

**VILLAGE OF GREENPORT**  
**PLANNING BOARD PRE-SUBMISSION REPORT IN RESPECT OF:**  
**PROPOSED RESIDENTIAL CONSTRUCTION**  
**AT 140 MAIN STREET**  
**CURRENTLY OWNED BY MARK & PATTY CARLOS**  
**(the “Application”)**  
**SCTM 1001-05-03-02**  
  
**JULY 26, 2024**

**DESCRIPTION:**

Robert Brown Architect has applied, on behalf of Mark and Patty Carlos (the “Applicant”), to the Village of Greenport for approvals to permit construction at the property located at 140 Main Street, SCTM 1001-05-03-02 (the “Property”) of a second- and third- floor addition to a portion of the existing improvements on the Project in order to create two (2) two (2)-bedroom apartments over a portion of existing first floor commercial space on the Property (the “Project”).

**SUBMITTED DOCUMENTS:** As part of the Planning Board’s (the “Planning Board” or the “Board”) pre-submission review of the proposed site plan for the Property contemplated by the Application, the following materials were submitted to the Board and the Board has considered these documents in its pre-submission review:

- Site Review Plan Application dated January 17, 2024, filed by the Applicant on February 2, 2024
- An area map dated April 10, 2024, showing the Property and lot under consideration for review and all properties, streets, rights-of-way, easements and other pertinent features within 500 feet of the boundaries of the applicable Property
- A site plan narrative dated January 19, 2024, together with proposed floor plans for the 1<sup>st</sup>, 2<sup>nd</sup> and 3<sup>rd</sup> floors of the Property and a proposed drawing of the northern and western elevations of the Property after giving effect to the Project

**MEETINGS:** As part of the Planning Board’s pre-submission review, the Planning Board held a public meeting at which the Application and Project were discussed at the following date and time:

- Village of Greenport Planning Board Work Session, Public Meeting and Regular Meeting held on June 14, 2024, at 4 pm

Upon submission to, and acceptance by, the Planning Board of a timely, complete final site plan application in respect of the Property and the Project, documents and testimony previously submitted by the Applicant and the public in connection with the pre-submission conference shall be deemed to be part of

the complete final application record and may be taken into account in the Planning Board's final determination of site plan approval in respect of the Project.

**PLANNING AND ENGINEERING CONSULTING REVIEW:**

Planning and engineering review memoranda in respect of the proposed site plan for the Property and the Project were provided to the Planning Board by L.K. McLean Associates P.C. ("LKMA"), the Board's planning and engineering consultant, and the Board has considered these comments in its pre-submission review.

**NEIGHBORHOOD ZONING DISTRICT AND EXISTING SITE CONDITIONS**

Historic District.

The Village of Greenport, incorporated in 1838, is likely the second oldest incorporated village in New York and is among the most prominent maritime locations in New York. Whaling, fishing, shipbuilding, and other maritime industries have historically formed the backbone of the Village's economy. Greenport's relative proximity to the port of Boston, Massachusetts and ports of Europe contributed to the Village's critical role in the early development of the Long Island regional economy. In more recent years, recreational boating and tourism have played a leading role in the Village's economy. Much of this has been driven by the seaport ambience and historical character of the Village. Greenport is well known for its historic Federal, Greek revival and Victorian style buildings. To ensure the conservation, protection and preservation of the historical nature of the Village, the Village has created a historic district. The Property is located in the historic district and is thus subject to the provisions of Chapter 76 of the Village of Greenport's Code (the "Code"). References to zoning districts in this memo refer to such districts as defined and described in Chapter 150 of the Code (the "Zoning Chapter"). It is noted that the Zoning Chapter was significantly amended in 2023 with a particular focus on permitted and conditional uses in the CR Retail Commercial District and the WC Waterfront Commercial District of the Village.

Zoning Districts and Neighborhood Conditions.

The Property is located in the central commercial area of the Village of Greenport and consists of building improvements covering substantially all of a lot that is approximately 3223.44 square feet (.074 acres) in size located at the principal intersection of the Village at the conjunction of Main Street, Front Street and East Front Street. The Property is zoned CR Retail Commercial District. The neighboring properties located on Main Street, Front Street and East Front Street are also zoned CR Retail Commercial District. Businesses surrounding the Property in the CR Retail Commercial District include a mix of restaurants, take-out food establishments, galleries, professional services, and retail establishments.

The property located to the east of the Property is zoned WC Waterfront Commercial. This area (most commonly often referred to as the "Shipyard" and hereinafter referred to as such) is the largest remaining WC Waterfront Commercial District area located in the Village and is utilized by approximately 20 marine industry focused businesses that employ more than 40 individuals. The Shipyard is viewed as integral to the historical nature and character of the Village as a maritime village. Businesses in the Shipyard include Anders Langendal & Sons Boatbuilders, Wooden Boatworks, Costello Marine Contracting, Douglass Marine, Sea Clams Unlimited, North Ferry Company and Widows Hole Oyster Co, among others, all of which play a critical role in supporting the maritime industry in the Village and surrounding area. The owner of the Shipyard estimates that over 125 boats of varying sizes (including some related to the North

and South Ferries serving Shelter Island) are built, repaired, maintained and/or stored on the Shipyard premises in any year.

The Property is located at the southeast corner of Main Street and East Front Street. The Property also lies approximately 450 feet south of Bay Avenue and 130 feet west of the intersection of Carpenter Street and East Front Street. These local Village streets serve as the boundary for the nearest One- and Two-Family R-2 Residential District in the Village. During the summer months and weekends in the spring and fall, Bay Avenue and Carpenter Street experience significant vehicular and pedestrian traffic flow resulting from a combination of residential traffic, commercial traffic, and traffic from visitors to the Village (including residents from surrounding hamlets and towns as well as tourists from further afield). Visitors to the Village routinely park along these streets, resulting in a significant burden to full-time residents located in this area during peak tourism season for the Village.

Main Street and Front Street provide the two principal methods of access into and out of the Village, and experience significant traffic flow, especially during the peak summer and fall seasons. Both Main Street and Front Street are considered part of NYS Route 25. Main Street and Front Street / East Front Street form a four-leg intersection, with the East Front Street approach offset to the south from the Front Street approach by approximately 20 feet. The Front Street and East Front Street approaches are stop-sign controlled, and the eastbound Front Street stop-sign control is reinforced by a flashing red traffic signal. The signal also provides flashing yellow displays on both Main Street approaches. There is no signal display facing the westbound East Front Street approach. Main Street terminates near the water at the Claudio's property approximately 250 feet from the Front Street intersection and the location of the Property. Claudio's waterfront is one of the principal tourism draws in the Village and there is significant vehicular and pedestrian traffic to and from Claudio's along this portion of Main Street during the Village's extended tourism season.

East Front Street and Carpenter Street serve as the principal routes for delivery trucks and other vehicular traffic needing access to the businesses in the Shipyard, as well as the STIDD Systems business located in the WC Waterfront Commercial District at 200 Carpenter Street (just north and east of the Property). Carpenter Street is also often used as a through road to exit the Village further up Main Street by residents located in the nearby R-2 Residential District who are seeking to avoid the traffic on Main and Front Streets. Carpenter Street is a common pedestrian walking area for local residents and visitors heading into the downtown area from the adjacent R-2 Residential District. There are currently no sidewalks along lower Carpenter Street resulting in significant pedestrian traffic on the street, including at times on East Front Street. There are minimal, discontinuous sidewalks on East Front Street as well.

All roads/streets adjacent to the Property currently serve as two-way roads. Due to narrow pavement widths on both Carpenter Street and East Front Street, as well as a non-standard corner radius at the intersection of East Front Street and Carpenter Street, when there are large vehicles (i.e. tractor trailers, trucks and/or emergency vehicles) entering or exiting the Shipyard or STIDD Systems from Carpenter or East Front Street or vehicles parked on East Front Street and Carpenter Street in the area surrounding the Property, two-way operation on these roadways is extremely constrained. In many cases, the assistance of police is necessary to direct large vehicles attempting to access, or exit from, the Shipyard on East Front Street and Carpenter Street.

There are several traffic restrictions and roadway conditions that limit the use of East Front Street and Carpenter Street. The East Front Street right-of-way is only approximately 26 feet wide with a paved area

ranging from 20 feet to 22 feet. Stopping and standing (and thus entirely prohibiting loading, unloading and drop-offs) are not permitted on the north side of East Front Street and the west side of Carpenter Street. Parking is prohibited along the entire east side of Carpenter Street running north to the Bay Avenue intersection and on the south side of East Front Street, apart from a small area where loading is permitted for a 10-minute period on the northern side of the Property adjacent to East Front Street. There is a fire hydrant located on the east side of Carpenter Street, north of the Property. Finally, it is noted that there is often a police car stopped on East Front Street monitoring the downtown area of the Village and the East Front Street/Main Street intersection.

These parking and stopping restrictions are intended to provide safe travel and use of these roadways for vehicles, emergency services, pedestrians, and all other forms of travel. The pavement width on East Front Street is barely sufficient to provide ten-foot-wide travel lanes. According to NYSDOT design criteria, a road of this type should provide a minimum lane width of 10 feet, with 11-foot-wide lanes being desirable. NYSDOT design criteria provide that a minimum of 13 feet should be provided for travel lanes that accommodate bicycles.

Existing Conditions on Site.

The Property currently contains building improvements covering substantially the entire lot. The rear portion of the Property improvements adjacent to East Front Street and the Shipyard (the "Rear Portion") consists of three (3) floors which are currently utilized as follows: (a) on the ground floor are two (2) distinct retail/office spaces which are currently operated as a hair salon and a real estate office and (b) on each of the second and third floors, are two (2) distinct apartments (one apartment on each floor). Applicant has indicated the two apartments in the Rear Portion are subject to annual leases and are not used for temporary or short-term rentals. Applicant has also indicated that from time to time these apartments have been rented out pursuant to the Village of Greenport's Housing Authority's Housing Choice Voucher housing program to residents of low- or moderate- income.

The north-front portion of the Property improvements lying immediately adjacent to East Front Street and Main Street (the "Project Portion") currently consists of a single ground level floor and is currently used as a portion of the retail store located in the front of the Property doing business as DiAngela Leather (it is noted that this business is currently operated by the Applicant). The southern front portion of the Property improvements which solely abuts Main Street (the "Other Front Portion") consists of three (3) floors which are currently utilized as follows: (a) the first floor of the Other Front Portion is currently also used as part of the operations of DiAngela Leather and (b) the second and third floors are comprised of a single two (2)- story apartment that is currently used by the Applicant as their primary residence. The roof of the Project Portion is currently used as a balcony and outdoor sitting area for the apartment located in the Other Front Portion. There are no parking spaces on site.

**OTHER APPROVALS (IF ANY) APPLICABLE TO FINAL SUBMISSION:**

Planning Board Approval.

Based on the materials included in the Application and discussions with the Applicant, the Project appears to require site plan approval by the Planning Board but not conditional use approval. It is noted that for the proposed use of the apartments on the Property to constitute a permitted use under the Zoning Chapter, the apartments will need to satisfy the requirements of Section 150-9(A)(12) of the Code.

Applicant will need to demonstrate compliance with these requirements as part of its final and complete site plan application.

Referral to Greenport Fire Department/Town of Southold Police Department.

As part of its consideration of site plan approval, the Planning Board will require input from the Village of Greenport Fire Department and the Town of Southold Police Department in terms of potential impacts on the provision of police and emergency service at the Property as well as at surrounding properties, including in respect of the WC Waterfront Commercial District areas that are located to the south and east of the Property. This review and input will need to be coordinated by the Village of Greenport following submission of a full and complete site plan application.

Zoning Board of Appeals Relief.

Based on the parameters of the Project as outlined in the Application, it appears that the Applicant may require relief from the Zoning Board of Appeals with respect to certain proposed aspects of the site plan for the Property and the Project, including potential variances necessary to maintain existing zoning encroachments on the Property and to permit the construction of a third floor on the Project Portion of the Property. The Village's Building Department and Zoning Board of Appeals will need to make a final determination as to what variances from the bulk standard provisions and other applicable provisions of the Zoning Code are necessary in respect of the Property and the proposed Project upon receipt of a final complete site plan application. It is noted that in June 2017, the Zoning Board of Appeals issued an interpretation in respect of Section 150-18 of the Code relating to multifamily dwellings (which is defined in the Zoning Chapter to be any dwelling house designed to accommodate or accommodating three or more families and which specifically includes an apartment house) and the use of buildings in the CR Retail Commercial District as apartments and the question of whether this interpretation affects this application will need to be addressed by the Village and the Zoning Board of Appeals as part of the final review of the site plan application for the Property.

Historic Preservation Commission Approval.

As the Property is in the Village of Greenport's historic district, the Project will also require a certificate of appropriateness from the Village's Historic Preservation Commission.

Other Approvals.

This section is provided for use in coordinating approvals which impact issuance of Village approvals. It is not intended to be an exhaustive list of all approvals required for the operation of the Property and the construction and development of the Project.

The Project will require referral to the Suffolk County Planning Commission, Suffolk County Department of Health Services (in respect of wastewater). It will also require approval by the Village of Greenport for sewer and electric connections. It should be noted that the Village of Greenport currently has a moratorium in place with respect to new sewer connections.

The Applicant is encouraged to contact the Building Department to request that the Building Department identify any necessary variances for the Property and the Project and to file applications for the required variances and Historic Preservation Committee review as soon as possible once the Applicant has finalized its proposed plans for the Project and submitted a full and complete final application for site plan approval

by the Planning Board. The Planning Board will not be able to make a final determination in respect of a submitted complete final application for site plan approval until the Applicant has received these approvals or has otherwise modified its plans to adapt to any requirements of the Zoning Board of Appeals or the Historic Preservation Commission in connection therewith. The Planning Board also requests that the Applicant seek written input from the New York State Department of Transportation in respect of any potential impact on the surrounding New York State roads prior to submitting its final application for site plan approval and provide a copy of such input to the Planning Board as part of the final submission.

Applicant also must coordinate with the Building Department to determine whether additional approvals are required or any other plan modifications will be necessary. In this regard, we recommend that the Applicant also review the Fair Housing Act and Americans with Disabilities Act requirements to determine modifications that may be necessary to comply with those Acts.

#### **VILLAGE LAND USE CONSIDERATIONS:**

This Application will be subject to review in respect of the conditions and considerations set forth in Sections 150-9(A)(12) and 150-30 of the Code. As part of these considerations, the Planning Board will take into account the purpose provisions set forth in Section 150-1 of the Code as well as policies, standards and guidelines highlighted both in the Village's currently effective Local Waterfront Revitalization Program dated October 8, 1998 (the "LWRP") as well as the draft Local Waterfront Revitalization Program prepared by VHM Engineering, Surveying and Landscape Architecture, PC dated July 16, 2012, as revised and submitted on December 19, 2012, May 17, 2013 and January 2014 and which is currently the subject of further updating by the Village (the "LWRP Guidance" and together with the LWRP, the "LWRP Documents"). Of particular relevance to a review of this Project, are the following policies contained in the LWRP: Policy 1B, Policy 4, Policy 10A, Policy 14, Policy 18, Policy 23, Policy 33, Policy 37, Policy 37 and Policy 38. In addition, it is specifically noted that the Village of Greenport has elected to apply to the State of New York to be treated as a "Pro-Housing Community" under New York Governor Hochul's Executive Order 30 which sets forth a Pro-Housing Community Program to support local governments in addressing New York State's housing crisis. This initiative is discussed further below.

#### Requirements of Section 150-9(A)(12) of the Code.

The Project is specifically intended to provide new full-time residential apartments in the CR Retail Commercial District. Such use is generally permitted in accordance with Section 150-9(A)(12) of the Code subject to the following standards and requirements:

- (a) The apartments will need to be located in a principal building on the Property.
- (b) The existing Property improvements and all apartments contained on the Property will need to be inspected by the Building Inspector to ensure compliance with all requirements of the New York State Uniform Fire Prevention and Building Code and all other applicable federal, state and local regulations prior to the issuance of a building permit for the Project including any applicable provisions under the Americans with Disabilities Act (ADA) and Fair Housing Act (FHA) standards relating to handicapped accessibility. As part of this, the Building Inspector will need to make a determination as to whether any of the apartments included as part of the on-site building improvements (including those proposed to be constructed as part

of the Project) are required to be handicapped accessible pursuant to the terms of the ADA, FHA or any other applicable laws.

- (c) Each of the existing apartments in the Rear Portion and Other Portion of the Property will need to demonstrate compliance with the requirements relating to rental permits and leases set forth in Sections 150-9(A)(12)(b) and 150-9(A)(12)(c) at the time of issuance of a building permit and the issuance of any certificate of occupancy in respect of the Project. Given that one of the apartments is owner occupied, the Village Building Department will need to provide guidance on how to interpret and determine whether the requirements set forth in Sections 150-9(A)(12)(b) and 150-9(A)(12)(c) are satisfied in connection with the apartment that is owner-occupied.
- (d) Upon completion of construction, each of the newly created apartments will be subject to the rental permit and lease requirements set forth in Sections 150-9(A)(12)(b) and 150-9(A)(12)(c).

As part of its final application for site plan approval, the Applicant should include a detailed description of the manner in which it has managed its current rental of existing apartment units and its plan for leasing the newly created apartment units in order to ensure compliance with the requirements of Section 150-9(A)(12). Applicant should also include information sufficient to confirm it holds valid rental permits for the existing units that are currently leased out in accordance with Chapter 103 of the Code.

Requirements of Section 150-30 of the Code.

The principal conditions set forth in Sections 150-30 of the Code require that in considering an application for site plan approval the Planning Board make the following findings:

- a. That the public health, safety and welfare and the comfort, convenience, and order of the Village in general and of the residents of the immediate neighborhood in particular will not be adversely affected in any material respect of the proposed site plan.
- b. That all proposed buildings, structures, equipment and other property relating to the proposed site plan are readily accessible for fire and police and other emergency services and that the proposed use of the Property and the proposed improvements will not interfere with the provision of these services to the district in which it is proposed to be situated or the immediately surrounding neighborhood.
- c. That the proposed site plan (including in respect of the size and character of buildings and structures forming part thereof) (i) will, in general, be in harmony and compatible with the appropriate and orderly development both of the district in which the Property is located as well as the immediately surrounding neighborhood and (ii) will not be detrimental to the orderly development of adjacent properties in accordance with the zoning classification of such properties.
- d. That the proposed site plan and its relation to access streets are such that both pedestrian and vehicular traffic to and from the proposed use of the Property and the assembly of

persimmediateection therewith will not be hazardous or inconvenient to or incongruous with the surrounding area or conflict with the normal traffic of the Village in general and the immediately surrounding area in particular.

- e. That appropriate landscaping, buffering and/or screening will be in place to reduce any impact of the proposed site plan in respect of noise, light or other potential nuisances and the location and height of buildings, the location, nature and height of walls and fences and the nature and extent of landscaping on the Property are such that the will not hinder or discourage the appropriate development and use of adjacent land and buildings.
- f. That the proposed site plan shall not result in an overcrowding of land or over burdening of services or public benefits, including, but not limited to parking, or the undue concentration of population.
- g. That the proposed site plan is in compliance with the guidance and policy objectives set forth in the LWRP Documents and will not have a negative impact on the working waterfront or water-dependent uses of the Village.
- h. That the proposed site plan satisfies all applicable criteria and standards set forth in the Code (or has otherwise received a variance in respect thereto duly issued by the Board of Appeals) and is otherwise consistent with the principles of any currently applicable comprehensive land use and development plans (including the LWRP).

#### **PLANNING BOARD DISCUSSION:**

##### Introduction.

The proposed Project will help to address a key concern currently faced by the Village of Greenport and the surrounding area – the creation of additional full-time residential housing. The Village’s Board of Trustees has set forth a clear policy objective of supporting the creation of additional full-time residential housing in the Village. In November 2023, the Village Board of Trustees passed a resolution whereby the Village adopted the Pro-Housing Communities pledge established under Executive Order 30 and agreed to take steps, to among other things, streamline permitting for multifamily housing, increase development capacity for residential uses and act policies that encourage a broad range of housing development. In addition, as part of the recent comprehensive amendments to the Zoning Chapter, certain portions of the downtown district were rezoned to be in the CR Retail Commercial District and the Code was amended to provide clear guidance that full-time residential apartments in the downtown business district constituted a permitted use. The Village Board of Trustees is currently also engaged in a discussion about further amendments to the Code to provide further incentives for the development of additional residential apartment uses in the CR Retail Commercial District, including potentially providing for relief from some of the current bulk district regulations so long as a portion of the housing is made available on an “affordable” basis to full-time residents of the Village. Those discussions are still ongoing but make it clear that the Board of Trustees is very focused on encouraging the development of additional housing resources in the downtown commercial district.



In addition to the foregoing, the Planning Board will need to take into account in reviewing the Application, other key objectives of the Village's Zoning Chapter which include the following: (a) preserving the Village's waterfront area and encouraging and ensuring a viable working waterfront and maintaining and protecting water dependent uses, (b) supporting water-based industry, including encouraging aquaculture and other marine related activities, (c) preserving, enhancing and perpetuating the Village's heritage and historic maritime character and the nineteenth century core and surrounding areas of the Village, (d) supporting and enhancing a year-round Village economy, (e) protecting the Village's economic vitality by ensuring a vibrant mixed use, walkable commercial district with a focus on encouraging businesses that provide year-round employment, services and goods to Village residents and support a sustainable commercial waterfront, (f) supporting expanded public access to the waterfront areas of the Village and (g) preserving the unique community character that supports tourism, encourages entrepreneurial businesses and contributes to a higher quality of life for its residents. Many of these same themes and policy objectives are echoed in the LWRP Documents.

All the above considerations are key to the Planning Board's review of any proposed site plan. The Planning Board notes that it has requested input and/or guidance from the Village in respect of certain aspects of the Property, its current building improvements and the Project but to date has not received this input and/or guidance. It is possible that the Village's input or determinations on these points, including in respect of potential Code compliance issues may raise additional issues and points for consideration by this Board that will need to be addressed as part of the review and final determination of a final site plan application for the Property and the Project. The following provides a summary of the principal concerns the Planning Board has identified during the pre-submission process which will need to be satisfactorily addressed in connection with the submission of a complete final application for site plan approval.

#### Key Considerations.

Key considerations that the Planning Board has identified that will need to be addressed in detail to the satisfaction of the Planning Board in a complete final application for site plan approval for the Property as part of the Project are as follows:

1. Safety, Traffic, Parking and Loading/Unloading Concerns.

##### *Summary of Issue:*

As has been previously discussed by the Planning Board in connection with the proposed development of 200 Main Street, the narrow construction of Carpenter Street and East Front Street and the related intersection is challenging for trucks, tractor-trailers and other delivery vehicles seeking to access the businesses located in the Shipyard or the surrounding Waterfront Commercial District area located along Carpenter Street. It is also challenging for emergency service vehicles seeking to access the Property, 200 Main Street, the Shipyard and other nearby Waterfront Commercial District areas located along Carpenter Street.

Stopping and standing is prohibited on the north side of East Front Street. Thus, stopping for any reason is prohibited in this area, whether the vehicle is occupied or not. As a result, loading will not be permitted on the north side of East Front Street across from the Property. Similarly, except for stopping and unloading in the area on the south side of East Front Street immediately adjacent

to the Property for a 10-minute period, no parking is permitted on the south side of East Front Street.

In addition, it is noted that the Planning Board will need to consider any potential impact of the proposed Project in respect of traffic and pedestrian safety at the East Front Street/Main Street intersection. It is specifically noted that there have been two pedestrian crashes in this area in recent years, including one fatal crash.

The Planning Board notes that the Village is in the process of implementing “metered” parking on Front and Main Streets and this may impact availability of spaces for parking and loading/unloading at the Property.

The Planning Board notes that the proposed site plan contemplated by the Application does not propose any change to the physical accessibility attributes of the Property or the intersection between East Front Street and Carpenter Street or the intersection of East Front Street and Main Street from that applicable under the current Property site plan. The Planning Board further notes that many of the considerations and concerns associated with safety, traffic, parking and loading/unloading highlighted in connection with the Board’s pre-submission review of the proposed development of 200 Main Street as a hotel are not as significant in respect of the potential development of two apartment units at the Property and that the strong pro-housing policies of the Village will need to be weighed in connection with considering any potential impact of the Project on traffic, parking and loading/unloading in the surrounding area. It is noted that in general apartment dwellers typically generate many fewer trips per day compared to hotel guests and that traffic generally follows a predictable pattern of departures in the morning and returning vehicles in the early evening after business hours. In addition, residential properties usually require fewer professional services such as laundry and housekeeping. Moreover, to the extent that residents work in the Village it is likely that this will further mitigate any potential impact on traffic in the surrounding area to the extent that residents might be expected to walk to work.

*Considerations.*

The final submitted plans for the Project should consider addressing and/or incorporating the following points in its submission of a complete final application for site plan:

- a. A description of how current residents and business owners approach parking and loading and unloading in respect of occupancy of the Property, including in respect of customers patronizing the businesses located on the Property. As part of this, the Applicant should provide a letter or memo from a transportation professional that provides a general assessment of the potential effect on traffic and parking for the uses of the Property both before and after giving effect to the Project in order to demonstrate what the overall effect on parking and traffic will be in the surrounding area as a result of the proposed Project.
- b. Any proposed mitigants in respect of managing loading and unloading at the Property.
- c. A plan for ensuring that tenants have adequate notice and understanding of the limitations on parking and loading/unloading on East Front Street, Carpenter Street and Main Street.

- d. A description of how garbage and recycling pick up is handled in respect of the Property.
- e. Any proposed mitigants relating to tenants' occupancy that would assist in reducing any adverse impacts on traffic on East Front Street, Carpenter Street and Main Street.

These items should be addressed so that the Planning Board can comprehensively evaluate the impacts of the proposed Project in relation to traffic, pedestrian, safety and parking and loading/unloading concerns.

2. Environmental Concerns.

*Summary of Issue:*

It is noted that the current physical building improvements located on the Property provide for a total lot coverage of in excess of 95% (well above that which is currently otherwise permitted by the Zoning Chapter) and that the Property is located a FEMA Special Flood Hazard Area Zone AE (Base Flood Elevation 6'). It is further noted that the Village has increasingly been the subject of flooding in the downtown district.

*Considerations:*

The final submitted plans for the Project should consider addressing and/or incorporating the following point in its submission of a complete final application for site plan approval:

- a. Incorporating any best practices for managing potential environmental impacts resulting from the significant lot coverage of the Property as well as the Project.

3. Size, Character, Nature of Project, and Other Concerns.

*Summary of Issue.*

With respect to the architectural style of the Project as well as related landscaping, given that the Project is in the Historic District of the Village the Project should be consistent with the historic maritime nature of the Village, however, the Planning Board will largely defer to the Historic Preservation Commission on the appropriate architectural style of the Project as well as any proposed or necessary landscaping.

Ultimately, the burden is on the Applicant as part of its submission of its complete final application for site plan approval to demonstrate to the Planning Board that the proposed site plan for the Property will not result in any adverse impact or outcome for the "public in general and of the residents of the immediate neighborhood in particular" (see Section 150-30(A) of the Code). Given the important policy objective of the Village in increasing the availability of affordable year-round housing for residents, the Applicant may wish to give consideration to providing that at least one of the on-Property apartments will be made available to applicants under the Village's Housing Choice Voucher program or will otherwise be rented on an affordable basis to persons working on a full-time basis in the Village as a counterweight to any

potential adverse impacts that might result from the Project in respect of the various site plan review considerations set forth in Section 150-30 of the Code.

**COMMENT ON PRE-SUBMISSION APPLICATION:** The following comments are offered in the interest of time in respect of the materials previously submitted by Applicant. All comments will need to be addressed to the satisfaction of the Village and the Planning Board in the final Full Environmental Assessment Form (“FEAF”) submitted in connection with the complete final application for site plan approval. The final submitted FEAF, and any related materials remain subject to further review and comment at the time of submission. To the extent feasible, all FEAF materials should be incorporated into one document in connection with Applicant’s submission of a complete final application for site plan approval.

- a. There is an inconsistency in the materials submitted in connection with the Application which indicates that the exterior dimensions of the proposed addition are 54.7’ x 16.7’, which figures to 913.5 square feet. However, the architectural plans state the interior square footage of each proposed apartment is 1,119 square feet. This discrepancy will need to be addressed in the final Application.

**LIST OF MATERIALS REQUIRED FOR COMPLETE SUBMISSION:** The following materials will be required to be submitted to the satisfaction of the Building Inspector and the Planning Board prior to the Planning Board’s acceptance of a final site plan application for consideration and any scheduling of public hearings in respect thereof:

- a. All materials required under Section 150-31 of the Code, including a and a detailed and complete community impact report (as defined in Section 150-2 of the Code). The community impact report should consist of one cohesive document that provides detailed answers and analysis of the points required to be addressed pursuant to the definition thereof. Statements that simply indicate that a condition is satisfied without a specific detailed analysis supporting such a conclusion shall be considered incomplete.
- b. A plan sheet that overlays the lines of the Property, building footprint and proposed curb line over the most current version of NYS Ortho imagery available. This plan should clearly identify the extents of any curb cuts, site access and/or loading zones of properties located on Carpenter Street, East Front Street and Main Street within 75 feet of the Property line on these streets.
- c. A Coastal Consistency analysis pursuant to Chapter 139 of the Code and all regulations and requirements of the NYS Department of State in respect of the impact and effect of the proposed use on the various policies set forth in the LWRP. At a minimum, this analysis should be prepared by an experienced professional engineer and address a discussion of Policies 1B, 4, 5, 5A, 10A, 14, 18, 23, 33, 37 and 38 of the LWRP.
- d. A comprehensive Zoning Compliance table shall be included in the complete final application for site plan approval and should clarify that the Property has two (2) “front yards”, and setback dimensions should be clearly identified for both front yards on the main site plan sheet.

- e. All main sheets of the proposed site plan and architectural plans will need to contain the statement required pursuant to Section 150-31(C)(13) of the Code in a 3" by 4" boxed area. The Village can provide this language upon request.
- f. The final site plans should contain legends which clearly define the different line types utilized for different purposes (*i.e.*, property lines, sawcut lines, etc.). Line types within the final site plans should match the legend.
- g. A Stormwater Control Plan that includes an analysis of differences between existing and proposed conditions at the Property. This should illustrate any design features the Applicant is including to offset the impacts to neighboring roadways.
- h. A utility plan which should identify all proposed and existing fire hydrants and hose connections which will serve the Property, as well as the sizes of existing water mains which fee said features.
- i. The existing conditions plan and proposed site plan (and any related sheets) should show existing pavement width dimensions for East Front Street, Carpenter Street, and the intersection thereof.
- j. A description of the Applicant's proposed approach to leasing of apartment units, including whether Applicant intends to ensure that any of these units will be made available to current workers or residents in the Village or Town of Southold and/or any approach to ensure affordability of such units.
- k. A proposed construction staging plan, traffic management plan and construction timeline/schedule. The Applicant should assume that the as a condition to any site plan approval in respect of the Project, the Planning Board will require that any outside construction work take place during normal work hours on weekdays between mid-October and early May in order to minimize any disruption of traffic (pedestrian and vehicular) in respect of the downtown commercial district. Applicant should include a proposal for parking, staging and loading of vehicles related to construction of the Project which minimizes the impact on the downtown district.

The Planning Board reserves the right to require additional information and/or materials (including analyses and/or input from outside consultants) as part of its consideration of the complete final application for site plan approval.

**CONCLUSION:**

This Pre-Submission Report is intended to provide the Applicant with general feedback and identify issues of concern to the Planning Board in respect of the proposed use and site plan based on a review by the Planning Board of the materials submitted by the Applicant as part of the pre-submission process. Upon receipt of a complete final site plan application, the Planning Board will review the entire application taking into account all considerations set forth in the Zoning Chapter, other applicable Code provisions and the requirements of the New York State Environmental Quality Review Act. The Planning Board reserves the right to raise additional issues and points of consideration in connection with the proposed use and site plan in connection with its review of a final accepted application for site plan approval for the Project.

Moreover, nothing stated herein shall in any way be considered as an indication of decision or be legally binding on the Planning Board or the Village of Greenport in any way. The Applicant has up to six (6) months from the date of this report to file a complete final application (unless such period is extended by the Planning Board in its sole discretion in accordance with Section 150-31(B)(5) of the Code) site plan approval. Failure to file such a complete final application in said period will require the holding of a new pre-submission conference before the Planning Board prior to proceeding to a final application for site plan approval for the Project. If you have any questions in respect of this report, please contact Michael Noone, Clerk to the Board at [mnoone@greenportvillage.org](mailto:mnoone@greenportvillage.org) or Candace Hall, Village Clerk at [chall@greenportvillage.org](mailto:chall@greenportvillage.org) and they will direct your inquiry as appropriate. The Planning Board greatly appreciates your interest in providing additional housing opportunities in the Village and looks forward to receiving a complete final application for site plan approval that satisfactorily addresses the points raised in this report as well as the conditions, considerations and requirements for site plan approval set forth under the Code.