MCMAHON: No, we didn't do
19 a SEQRA resolution on this.

20 MR. PROKOP: (In Audible).

21 CHAIRMAN MCMAHON: Sure.
22 Absolutely. I am glad that you brought
23 that up. It was a Type I because of the
24 Historic District. We didn't find any --

25 MR. PROKOP: We have to coordinate

1 this with Southold and get their input on
2 this. So we may have to put this over for
3 one meeting, unless we did that
4 internally. I don't know who would do
5 that internally?

6 CHAIRMAN MCMAHON: Do they want to
7 coordinate on the determination --

8 MR. PROKOP: We have to give them
9 additional time, I think, that they have
10 to respond. I don't know if we ever let
11 them know. Unless you did?

12 MS. BERRY: I didn't, but I believe
13 Eileen might have. Can you do a
14 conditional?

15 MR. PROKOP: No, we have to complete
16 the SEQRA before we approve it. He is not
17 here tonight. Is he?

18 CHAIRMAN MCMAHON: No.

19 MR. PROKOP: So that is an issue
20 that we have with this.

21 CHAIRMAN MCMAHON: If any other
22 agency --

23 MR. PROKOP: We have to send out a
24 coordinator review notice on this. I
25 don't know if we have done that.

1 CHAIRMAN MCMAHON: We didn't do
2 that. Do we have to do that for every
3 Type I action then?

4 MR. PROKOP: For every Type I.

5 CHAIRMAN MCMAHON: All right. I am
6 not certain what to do then. I believe we
7 are ready to move forward with the
8 approval other than the SEQRA
9 determination. We have made our SEQRA
10 determination that it was not going to
11 pose an issues.

12 MR. PROKOP: Well, we need to do
13 that on the record. We have to have what
14 is called a coordinated review in the
15 file. And I am just not sure if we have
16 done it or not.

17 CHAIRMAN MCMAHON: Okay.

18 MEMBER MUNDUS: Joe, why this house
19 and not others?

20 MR. PROKOP: Because it's in the
21 Historic District.

22 CHAIRMAN MCMAHON: I would just
23 suggest that we move forward then. Do we
24 have to put it off?

25 MR. PROKOP: I think it should go to

1 the work session and then we will resolve
2 it then. I think we can resolve it at the
3 work session but I think it has to be put
4 off till then.

5 CHAIRMAN MCMAHON: Okay.

6 MEMBER JAUQUET: Is there a deadline
7 to accept the application?

8 CHAIRMAN MCMAHON: Yes. We accepted
9 the application last time. We are 62 days
10 from the time that we accept the
11 application, I believe.

12 MR. PROKOP: That's correct.

13 CHAIRMAN MCMAHON: We would be well
14 within it.

15 MR. PROKOP: I will make sure that
16 it's in the file.

17 CHAIRMAN MCMAHON: Okay. So
18 unfortunately, we will have to --

19 AUDIENCE MEMBER: (In Audible).

20 MR. PROKOP: Yes, we would change it
21 but I don't think there is a reason to.
22 You have already determined it's a Type I.

23 CHAIRMAN MCMAHON: So I am going to
24 make a motion that we move this item to
25 the next work session, which is the -- I

1 don't know the date on it.

2 Does anyone know the date off hand?

3 MR. PROKOP: 6/25.

4 CHAIRMAN MCMAHON: So I will make a
5 motion that we move this item to the 6/25
6 work session so that we can have the
7 findings from the coordinated
8 determination for purposes of SEQRA.

9 MEMBER JAUQUET: Second.

10 CHAIRMAN MCMAHON: All in favor?

11 MEMBER BURNS: Aye.

12 MEMBER JAUQUET: Aye.

13 MEMBER MUNDUS: Aye.

14 CHAIRMAN MCMAHON: Aye.

15 Item No. 2, motion to act on the
16 site plan application for North Fork
17 Smoked Fish. Philip Karlin has been
18 granted a variance from the Zoning Board
19 of Appeals for additional 519 square feet
20 of manufacturing floor space. This
21 provides a total of 743 square feet of
22 manufacturing and 640 square feet of
23 retail space. The facility is located at
24 414 First Street. SCTM# 1001-4-7-5.
25 There were a few items that we discussed

1 last time. We did have additional
2 material submitted from the applicant.
3 The additional materials includes a
4 completed short environmental assessment
5 form, additional location for the 3 foot
6 wide two-ring drywall for the roof water
7 runoff on the property. Addition of
8 screening to be added by the business
9 owner to enclose the area behind the
10 building, with stockade fencing between
11 the building and the shed and the length
12 of the stockade to screen the dumpster as
13 requested. Measurements of the existing
14 proposed signage as applied for with the
15 building permit that was provided to at
16 the work session. Okay. Does anyone have
17 any comments on this?

18 MEMBER JAUQUET: Is there a
19 requirement as to a timeline for adding
20 drainage or do we just let that go?

21 CHAIRMAN MCMAHON: I just think that
22 we would make it a condition. I don't
23 know that we have a set window of time.
24 Do you have any thoughts on that as to the
25 timeframe?

1 MS. BERRY: (In Audible).

2 CHAIRMAN MCMAHON: Okay.

3 MEMBER MUNDUS: We only accepted
4 this last week. So I think that we are
5 fine.

6 CHAIRMAN MCMAHON: I think what
7 Peter is asking is the amount of time to
8 do the drainage work because it's not
9 completed now. Just make it conditional.

10 MS. BERRY: Just make it
11 conditional.

12 CHAIRMAN MCMAHON: Although Glynis
13 noted that the -- I believe where they're
14 indicating where the drywells are going to
15 go now, there is a fuel tank. So we need
16 to find another location.

17 MR. KARLIN: That fuel tank is
18 disconnected.

19 CHAIRMAN MCMAHON: It's disconnected
20 and going to be removed. Okay.

21 MEMBER JAUQUET: The only other
22 quotes that I had is why is it going to be
23 North Fork Smoked Fish House and (In
24 Audible) was that the whole idea?

25 MR. KARLIN: The (In Audible)

1 because it will -- two-fold -- (In
2 Audible) Village, who don't have a
3 vehicle. To buy smoked fish. And we do
4 work closely together. Hand and hand.

5 MEMBER JAUQUET: I was just
6 wondering.

7 CHAIRMAN MCMAHON: Okay. So what
8 Glynis was saying is that we would need
9 the plans for the drywell, calculations
10 for the runoff on plans, on sign, stamped
11 plans from a engineer; correct?

12 MS. BERRY: Or a designer.

13 CHAIRMAN MCMAHON: Or a designer.
14 Okay. And also getting building permits
15 for all of those or any changes that have
16 to be made. Building permits if you are
17 going to be doing outside changes to the
18 building.

19 AUDIENCE MEMBER: There is no
20 changes to the outside of the building.
21 We don't need a permit to change the
22 gutter direction or anything, down spouts.
23 We do have a permit for the signs. We do
24 have a permit for the railings. Both of
25 those are on file. Do we need a permit

1 for the drywell?

2 CHAIRMAN MCMAHON: I don't know.

3 AUDIENCE MEMBER: Whatever we need,
4 we will do. I mean, I am not aware that
5 we need a permit for the drywell. It's a
6 50 year old problem.

7 CHAIRMAN MCMAHON: Okay. Our
8 resident expert is not here tonight.

9 MS. BERRY: (In Audible)
10 calculations.

11 AUDIENCE MEMBER: (In Audible) shown
12 on the plan.

13 CHAIRMAN MCMAHON: Are there any
14 other issues or concerns that the Board
15 has?

16 MS. BERRY: The screening that is
17 proposed and also the occupancy.

18 CHAIRMAN MCMAHON: Yes, the
19 occupancy as well. There were a few
20 different ideas about what the proposed
21 occupancy should be and what it will be.
22 I don't have a plan.

23 MEMBER MUNDUS: That was from the
24 last work session.

25 CHAIRMAN MCMAHON: Yes, I believe we

1 need to keep it under 49, under the fire
2 code. Just wanted it to state in there
3 somewhere. So then if there are no other
4 issues, I am going to make a motion that
5 we grant a conditional approval --

6 MR. PROKOP: I just have a comment.
7 I don't know why I am the person that
8 always brings this stuff up, but you had a
9 comment from the planner that the plan has
10 to be stamped by a professional. How can
11 you make a motion? I am just pointing out
12 to you. I don't want to get involved --

13 MEMBER MUNDUS: It's not fair to
14 hold up the tenant while we are dealing
15 with the land lady.

16 CHAIRMAN MCMAHON: Okay. So then
17 the motion would be to approve the
18 application conditional upon receipt of a
19 stamped signed plans with calculation for
20 the drainage. The fencing around the back
21 area of the property as well as occupancy,
22 signs showing less than 49 persons. I
23 believe that was it. Do I have a second
24 for the motion?

25 MEMBER MUNDUS: Second.

1 CHAIRMAN MCMAHON: All in favor?

2 MEMBER BURNS: Aye.

3 MEMBER JAUQUET: Aye.

4 MEMBER MUNDUS: Aye.

5 CHAIRMAN MCMAHON: Aye.

6 AUDIENCE MEMBER: How soon (In
7 Audible).

8 MR. PROKOP: It's up to the Board.

9 CHAIRMAN MCMAHON: You have to talk
10 to Eileen. As a Board, I think we would
11 like to draft a letter to the owner of the
12 property with regards to the condition of
13 the parking lot. They don't have a C of O
14 for one of the other buildings, a storage
15 building. So we will have to work on that.
16 Maybe we can address that at a future
17 meeting. That is something that we need to
18 address.

19 Item No. 3. Motion to act on use
20 evaluation bar application from Carolyn
21 Rusin for the use of 314 Main Street as a
22 bar and restaurant and second floor
23 apartment. SCTM#1001-4-7-27.

24 At the work session, we discussed --
25 there was some discussion with the

1 handrail and the handicapped access being
2 brought up to code. We were asked to make
3 sure that they get a building permit if
4 there were going to be any changes that
5 were made there. The occupancy, if they
6 adhered to the previous CO. So they would
7 be able to go forward. That would include
8 the occupancy of 50 inside and 50 outside
9 as opposed to the plan that they came in
10 with, which had 56 outside, I believe,
11 which would have required a new C of O.
12 Are there any issues that you wanted to
13 bring up?

14 MEMBER MUNDUS: No, it looks
15 beautiful.

16 MS. BERRY: Just if they have any
17 signage or (In Audible) they have to
18 submit (In Audible).

19 CHAIRMAN MCMAHON: Yes. They're in
20 the Historic District. If they make any
21 changes, they will need to go before the
22 Historic Preservation Committee. Any
23 signage would need to be approved by them.

24 MEMBER MUNDUS: Did she say she had
25 any ideas about signage?

1 AUDIENCE MEMBER: (In Audible) it
2 will be something like Gallery's
3 restaurant --

4 MEMBER MUNDUS: She is the same
5 owner as both?

6 AUDIENCE MEMBER: (In Audible).

7 MEMBER MUNDUS: Excellent.

8 AUDIENCE MEMBER: And she also said
9 that you would ask about her hours of
10 operation. She is not sure about that.
11 (In Audible) and occasionally (In Audible)
12 most of the time it would be 10 to 10.
13 There will be times when she has parties
14 and all music will be done inside. It
15 will all be acoustic. Nothing will be
16 amplified. She wants to have a very
17 inviting casual place.

18 CHAIRMAN MCMAHON: We are going to
19 need set hours. I believe we require that
20 of any other restaurant in the area.

21 AUDIENCE MEMBER: The latest would
22 be midnight. I would not say that it's
23 going to be every day.

24 MEMBER MUNDUS: It's a bar also?

25 AUDIENCE MEMBER: Yes.

1 MEMBER MUNDUS: So the bar is also
2 going to close at midnight?

3 AUDIENCE MEMBER: Yes.

4 MEMBER JAUQUET: You sure she
5 doesn't want to make it wider range so she
6 has the option?

7 AUDIENCE MEMBER: I will go on the
8 recommendation --

9 MEMBER MUNDUS: We are not
10 advocating.

11 MR. PROKOP: I would like to make a
12 recommendation.

13 CHAIRMAN MCMAHON: Yes.

14 MR. PROKOP: If you are going to
15 approve this, that you do 10 to 12 and
16 have it for review. You make it as a
17 condition that you can review it. I just
18 want to let the Board know that I raised a
19 legal question about the use and whether
20 it's in a district where there is no
21 second floor residential use allowed for a
22 first floor commercial. There was a
23 Certificate of Occupancy issued for a
24 prior -- under a prior zoning code. Not the
25 existing one. However, I believe that it

1 may have preexisting nonconforming use.
2 If the use of the first floor were
3 discontinued then the code would change.
4 I have a question that I raised to the
5 building department about the use of the
6 commercial first floor and second floor
7 residential use --

8 MEMBER MUNDUS: Why is it
9 nonconforming?

10 MR. PROKOP: Because under this
11 zoning you can't have a second floor
12 residential with a commercial first floor.

13 MEMBER JAUQUET: Wingate pointed out
14 that owner occupancy was allowed on the
15 second floor only.

16 MR. PROKOP: Okay.

17 MEMBER JAUQUET: Last week.

18 MR. PROKOP: I just wanted to say
19 that comment on the record. If she had an
20 explanation --

21 CHAIRMAN MCMAHON: That was my
22 understanding as well, as long as it was
23 owner occupied.

24 MS. BERRY: (In Audible). So that
25 use doesn't change.

1 CHAIRMAN MCMAHON: I am more
2 concerned on whether it's an allowed use
3 and whether or not it's appropriate that
4 we grant that use at all.

5 MEMBER MUNDUS: It's perfectly
6 logical if the owner wants to assume (In
7 Audible) apartment such as an intensified
8 use as a restaurant, that's fine. But if
9 it's tenant, that's a whole different
10 safety issue.

11 CHAIRMAN MCMAHON: So Joe --

12 MR. PROKOP: Ne second. This is the
13 one that was over retail stores that
14 existed as of 2002. And it doesn't say
15 anything about owner occupancy.

16 MEMBER MUNDUS: I thought it was a
17 preexisting situation.

18 MR. PROKOP: This is what we had on
19 Carpenter Street where we asked the ZBA
20 for an interpretation.

21 MEMBER MUNDUS: I think what we were
22 asking them whether the use existing or
23 the building existed prior to 2002. It
24 was a semantics problem.

25 MR. PROKOP: Okay. I believe the

1 interpretation was the building.

2 CHAIRMAN MCMAHON: Okay.

3 MR. PROKOP: I think that what I
4 would do is, if you are going to approve
5 it, approve on the condition of the zoning
6 Board of Appeals regarding residential use
7 in a commercial retail building. And also
8 on the condition that it's also used by
9 the owner. It's owner occupied only.

10 MS. BERRY: (In Audible) annual
11 inspection (In Audible).

12 MEMBER MUNDUS: Didn't we also
13 approve owner occupancy above the Times
14 building also.

15 CHAIRMAN MCMAHON: I don't know.

16 MEMBER MUNDUS: I thought we had
17 worked that out at the work session.

18 MR. PROKOP: Just so you know, I
19 objected at that hearing. I said the
20 Planning Board did not have the ability to
21 approve that application because it was
22 being reported (In Audible) representing
23 the applicant and the Board approved it
24 over my objection. The owner had
25 previously submitted on the C of O it said

1 that the apartments were for artists only.
2 The C of O that was issued for that
3 building.

4 CHAIRMAN MCMAHON: Or which building?

5 MR. PROKOP: 477 Main Street, which
6 is Rick Tecon (phonetic).

7 CHAIRMAN MCMAHON: It's the corner of
8 Center and Main Street. So in your
9 opinion, the owner occupancy --

10 MR. PROKOP: I mean, if for some
11 reason you feel the need to approve it,
12 make it conditional on the use of the
13 second floor in accordance with the Zoning
14 Board of Appeals interpretation regarding
15 second floor residential use of commercial
16 retail buildings. That is No. 1. No. 2,
17 that it be owner occupied. No. 3, that the
18 inspector is able to conduct an inspection
19 per compliance at least once per -
20 annually.

21 CHAIRMAN MCMAHON: Okay.

22 MR. PROKOP: And then the final
23 thing is, the hours of operation - based
24 on the representation of the owners
25 representative, the bar will not have

1 amplified music and the hours will be
2 limited to 10:00 a.m. to 12:00 midnight,
3 subject to further review of the Planning
4 Board.

5 MEMBER MUNDUS: And they also need a
6 building permit that the handicapped
7 platform exist to the correct size.

8 CHAIRMAN MCMAHON: Okay. So that
9 would be a total of five conditions so
10 far. The first would be conditional upon
11 the Board accepted the ZBA interpretation
12 --

13 MR. PROKOP: The use of the second
14 floor would be in conformance --

15 CHAIRMAN MCMAHON: Conformance --

16 MR. PROKOP: The ZBA interpretation
17 regarding second floor use of commercial
18 retail zoning space. And then No. 2, is
19 that the second floor residential space
20 will be owner occupied.

21 CHAIRMAN MCMAHON: Okay. What was
22 the third condition?

23 MEMBER BURNS: Hours.

24 CHAIRMAN MCMAHON: That was four.

25 MR. PROKOP: Three was inspection on

1 notice at least once a year.

2 CHAIRMAN MCMAHON: 4, was the
3 amplified music. Five was the hours 10 to
4 12 midnight and review from the Board.

5 MEMBER MUNDUS: And then the
6 handicapped landing is the correct size.

7 CHAIRMAN MCMAHON: Okay. So one
8 more time. Conformance with ZBA
9 interpretation of second floor residence
10 over a commercial retail space. Two, is
11 that the retail space or second floor
12 residential space would be owner occupied.
13 Three, is the inspector on notice. Once
14 per annually. Four. Is the no amplified
15 music. Hours of operation, 10:00 a.m. to
16 12:00 midnight subject to continuing
17 review by the Board. No. 5 is they must
18 have building permits for the handicapped
19 access and make sure there is conformity.
20 No. 6 is they must adhere to the original
21 C of O with occupancy inside and outside,
22 50 each. Are there any other items?

23 MEMBER MUNDUS: No.

24 MEMBER BURNS: I have a question
25 about amplified music. What if she wants

1 to play it inside?

2 CHAIRMAN MCMAHON: Inside is fine.

3 MR. PROKOP: She didn't say that.

4 Excuse me, I think she meant no amplified
5 live music.

6 CHAIRMAN MCMAHON: So no amplified
7 music of any kind outside.

8 AUDIENCE MEMBER: Right.

9 CHAIRMAN MCMAHON: So no amplified
10 music of any kind outside. Amplified
11 music is permitted inside as long as it's
12 not of any live band. It would have to be
13 acoustic. Okay. Is there any other
14 discussion or issues with this
15 application?

16 (No Response.)

17 CHAIRMAN MCMAHON: I am going to
18 make a motion that we give conditional
19 approval to this application with the
20 following conditions; 1, the second floor
21 - that the property is in conformance with
22 the ZBA interpretation of second floor
23 residence over a commercial retail space.
24 That the second floor residential space is
25 owner or manager occupied. That there is

1 an inspection on notice, one per annum or
2 the Village has the right for inspection
3 on notice once per annum. No. 4. No
4 amplified music of any kind outside.
5 Amplified music is permitted inside but no
6 amplified live music. The hours of
7 operation would be permitted 10 to 12
8 midnight, subject to continuing review by
9 the Board. No. 5 is building permit is to
10 be obtained for the handicapped access and
11 landings and the original C of O, the
12 tenant must adhere to the original C of O
13 with regards to the limited inside and
14 outside, limited to 50 each.

15 Is there a second to that motion?

16 MEMBER MUNDUS: Second.

17 MR. PROKOP: I'm sorry, the motion
18 would also include lead agency status for
19 purposes of SEQRA and that this is a
20 non-listed action and would not have a
21 significant impact of those conditions.

22 CHAIRMAN MCMAHON: Yes. The motion
23 would include that as well. And also any
24 signage or changes to the building, would
25 be subject to approval by the Historic

1 Preservation Committee.

2 Do I have a second?

3 MEMBER MUNDUS: Second.

4 CHAIRMAN MCMAHON: All in favor?

5 MEMBER BURNS: Aye.

6 MEMBER JAUQUET: Aye.

7 MEMBER MUNDUS: Aye.

8 CHAIRMAN MCMAHON: Aye.

9 Item No. 4 motion to approve the
10 findings and determinations for the
11 following projects:

12 Application for Rick Takemoto for
13 restaurant use at 477 Main Street.

14 Application for Joann Brancato for
15 the approval of a use evaluation as a
16 vintage furniture and jewelry shop.

17 Application of John Cronin for new
18 house construction at 101 Sterling Street.

19 Application of Kimberly Loper for
20 use evaluation at 120 Main Street for a
21 pet boutique.

22 Application of Tom Spurge for
23 construction of a new house at 216 North
24 Street.

25 Application of Margaret Richards for

1 time extension for nuisance violation at
2 415 Kaplan Avenue.

3 MR. PROKOP: Can I make a
4 recommendation that this motion includes
5 every one but Tom Spurge and you have a
6 separate motion for Tom Spurge?

7 CHAIRMAN MCMAHON: Yes. So I will
8 make a motion that we approval al the
9 items except for the Tom Spurge and we
10 will discuss that.

11 MEMBER BURNS: Second.

12 CHAIRMAN MCMAHON: All in favor?

13 MEMBER BURNS: Aye.

14 MEMBER JAUQUET: Aye.

15 MEMBER MUNDUS: Aye.

16 CHAIRMAN MCMAHON: Aye.

17 What is the issue?

18 MR. PROKOP: There is no issue. I
19 think it's better to have a separate
20 motion.

21 CHAIRMAN MCMAHON: Okay. I need to
22 review that one also before I sign it.
23 Okay. So I will make a motion to accept --

24 MS. WARD: Can I state something (In
25 Audible).

1 CHAIRMAN MCMAHON: I am not going to
2 read through all of this.

3 MS. WARD: (In Audible).

4 CHAIRMAN MCMAHON: All of the items
5 that were approved --

6 MS. WARD: There was a SEQRA art the
7 last meeting.

8 MR. PROKOP: We adopted SEQRA at the
9 last meeting. That is correct.

10 MS. WARD: There was quite a list of
11 petitions that were being proposed on the
12 plans that were being submitted. I wanted
13 to make sure those were all in front of
14 you tonight. Sot hat nothing was being
15 left off accidentally. That the motion
16 would be impaired.

17 MR. PROKOP: I think (In Audible)
18 conditions that were reflected in the
19 minutes of the meeting. If you want, I can
20 paraphrase them for the Board.

21 CHAIRMAN MCMAHON: Sure.

22 MR. PROKOP: So the Board's -- this
23 is what was determined. These are the
24 conditions. The second floor deck is
25 limited to 5 feet deck. So it can only be

1 five feet of deck. No exterior stairwell.

2 CHAIRMAN MCMAHON: Depth. Not
3 width.

4 MR. PROKOP: The next would be no
5 exterior stairway can be built at any time
6 including to this deck. The entry way to
7 the house needs to be redesigned to make
8 sure that there is at least 3 feet level
9 at the bottom of the stairs. Excuse me,
10 that at least 3 feet of surface at the
11 bottom of the stairs to separate the main
12 approach from the house from any vehicle
13 or driveway. So at least three feet of
14 space from the bottom of the driveway.
15 That there were (In Audible) two dwelling
16 units and the structure cannot be
17 converted to a two family home. It will
18 remain as a one family home. No second
19 kitchen will be constructed. And the
20 Village Planning Board has the right to an
21 annual inspection.

22 MS. WARD: (In Audible) C of O.

23 MR. PROKOP: Okay.

24 MS. WARD: (In Audible).

25 CHAIRMAN MCMAHON: I don't have the

1 plans in front of me. I don't recall. It
2 would be limited to 5 feet and --

3 AUDIENCE MEMBER: (In Audible) whole
4 back of the house.

5 CHAIRMAN MCMAHON: I recall the
6 issue being the depth. Not the width. I
7 can tell you that I certainly had no
8 intention of restricting the width. So
9 that there would not be large parties --

10 MS. WARD: My understanding was the
11 width and the depth (In Audible) balcony.

12 CHAIRMAN MCMAHON: No, I believe it
13 was the 5 feet depth that was the
14 demarkation.

15 MEMBER BURNS: I heard no discussion
16 of the width.

17 MS. BERRY: The word width was used
18 in the discussion. I think people were
19 referring to the depth in the way that it
20 was being used.

21 MR. PROKOP: Can I make a suggestion
22 that the motion is to approve the written
23 determination and request that the Village
24 Attorney review the minutes --

25 CHAIRMAN MCMAHON: Yes. I certainly

1 know the intention was not limited --

2 MS. BERRY: I think she is right.

3 The word was used. I think the Board was
4 referring to depth and not width. No one
5 was talking about limiting.

6 MR. PROKOP: That is my suggestion.

7 CHAIRMAN MCMAHON: Can we put this
8 off? I am going to make a motion to table
9 this until the work session so that it
10 would give me and the attorney and
11 opportunity to discuss this. To make sure
12 that we are accurately representing what
13 we decided --

14 MEMBER MUNDUS: We don't have a
15 stenographer tonight. Can you repeat your
16 name.

17 MS. WARD: Jill Ward, W-A-R-D.

18 MEMBER MUNDUS: Thank you.

19 CHAIRMAN MCMAHON: Do I have a
20 second?

21 MEMBER MUNDUS: Second.

22 CHAIRMAN MCMAHON: All in favor?

23 MEMBER BURNS: Aye.

24 MEMBER JAUQUET: Aye.

25 MEMBER MUNDUS: Aye.

1 CHAIRMAN MCMAHON: Aye.

2

3 Motion to approve the minutes from
4 May 7, 2015 meeting.

5 MEMBER MUNDUS: Second.

6 CHAIRMAN MCMAHON: All in favor?

7 MEMBER BURNS: Aye.

8 MEMBER JAUQUET: Aye.

9 MEMBER MUNDUS: Aye.

10 CHAIRMAN MCMAHON: Aye.

11 Item No. 6 motion to adjourn.

12 MEMBER MUNDUS: Second.

13 CHAIRMAN MCMAHON: All in favor?

14 MEMBER BURNS: Aye.

15 MEMBER JAUQUET: Aye.

16 MEMBER MUNDUS: Aye.

17 CHAIRMAN MCMAHON: Aye.

18

19 (Whereupon, the meeting concluded.)

20

21

22

23

24

25

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

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

I, Jessica DiLallo, certify that the foregoing transcript of tape recorded meeting was prepared using required electronic transcription equipment and is a true and accurate record of the meeting.

Signature: _____

Jessica DiLallo

Date: June 28, 2015