

VILLAGE OF GREENPORT
COUNTY OF SUFFOLK: STATE OF NEW YORK

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PLANNING BOARD
REGULAR SESSION

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Third Street Firehouse
Greenport, New York

November 28, 2022
4:00 p.m.

B E F O R E:

- PATRICK BRENNAN - CHAIRMAN
- PATRICIA HAMMES - MEMBER
- SHAWN BUCHANAN - MEMBER
- LILY DOUGHERTY-JOHNSON - MEMBER
- DANIEL CREEDON -- MEMBER

ALSO IN ATTENDANCE:

- ROBERT CONNOLLY - ATTORNEY FOR THE BOARD
- MICHAEL NOONE - CLERK OF THE BOARD
- PAUL PALLAS - VILLAGE ADMINISTRATOR

1 (Meeting was called to Order at
2 4:00 p.m.)

3 MR. BRENNAN: We're going to get
4 started. Welcome to the Village of
5 Greenport Planned Board meeting.

6 Before we get into item number
7 1. I want to briefly explain something
8 about the Planning Board. I just want
9 to quickly explain what it is the
10 Planning Board is doing and what we're
11 charged with doing.

12 The Planning Board has two
13 primary responsibilities, amongst some
14 others, but primarily, we're involved
15 with reviewing conditional uses and
16 the site development plans. I'm going
17 to read an excerpt from the zoning
18 code from chapter 150-30 the "approval
19 of site development plans." This
20 paragraph pretty much encapsulates our
21 responsibility; although, it's
22 slightly different in different areas
23 of the code.

24 "Objectives. In considering and
25 acting upon site development plans,

1 the Planning Board shall take into
2 consideration the public health,
3 safety and welfare and the comfort and
4 convenience of the public in general
5 and of the residents of the immediate
6 neighborhood in particular, and may
7 prescribe appropriate conditions and
8 safeguards as may be required in order
9 that the result of its action may, to
10 the maximum extent possible, further
11 the expressed intent of this chapter
12 and the accomplishment of the
13 following objectives in particular."

14 Then the codes goes on to
15 describe the objectives being traffic,
16 parking, landscaping and screening,
17 and the protection of natural
18 resources.

19 So, now in carrying out the
20 responsibilities to the best of our
21 abilities, it's not constructive for
22 current or future applicants to use
23 pejorative language in characterizing
24 the work of this. And it's not
25 constructive for anyone to cast

1 aspersion on the Board, the Village
2 administration, or it's consultants,
3 nor will it influence the work of this
4 Board.

5 Okay. Item Number 1, motion to
6 accept and approve the minutes of the
7 October 27, 2022 Planning Board
8 Work/Regular Session.

9 MS. HAMMES: Second.

10 MR. BRENNAN: All in favor?

11 MR. CREEDON: Does it matter
12 that my name is wrong?

13 MR. BRENNAN: Yes.

14 So let's just note that there
15 were two errors in the minutes. Board
16 member Buchanan's first name, Shawn,
17 was misspelled. And Board member
18 Credon's first name was identified as
19 David rather than Daniel.

20 Any other comments about the
21 minutes?

22 MS. HAMMES: No.

23 MR. BRENNAN: Okay. All in
24 favor to approve?

25 (All said aye.)

1 MR. BRENNAN: Motion approved.

2 Item Number 2, motion to
3 schedule -- sorry.

4 Motion to accept and approve the
5 minutes of the November 3, 2022
6 Planning Board Work Session.

7 These minutes were not published
8 yet, so the Board has not had the
9 opportunity to review them, so we are
10 not going to move on this item.

11 Okay. I think we can address
12 this at the next meeting.

13 Item Number 3, motion to
14 schedule the next Planning Board Work
15 Session and regular meeting for 4:00
16 p.m. on December 14, 2022.

17 MS. HAMMES: Second.

18 MR. BRENNAN: All in favor?

19 (All said aye.)

20 MR. BRENNAN: Motion approved.

21 Item Number 4, 234 Carpenter
22 Street, as per the Village of
23 Greenport Code 150-15.I(3), discussion
24 and possible motion to approve the
25 application of Star Hose Enterprises,

1 LLC, Greenport Harbor Brewing Company
2 to create two directional signs to be
3 placed on existing poles with other
4 directional signs to guide people to
5 the brewery. The signs would say,
6 "Greenport Brewery."

7 Is there an applicant here?

8 (No response.)

9 No. Okay. I have a question
10 for the Village. Is there any
11 violations on this property?

12 MR. PALLAS: I'm not aware of
13 any.

14 MR. BRENNAN: Okay. It's
15 something I'm going to be asking about
16 each application as they come forward.

17 And do we need to know the
18 members of an LLC, when the applicant
19 is identified as an LLC or
20 partnership?

21 MR. CONNOLLY: It would be a
22 good idea on the LLC members to
23 identify themselves, so that the Board
24 can determine if there's any
25 conflicts.

1 MR. BRENNAN: We don't have that
2 information tonight. The applicant is
3 not here.

4 This type of approval doesn't
5 require public comment.

6 MR. CONNOLLY: It doesn't.

7 MR. BRENNAN: Does anyone have
8 anything to discuss about this
9 request?

10 MR. BUCHANAN: My only question
11 was, concerning our responsibility and
12 not the state, based on the -- I just
13 don't know who owns those signs.

14 MR. PALLAS: The -- no, it is
15 the Village's responsibility. This is
16 just -- I don't remember somebody
17 explained the history of why this was
18 put in, but I think its just generally
19 for businesses that aren't on the
20 main, two main roads to get some
21 traffic to them.

22 MR. CREEDON: These locations
23 are not new, if I am correct. Are
24 they existing with other businesses,
25 existing posters?

1 MR. NOONE: Yes.

2 MR. PALLAS: Yes. There are a
3 few locations where there's more than
4 directional signs.

5 MR. CREEDON: Yeah. Yeah. I'm
6 saying they're not asking to put a new
7 post someplace else.

8 MR. PALLAS: Not that I'm aware
9 of.

10 MR. NOONE: They want it to be
11 added to the post.

12 MS. HAMMES: That's what it
13 says. Whether or not that is the
14 case.

15 MR. CREEDON: That's what I
16 justed asked.

17 MS. HAMMES: Well there's
18 definitely here there's --

19 MR. PALLAS: I think the code
20 requirement is that it goes on an
21 existing post, and not a new post.

22 MS. HAMMES: Yeah. If you look
23 at the submission, they're both on
24 posts where there are pre-existing
25 signs.

1 MR. BRENNAN: No. Okay. Do you
2 have any questions, Tricia?

3 MS. HAMMES: I do not.

4 MR. BRENNAN: I have the comment
5 written by Board Member
6 Dougherty-Johnson, just asking that --
7 she is okay with the application. She
8 just asked that the Village remove the
9 old signs for the businesses that are
10 no longer operating. I guess some of
11 the signs are still up.

12 MR. PALLAS: We will take a look
13 at that. We have done -- we have done
14 that periodically, we will do a review
15 of it.

16 MR. BRENNAN: Okay. My only
17 comments on this are that we just want
18 to be sure that the proposed signs are
19 consistent with the other signs. And
20 since the applicant is not here, I
21 don't know how we'll get an answer on
22 that.

23 MR. PALLAS: If I may, Mr.
24 Chairman, those are -- we actually get
25 those signs made. So we will get them

1 made up exactly like the others.

2 There's a template --

3 MR. BRENNAN: Perfect, so size

4 --

5 MR. PALLAS: Yes, there's is a
6 template for it that we use.

7 MR. BRENNAN: Okay. Any further
8 discussion?

9 (No response.)

10 MR. BRENNAN: I'd like to make a
11 motion to approve the request to
12 install two directional signs on
13 existing poles.

14 MS. HAMMES: Second.

15 MR. BRENNAN: All in favor?

16 (All said aye.)

17 MR. BRENNAN: Motion approved.

18 Okay. Item number 5, 200 Main
19 Street. Continuation of a
20 pre-submission conference regarding
21 the application of David Gilmartin
22 behalf of HF2 Hotel. The applicant is
23 proposing to demolish the existing
24 structure and construct a three-story
25 hotel with 22 rooms in its place. The

1 property is located within the CR
2 Retail Commercial District and is
3 located within the Historic District.

4 Good evening.

5 MR. GILMARTIN: Hi. Good
6 evening. The applicant, David
7 Gilmartin. We appeared here at the
8 last Work Session. Prior to that, we
9 had submitted a response to LKMA's
10 report. We think, that fully answered
11 the questions that they had. We don't
12 have a response as of yet to that --
13 to our response.

14 But we are here tonight to
15 answer any questions. I'm here with
16 Mark Boyle. And I'm sure if you have
17 any beyond what we talked about at the
18 last meeting. We're here.

19 MR. BRENNAN: Would anyone like
20 to ask questions?

21 MR. CREEDON: Yeah. I -- I was
22 reading this submission that was
23 received since the last meeting, and
24 in the beginning it discounted the use
25 of the school parking lot. And then,

1 in the body of that stood, there were
2 a few pictures that highlighted the
3 available -- presumably available
4 spaces in the school lot.

5 I would like to add two things
6 before we get to that. One, that
7 property is outside the Village. It's
8 not the Village property, or within
9 the Village.

10 MR. PALLAS: Hold on, the siren.

11 (Paused for siren.)

12 MR. CREEDON: I lost my train of
13 thought.

14 MR. GILMARTIN: I can answer the
15 question, would that help?

16 MS. HAMMES: Outside of the
17 Village.

18 MR. CREEDON: That property is
19 outside of the Village, and I don't
20 know if it's within our purview at all
21 if it's outside the Village and
22 it's -- as available to the applicant.

23 And if the second question comes
24 to me, I'll ask it.

25 MR. GILMARTIN: So in answer to

1 your first question, those spaces were
2 not considered as part of the study,
3 so the amount of available spaces that
4 you saw excluded the school.

5 It is our understanding that the
6 school is available to use as part of
7 these spaces, and we can either, one,
8 direct people that are going to use
9 the hotel, or, two, have our employees
10 park there. But it is an available
11 option for us.

12 MR. CREEDON: Where did you
13 get -- you said you understand that
14 it's available.

15 MR. GILMARTIN: It's
16 historically been used by other
17 businesses in the Village.

18 MR. CREEDON: It was used once
19 for Claudios with a contract.

20 MR. GILMARTIN: That is how we
21 know.

22 MR. CREEDON: Okay.

23 MS. HAMMES: But that was
24 pursuant to a contract.

25 MR. GILMARTIN: And we would

1 pursue a contract with the school. We
2 would have to get through this process
3 before we could --

4 MR. CREEDON: Maybe it's
5 alongside of the process. If it's
6 part of your application, you haven't
7 pursued and understanding with them
8 yet; is that correct?

9 MR. GILMARTIN: No. To the best
10 of my knowledge, No. But we maybe --
11 but we can do that.

12 MR. CREEDON: Okay.

13 MS. HAMMES: I don't know
14 whether this is the time or not. I
15 mean, as I went through this, I did
16 have some questions that probably
17 were -- some of them may have been in
18 the LKMA last round, some just came to
19 my attention as I read through the
20 report again. They're not necessarily
21 traffic specific, they're more things
22 that jumped out at me as descriptive
23 about the project that I had questions
24 about.

25 For instance, it refers to, you

1 know, proposed limited amenities in
2 certain places. And then in other
3 places, it says, well there's not
4 really going to be all of these
5 different things.

6 I was trying to understand what
7 the proposed limited amenities would
8 be. And I think a corollary of that,
9 at our last meeting, that space had
10 been in the front building that was
11 referred to as office space, which I
12 think I had originally interpreted as,
13 kind, of back office space, it sounds
14 to me like more of the intention was
15 that is going to be a lounge, maybe
16 available work space for people -- you
17 know, the new trend in hotels. So a
18 better understanding of what that
19 space is going to be used for.

20 And I have a few other things
21 like that, but I don't know whether
22 there is time to go through them.

23 MR. GILMARTIN: I can answer,
24 you know, it's going to be office
25 space, that is going to be the use of

1 it. It's not going to be available to
2 third-parties to come in and use.

3 MS. HAMMES: But office space,
4 when you say "office space," I think
5 of that as hotel employees, as just --

6 MR. GILMARTIN: Right.

7 MS. HAMMES: That's all it's
8 going to be used for. Because
9 remember somebody as last meeting --

10 MR. BRENNAN: I asked the same
11 question.

12 MR. GILMARTIN: You know, when
13 you say lounge, not a lounge that's
14 open to the public. It's where your
15 employees can go and take a break.

16 MS. HAMMES: But not for guests?

17 MR. GILMARTIN: Right.

18 MS. HAMMES: It's not going to
19 be available to hotel guests.

20 MR. GILMARTIN: No.

21 MS. HAMMES: Okay. I guess the
22 last time there was some back and
23 forth about the actual number of
24 employees. This still is assuming
25 three, but there was some discussion

1 about the shuttle -- the shuttle --
2 who would be driving the shuttle and
3 whether there was a separate security
4 guard. So that was kind of a
5 clarifying question.

6 And, also related to that -- the
7 shuttle service. Is the shuttle
8 service really -- and, again, this is
9 based somewhat on the way it's
10 described in the study. Is the
11 shuttle service specific for this
12 hotel and only for people that are --
13 you know, is it only going to be run
14 around Greenport, and picking people
15 up to get them to the hotel? Or is
16 it -- as we know, the owners have a
17 hotel on the Sound, they have another
18 hotel in town, is it more of a general
19 shuttle service that the owner intends
20 to be run among the three properties?
21 And would it even be going elsewhere,
22 for instance, to wineries or such?

23 MR. GILMARTIN: I don't know
24 that that's been defined yet. I'll
25 have to get that answer to you. There

1 is no shuttle that exists now, so it
2 would be brought in for this
3 particular property.

4 MS. HAMMES: Then I had wanted
5 to confirm, I know there is no space
6 in there for a restaurant or whatever,
7 but whether there was any intent for
8 any kind of limited food or beverage
9 service, other than, possibly, a
10 coffee machine. I know that the hotel
11 down here, I think -- at least
12 historically provided a continental
13 breakfast, so I wanted to have a
14 better understanding of that.

15 MR. GILMARTIN: There is
16 certainly no restaurant plan. I don't
17 know if there would be considered a
18 continental, brought-in breakfast. I
19 assume there will be a coffee machine
20 as a basic.

21 MS. HAMMES: I would like to
22 know if there was going to be anything
23 more than that.

24 And then I wanted to confirm
25 that -- the schematics still show the

1 main entrance being on Main Street,
2 even though there is offloading on
3 East Front, and then there is the
4 couple of spots in the back, right.
5 But the actual lobby where people go
6 to check in will be in that first
7 building in the front right off of
8 Main, correct?

9 MR. GILMARTIN: On Main Street.

10 MS. HAMMES: Okay. There are
11 two other points I had, which do more
12 relate specifically to traffic.

13 One was -- and it may be -- I
14 don't think the traffic consultant is
15 here, but this may be more a question
16 for them, is when they did the study,
17 I know that they did some
18 forward-looking projections for
19 traffic.

20 Would that -- did that -- is
21 that taking into account some kind of
22 state projected percentage increase
23 over whatever number of years?

24 And there's other things going
25 on in the surrounding area of the

1 Village, some of them not right in the
2 Village, but will clearly also impact
3 Village traffic. So I was just
4 curious whether any of that, like the
5 new proposed apartment complex up on
6 the corner of the North Road and Main,
7 have been factored in. And also, I
8 don't know whether whatever is going
9 on over at Silver Sands, whether
10 that's going to have more traffic
11 there. But some of these -- or even
12 frankly development, if there's any
13 development over at Sid's or the
14 shipyard property, how that had been
15 considered, if at all. I assume it
16 probably wasn't, but I just wanted to
17 ask the question.

18 MR. GILMARTIN: I'll have to get
19 the engineer to answer.

20 MS. HAMMES: And then, the other
21 thing, which I think, again, is
22 probably a question for the engineer,
23 and this may have been in the last
24 version and I just kind of missed it.

25 But there are a couple of places where

1 they're talking about the accident
2 rate and while they seem to conclude
3 that there is really no issue, there
4 are statements that the accident rates
5 of those intersections are above state
6 average. So I wanted to have a little
7 bit better of an understanding of kind
8 of what that -- how that -- when they
9 say above state average, what that
10 means in terms of percentage or
11 whatever. And then as to why, if
12 that's the case, they still don't
13 think there are any issues at those
14 intersections.

15 And then this is not a traffic
16 thing, was, I do know that there was
17 some advertising going on about this
18 concept of a Commodore club, which is
19 going to be shared services between
20 these two hotels. I just wanted to
21 understand whether that was something
22 that --

23 MR. CREEDON: Which two do you
24 mean?

25 MS. HAMMES: The two that are

1 existing that they own, the Soundview
2 and the Harbor Front.

3 Whether or not that was still a
4 product that is intended to be offered
5 and how, if at all, that would play
6 into this hotel and/or impact it. And
7 to the extent it did, I wanted to make
8 sure that site plans for those hotels
9 would obviously be permitting whatever
10 the proposed uses are under that
11 Commodore Club.

12 MR. GILMARTIN: That's the first
13 I'm hearing about --

14 MS. HAMMES: There is a website
15 for it.

16 MR. GILMARTIN: Okay. First
17 time I'm hearing it.

18 MS. HAMMES: So that's most of
19 the questions that I generally had
20 from my, you know, my first read
21 through or second read through of this
22 document.

23 The only other question I have,
24 and this may or may not be available,
25 is whether if it was at all possible

1 to get a blackline of the textual part
2 of the new report versus the old
3 report because it would be easier to
4 see what changes had been made. Not
5 all the data in the back, but, you
6 know, the first 32 pages of it.

7 MR. GILMARTIN: Well, I think
8 that our -- that our second document
9 is what was responsive to LKMA --

10 MS. HAMMES: I understand, but I
11 would like to make sure that I'm
12 catching all the specific changes.

13 You're saying it's completely
14 different, is what you're saying?

15 MR. GILMARTIN: I think it was
16 responsive. So I think it elaborated
17 on the information in the initial
18 report.

19 MS. HAMMES: Okay. Well, I
20 mean, if it's available, I would still
21 like to see it, if there is any way to
22 print --

23 MR. GILMARTIN: I think it's a
24 separate document.

25 MS. HAMMES: Okay. If that's

1 the case, that's fine. It seems to me
2 that it seemed very similar. But if
3 that's the case, that's fine.

4 MR. GILMARTIN: I'll ask, but
5 I'm pretty sure it's separate
6 documents.

7 MS. HAMMES: Okay. And then, I
8 guess this is not a question for you,
9 but for the Village, I think, although
10 I'm not sure. We had asked for some
11 information on, kind of, the
12 calculation in terms of parking
13 percentages at other hotels and other
14 emergency calls and whether we have
15 received any of that feedback, or
16 feedback from the fire department yet.

17 MR. PALLAS: The parking lot, we
18 have not completed -- the parking lot
19 information is not completed.

20 I spoke with fire chief about
21 whether that data is available. And
22 it really isn't. They don't log them
23 in that way. They're just
24 chronological, and there is no way of
25 -- without going through, as far as it

1 was explained to me, that to go
2 through every one and pick out by
3 address, he's likely to miss some.
4 You know, it would be quite the
5 undertaking to do. It's just simply a
6 review of all the calls.

7 MS. HAMMES: But is the fire
8 department planning on weighing in at
9 all on the proposal as well?

10 MR. PALLAS: I don't -- I
11 haven't sent it to them yet, I don't
12 believe. I will doublecheck my notes.
13 I will send that to them this week.

14 MS. HAMMES: Alright. Well,
15 that's kind of the things that I have
16 for now off the top of my -- not off
17 the top of my head, obviously, I read
18 it. But at least those are kind of my
19 current line of questions.

20 MR. BRENNAN: Do you have any
21 questions, Shawn?

22 MR. CREEDON: I have one.

23 MR. BRENNAN: Go ahead.

24 MR. CREEDON: It's really just a
25 remark, I guess. I was struck when

1 you had the visual, the poster --

2 MR. GILMARTIN: Right.

3 MR. CREEDON: -- on the easel,
4 that you -- I say you, but I do not
5 necessarily mean you, but folks were
6 making an attempt, which I appreciate,
7 but an attempt to have the front
8 building fit in with the aesthetics on
9 Main Street and the back building,
10 with the aesthetics in the shipyard, I
11 guess.

12 MR. GILMARTIN: Right.

13 MR. CREEDON: I believe that the
14 back building is not in the same zone
15 as the shipyard is in. Isn't it in
16 the retail district?

17 MR. GILMARTIN: That's right.

18 MS. HAMMES: That is correct it
19 is commercial.

20 MR. CREEDON: It just seems to
21 be -- and I'm new at this, I don't
22 know if I'm out of my -- if I'm out of
23 my lane, you can tell me -- that that
24 would be better aesthetic if it was
25 closer in appearance to the front

1 building.

2 MR. BRENNAN: I think that's a
3 reasonable assessment. Shawn brought
4 the same subject up at the last
5 meeting. This is still on the CR, not
6 on the commercial.

7 MR. CREEDON: Thank you.

8 MR. BRENNAN: Anything else,
9 Dan?

10 MR. CREEDON: No. The only
11 thing I was concerned about is if the
12 fire department had evaluated that
13 location, and I get that answer.

14 MR. BRENNAN: Yeah.

15 Okay. I had just a couple
16 comments on the traffic study.

17 I did read through this revised
18 report dated October 2022, and I
19 struggled with the same thing that
20 Tricia brought up. I couldn't tell
21 what was changed between the two
22 traffic studies, so it would be very
23 helpful to have.

24 MR. GILMARTIN: We will have the
25 engineer come at the next meeting and

1 explain his process.

2 MS. HAMMES: You can doublecheck
3 too about the blackline, because I'm
4 not sure it's all that different, so
5 that might be helpful.

6 MR. BRENNAN: It's a lot to get
7 through and not knowing what's changed
8 is a challenge.

9 MR. GILMARTIN: I'm certain that
10 involving the traffic --

11 MS. HAMMES: It's a
12 completely --

13 MR. GILMARTIN: Nothing changed,
14 right, so they took the response
15 LKMA's, you know, discussion points
16 and then responded to. So it's my
17 view is that they expanded on the
18 information that was in the initial --

19 MS. HAMMES: Understood. And I
20 think that the places that are changed
21 are where they talk about the worst
22 case scenario. But, again, if it's a
23 completely different document, it
24 can't be done. But maybe it's my
25 legal profession that is coming out, I

1 always find it easier to doublecheck
2 things by having a blackline where
3 it's available because it helps
4 highlight to me what the new points
5 are and it will save us all time. But
6 we'll all have to do a more thorough
7 read of both documents again.

8 MR. GILMARTIN: I certainly
9 understand.

10 MS. HAMMES: There's a gentleman
11 in the audience.

12 MR. BOYLE: Just to make sure
13 I'm understanding. My name is Mark
14 Boyle. I'm with Eagle Point Partners.
15 I just want to make sure I'm clear on
16 the difference --

17 MR. BRENNAN: I'm sorry. You're
18 with the applicant?

19 MR. BOYLE: I am, yes.

20 MR. BRENNAN: Come to the
21 podium.

22 MR. BOYLE: I'm sorry. I just
23 want to make sure --

24 MR. BRENNAN: Introduce yourself
25 again, please.

1 MR. BOYLE: Mark Boyle with
2 Eagle Point Partners.

3 I want to make sure I was clear
4 on what you're asking because there
5 were two document, and I think you
6 understand, I just want --

7 MS. HAMMES: Blackline is a
8 comparison of the two documents, it
9 highlights by underlining strikeouts,
10 the differences between the document
11 when one has been edited from the
12 other. If they're completely
13 different documents, you won't be able
14 to do that.

15 MR. BOYLE: It maybe a -- I
16 think it's a combination of both.

17 MS. HAMMES: You can run it --
18 you can run it through a word document
19 and see, and if it's not worth giving
20 us, don't give it to us.

21 MR. BOYLE: Fair enough.

22 MR. BRENNAN: I had a question
23 about a comment, several places, there
24 is a reference to the limitations of
25 the traffic modeling SINCRO 11 there

1 were some conclusions drawn that
2 because of the limitations of the
3 program, the analysis may not be
4 correct, or the impact is thought to
5 be lower. I'm going to need some
6 expert explanation on that. Why, in
7 those cases, the modeling software is
8 not adequate to describe what's going
9 on there. So maybe next time the
10 traffic engineer can address that for
11 us.

12 MR. GILMARTIN: Sure.

13 MR. BRENNAN: And then the --
14 overall, the -- I know the report
15 talks about traffic and parking, and
16 there's also a section about accident
17 analysis.

18 In the parking piece, the
19 general conclusion is that there is
20 adequate capacity in the Village for
21 parking. What I'm struggling with is,
22 that does not comport with my own
23 experience as a resident and business
24 operator in the Village. So I think
25 it's still a high hurdle to get over

1 that. I still need to be convinced
2 that the conclusion of the study was
3 different than what I observed and
4 what many -- what I hear anecdotally
5 from many other residents.

6 The last comment I have on this
7 is that, kind of peppered throughout
8 the report, there is subjective
9 opinion suggesting that there will be
10 low or no impact or further reduced
11 impact due to operational policies,
12 like encouraging visitors to use
13 public transportation or operating a
14 shuttle or educating visitors about
15 the walkability of the Village. While
16 I think all those things are good and
17 valid, it's very difficult for me to
18 figure out how to bind the applicant
19 to those things because those are
20 operational policies, and our approval
21 is going to run with the property.
22 And so we can't approve this project
23 based on what the current
24 owner/applicant intends to do. It has
25 to be able to withstand -- the

1 approval has to hold up over the
2 lifetime of the properties.

3 So there's so much in this
4 report that I would almost rather not
5 have been thrown in there because I
6 can't see how -- I almost have to
7 disregard those comments.

8 MR. GILMARTIN: Well, again, the
9 report was done as the worst case
10 scenario. So the programming effects
11 and all of those inserts into the
12 study were, you know, to, maybe allay
13 the fears that the requirements won't
14 be as intense, but they looked at it
15 as the most intense use of the
16 property. And I think LKMA agreed
17 with that analysis.

18 MR. BRENNAN: Okay, well I --

19 MR. GILMARTIN: We can have our
20 engineer to --

21 MR. BRENNAN: I guess I look at
22 it like that's adding additional color
23 to this, but it's different than the
24 analysis itself.

25 MS. HAMMES: It does read, in

1 parts, like the conclusions are based
2 on information that was, to go to your
3 point, somewhat subjective and
4 operational in nature, provided by the
5 owner, and that is not -- I think that
6 that's Patrick's point. It's a little
7 bit difficult, when you read it, to
8 think, well that's a hard and fast
9 rule that's going to apply. So I had
10 a similar conclusion when I read the
11 first study. It just seemed like a
12 lot of it was based on, well, we
13 understand, you know, shuttle we
14 understand this policy, we understand
15 that. And all those assumptions
16 underlies the conclusions.

17 Now, obviously, this is only the
18 data upload underlies the conclusion,
19 but I think your point is, it's hard
20 to separate how much do those
21 assumptions, based on what the
22 applicant said his policies were going
23 to be, or it's understanding of the
24 way the people behave, these are the
25 conclusions versus, if you were just

1 looking at the raw data.

2 MR. GILMARTIN: I think what --
3 if you read the study closely, and,
4 obviously, we will have the engineer
5 further explain it. But what he took
6 was a number, and I believe the number
7 was 16 parking spaces that would be
8 required, and then demonstrated that
9 they could meet that. That was the
10 underlying --

11 MS. HAMMES: There is also the
12 traffic flow. I mean, it's not just
13 the parking, right? The number of
14 trips that it's making based on
15 assumptions that they got about the
16 shuttle and all of that. So it just
17 is a little -- when you read it, my
18 initial reaction -- and I have read it
19 several times now carefully, it's very
20 dense, so I won't say I'll never come
21 up with something else that I have a
22 question in it, but I read it several
23 times, is that it -- there's a lot, of
24 well, we understand from the applicant
25 X, we understand the applicant X, and

1 then we did this technical jargon and
2 because of this, and because of those
3 assumptions, we think that there's no
4 impact. And it's kind of like, well,
5 is it the assumptions that are
6 underlying that, or is it the data
7 underlying that or is it a combination
8 of the two?

9 MR. GILMARTIN: I -- my view of
10 it, and my reading of it and working
11 with the traffic engineer, they took
12 the worst case scenario and said that
13 there would not be an impact. That
14 impact, I think they argue in there is
15 lessened even more by some of the
16 operational programming of this
17 particular use.

18 And your point is valid, right.
19 Are you -- are we using something,
20 other than what we should to provide
21 the parking. And I don't believe
22 that's the case, but we'll have the
23 engineer here at the next meeting, and
24 he can run his process.

25 MR. BRENNAN: Okay. Understood.

1 Anyone else have other questions for
2 the applicant at this time?

3 MR. CREEDON: No.

4 MR. BRENNAN: Thank you for
5 coming in.

6 MR. GILMARTIN: You got it.

7 MR. BRENNAN: So this -- I don't
8 think we're going to decide anything
9 about what we do next with this
10 particular application. I think we'll
11 follow back with the applicant at
12 another time, and see, you know, if
13 and when you want to come back, what
14 they want to present.

15 MS. HAMMES: Is the traffic
16 consultant -- not traffic. The
17 planning consultant also been given
18 this most recent draft?

19 MR. PALLAS: Yes.

20 MS. HAMMES: And will they be
21 coming back --

22 MR. PALLAS: I will contact them
23 this week to find out if they're going
24 to respond or give any detail.

25 MR. GILMARTIN: Can you schedule

1 us for the 14th, and if it makes sense
2 and we have something back, the
3 consultant will come back and we'll
4 answer these questions, at least what
5 you raised and anything more.

6 MR. BRENNAN: That's fine. I
7 will be happy to continue this
8 pre-submission conference on the 14th.

9 Do we need to make a motion for
10 that?

11 MR. CONNOLLY: You can just put
12 it on the 14th.

13 MR. GILMARTIN: That's great.
14 Thank you.

15 MR. BRENNAN: We're going to
16 move on to Item Number 6, 45 Front
17 Street. This is the public hearing
18 regarding the application of Robert I.
19 Brown Architect, P.C. & Agents on
20 behalf of Christoph Muller, Alpina.
21 The applicant is proposing to add
22 additional seating for four patrons in
23 front of the restaurant, Alpina, and
24 four seats will be removed from the
25 interior, so as not to increase the

1 total occupancy.

2 The property is located in the
3 W-C, Waterfront Commercial District
4 and is not located within Historic
5 District.

6 Is the applicant here?

7 MR. SIDOR: Ryan Sidor, Robert
8 I. Brown Architects.

9 So, we're proposing four outdoor
10 seats. They'll be seasonal out in
11 front of the restaurant, all located
12 on the Alpina property. The seats
13 will be removed from the indoor during
14 the seasonal hours, so as not to
15 increase the occupancy.

16 And I have the Health Department
17 permit right here that have the
18 occupancy on it.

19 (Handing).

20 MR. BRENNAN: Okay.

21 MS. HAMMES: I can't remember
22 whether we asked this last time, but I
23 thought -- think we did.

24 Do you know what -- is it --
25 what kind of seating is it going to

1 be? Is it going to be like what they
2 call low tops or the high tops they
3 put in.

4 MR. MULLER: Low top.

5 MS. HAMMES: You need to get up
6 if you're going to --

7 MR. MULLER: Christoph Muller,
8 Alpina.

9 They're going to be low tops,
10 just regular tables.

11 MR. BRENNAN: I think your
12 restaurant --

13 MR. MULLER: I mean, we had
14 tables out during COVID in front of
15 the building, maybe you walked by it
16 many times.

17 MS. HAMMES: You had them out
18 this summer.

19 MR. CREEDON: Is the reason that
20 you want to remove four seats from
21 inside to stay within the CO, or is it
22 the limitation of staff serving more
23 tables?

24 MR. SIDOR: No. I think we
25 have -- we have occupancy of 40 seats,

1 so we want to stay within that.

2 MR. CREEDON: Okay.

3 MR. MULLER: Operationally, we
4 would love to handle more but that's
5 what we have.

6 MR. CREEDON: I noticed on the
7 application the tables were round, and
8 they just looked to me on the diagram
9 that they intruded on the sidewalk.
10 And when I walked by one day, there
11 were some rectangular tables out there
12 which seemed to fit more snugly.

13 MR. MULLER: The rectangular
14 table fit closer to the wall so --
15 than the round table.

16 MS. HAMMES: Your question,
17 then, involving round or
18 rectangular --

19 MR. CREEDON: On the diagram,
20 they were round. It looks as though
21 they protrude more on to the street.

22 It's also not clear, when I go
23 by any of those businesses where the
24 sidewalk ends, and where the business
25 owner's property begins because

1 there's generally on a slab from the
2 curb to the building. It was all
3 poured at one time.

4 MR. BRENNAN: I agree. I think
5 when you're there onsite, it looks a
6 little smaller and I believe the
7 dimensions that are on the plan, I
8 think they -- the applicant owns a
9 little more property, than it actually
10 appears. So I think the property line
11 must be a little out into the, what we
12 would consider the sidewalk area.

13 MR. CREEDON: Okay.

14 MR. BRENNAN: On paper, it seems
15 to work better.

16 I think the applicant had
17 offered to trade off the inside seats
18 for the outside seats, just to make
19 the application more palatable, so
20 they weren't asking for an increase in
21 --

22 MR. CREEDON: He said his
23 seating was 40.

24 MR. BRENNAN: So we asked the
25 applicant to come back with the Health

1 Department capacity, so they provided
2 it. It says you have 40 seats. I'm
3 going to assume that that matches with
4 what the Village records have.

5 Do you happen to know?

6 MR. PALLAS: I apologize, I
7 don't have a copy of the CO here, but
8 I vaguely remember that that was
9 discussed at one point.

10 MR. BRENNAN: It's my
11 understanding that the Health
12 Department has the final say on this.
13 And they might reduce the number of
14 tables the applicant is allowed to
15 have, but they wouldn't normally
16 increase it beyond what the Village
17 had already proposed.

18 MR. CONNOLLY: That is correct.

19 MR. BRENNAN: I think we can
20 rely on this 40-seat capacity as being
21 accurate.

22 MR. SIDOR: I just have to say,
23 we have an occupancy from the Village
24 of Greenport code enforcement, as 48.
25 But that's the difference between the

1 seating area and the total area of the
2 restaurant.

3 MR. BRENNAN: So your total area
4 of 48 and your total seats of 40?

5 MR. SIDOR: Correct.

6 MS. HAMMES: Staff, right?

7 MR. SIDOR: Yes.

8 MR. BRENNAN: Thank you for
9 clarifying that.

10 I have a question that Board
11 member Dougherty-Johnson asked, which
12 is, she wants to know how Alpina is
13 handling the garbage. Is there a
14 dumpster? How do you -- what's
15 your -- how do you handle the kitchen
16 waste?

17 MR. MULLER: We have a dumpster
18 in the back that we share between
19 Anker and Alpina.

20 MR. BRENNAN: Where is it
21 located?

22 MR. MULLER: It's located all
23 the way in the back in the parking
24 lot.

25 MR. BRENNAN: In the parking

1 lot. Is it on your property?

2 MR. MULLER: It's on my
3 property.

4 MR. BRENNAN: Okay. Yeah. Does
5 this property have any code violations
6 currently outstanding or pending?

7 MR. PALLAS: Not that I'm aware
8 of, not for this property.

9 MR. BRENNAN: Is this --

10 MS. HAMMES: It's a public
11 hearing. You have to see if the
12 public wants to speak as well.

13 MR. BRENNAN: Yeah. Okay. The
14 ownership of this establishment is --
15 what is the ownership structure?

16 MR. BOYLE: Excuse me.

17 MR. BRENNAN: What is the
18 ownership of the entity? Do you own
19 individually? Is it an LLC?

20 MR. MULLER: It's an LLC.

21 MR. BRENNAN: Do you have
22 partners, other members.

23 MR. SIDOR: No.

24 MR. BRENNAN: Okay. Is there
25 someone from the public that would

1 like to speak on this application?

2 (No response.)

3 MR. BRENNAN: No, okay.

4 Any other Board members have
5 questions?

6 (No response.)

7 MR. BRENNAN: No, okay. So I
8 think I'd like to make a motion to
9 approve the applicant's request.

10 MS. HAMMES: You have to close
11 the public hearing.

12 MR. BRENNAN: Sorry. We're
13 going to close the public hearing.

14 MS. HAMMES: Second.

15 MR. BRENNAN: All in favor?

16 (All said aye.)

17 Any further discussion on this?

18 Are we ready to move to a motion?

19 (No response.)

20 MR. SIDOR: Thank you.

21 MR. BRENNAN: I'd like to make a
22 motion to approve the request for four
23 additional seats in the front of the
24 restaurant, where the applicant is
25 offering to remove four seats from the

1 interior, so not to increase the total
2 occupancy.

3 And I'll note that the total
4 occupancy is 40 seats as per Suffolk
5 County Department of Health.

6 MS. HAMMES: You may include in
7 the resolution that the seating will
8 be not high top, so it will be the
9 kind of regular level seating.

10 MR. BRENNAN: Yes. So moved.

11 MS. HAMMES: Sorry.

12 MR. BRENNAN: That's the motion.

13 MS. HAMMES: Second.

14 MR. BRENNAN: All in favor?

15 (All said aye.)

16 MR. BRENNAN: Motion approved.

17 Thank you.

18 Item Number 7, 308 Front Street.

19 This is a pre-submission conference
20 regarding the application of Sofia &
21 Michael Antoniadis on behalf of Front
22 Street LLC. The applicant proposes to
23 alter the interior of the property to
24 create separate yoga, Pilates, private
25 treatment rooms, bathrooms, and office

1 spaces, and possible storage areas in
2 both the basement and attic. The
3 property is located in the C-R Retail
4 Commercial District and is not located
5 within the Historic District. Is the
6 applicant here?

7 MS. ANTONIADIS: Good afternoon,
8 Chairperson, Members, Village
9 Administrator, Attorney of the Board
10 and clerk of the Board. I am Sofia
11 Antoniadis, together with my husband,
12 Michael, we are the members of On
13 Front Street LLC. We've been the
14 owners of 308 Front Street since last
15 October.

16 We have been historic advocates
17 in the Village of Greenport and truly
18 worked with great dedication on each
19 project and take great care to
20 preserve the historic character of the
21 Village as exemplified by three of our
22 restorations, two completed on Main
23 Street and Washington Avenue, and
24 currently we're diligently restoring
25 back to its original glory, the Gale

1 House on First Street.

2 Our new project 308 Front Street
3 is in the commercial retail zone and
4 not in the Historic District zone.
5 And it has an interesting history,
6 beginning with a bowling alley, drug
7 store, car parts store, gym and
8 lastly, a private library. We'd like
9 to make it a Pilates and yoga studio
10 that focuses on mind and body care.

11 And the idea came from the need
12 we personally believe exist and the
13 desires expressed to us by our
14 friends, family, and neighbors. This
15 Pilates and yoga studio is truly for
16 the immediate and local neighborhood,
17 as nothing is in close proximity to us
18 here for this type of use.

19 As you know, the Eileen Garrett
20 Library has moved and the space is an
21 excellent size and location. There is
22 no need for the site to change, nor
23 the building envelope to change. And
24 as directed by the Village Building
25 Department, we submitted this

1 application, and will follow up with
2 professional plans by our architect
3 for review by the Building Department
4 for a permit.

5 I look to you for a favorable
6 determination, so I can submit
7 Building Department plans.

8 MR. BRENNAN: Thank you.

9 Does anyone have questions for
10 the applicant?

11 MR. CREEDON: I do.

12 MR. BRENNAN: Yes.

13 MR. CREEDON: Is this building
14 up against the building to the west --

15 MS. ANTONIADIS: Yes, it is.

16 MR. CREEDON: -- or is there a
17 space in between.

18 MS. ANTONIADIS: No, it's
19 semi -- it's attached in some
20 portions.

21 MR. CREEDON: So when I was
22 looking at the diagram, it has an exit
23 into that area.

24 MS. ANTONIADIS: Yes, it does.

25 MR. CREEDON: So how is that, if

1 the building is adjacent?

2 MS. ANTONIADIS: We have a
3 pedestrian and vehicle easement
4 through that 310 property, a deeded
5 easement.

6 MR. CREEDON: On the other side
7 of the building to the west?

8 MS. ANTONIADIS: Correct.

9 MR. CREEDON: So in an
10 emergency, if somebody exited that
11 door on the west side of your building
12 --

13 MS. ANTONIADIS: Yes.

14 MR. CREEDON: -- where would
15 they then go?

16 MS. ANTONIADIS: They would go
17 into a parking area that's on the
18 property of 310 Front Street.

19 MR. CONNOLLY: In the rear?

20 MS. ANTONIADIS: In the rear.

21 MS. HAMMES: 310 is the old Cast
22 building, correct?

23 MS. ANTONIADIS: It's the old?

24 MS. HAMMES: Cast building.

25 MS. ANTONIADIS: No, 310 is the

1 old dental building.

2 MS. HAMMES: You're right.

3 MR. CREEDON: I'm just concerned
4 that if you had an emergency, the
5 people who went out that door would be
6 trapped in the back. I don't know if
7 there's fences back there. They might
8 not be able to be able to get through
9 there. That is my only concern.

10 MS. ANTONIADIS: There are three
11 exits to the building in the rear.
12 There is a very large 12-foot exit.
13 There is a three-foot door all the way
14 to the rear. And also that door that
15 you see indicated there. They all
16 exit to the parking area of 310 Front
17 Street.

18 MR. CREEDON: That parking area
19 is a dead end, no way out except --

20 MS. ANTONIADIS: No. There is
21 an exit from the side of that
22 building, 310. There's a driveway.
23 There is a ten-foot driveway.

24 MR. CREEDON: Okay. But what
25 I'm saying is, the only way they can

1 then go is towards Front Street. Is
2 it fenced in around the other side?

3 MS. ANTONIADIS: It's kind of
4 fenced in. I mean, if in an
5 emergency, they can probably go
6 behind -- there is a building to the
7 north of our building and many times,
8 the gate is opened. They have access
9 through the neighbor of Mr. Roberts.

10 MR. CREEDON: One last question.
11 How come those other doors aren't
12 labeled on there?

13 MS. ANTONIADIS: I'm not sure.
14 I think you're looking at an older
15 submission.

16 MR. CREEDON: Can't be too old.
17 I haven't been on the Board very long.

18 MS. ANTONIADIS: I resubmitted a
19 different drawing.

20 MR. CREEDON: I have two here.

21 MS. ANTONIADIS: I think it was
22 an oversight. It was an oversight.

23 MR. CREEDON: That's my only
24 concern is that there would be safe
25 egress in the case that the building

1 were to burn down. And I know that's
2 the worst case scenario, but be
3 prepared for it.

4 MS. ANTONIADIS: Right.

5 MR. CREEDON: Thank you.

6 MR. BRENNAN: Dan, I think some
7 of those concerns will have to be
8 addressed by the Building Department,
9 making sure that there's -- that's
10 adequate.

11 MS. HAMMES: Code.

12 MR. BRENNAN: Yeah, exit to
13 what's called legal open space.

14 MR. CREEDON: Okay.

15 MR. BRENNAN: I think that will
16 be handled in the Building Department.

17 What else? Any other questions?

18 MS. HAMMES: I don't have any
19 questions.

20 MR. BRENNAN: I would just want
21 to know, you haven't owned this
22 building very long, I'm assuming there
23 is no existing violations.

24 MR. PALLAS: There is a stop
25 work order on the site as of now.

1 MR. BRENNAN: Currently?

2 MR. PALLAS: Currently.

3 MS. HAMMES: But that relates to
4 what they're asking to be able to do?

5 MR. PALLAS: Correct, yes.

6 MR. BRENNAN: My understanding
7 was, you started the project thinking
8 it did not require a building permit.

9 MS. ANTONIADIS: No. We started
10 removing some paneling and drop
11 ceiling, and those typically do not
12 need any permit for removal.

13 MR. BRENNAN: Right.

14 MS. ANTONIADIS: And then we
15 received a stop work order, which I
16 issued an appeal to two weeks ago,
17 that I didn't get an answer from the
18 Building Department as to why we got a
19 stop work order. And we were informed
20 because we removed the drop ceiling
21 and some paneling.

22 MR. BRENNAN: Okay. Is the stop
23 work order that triggered this review?

24 MR. PALLAS: Yeah. we --
25 partially, yes. It became clear with

1 the work that was going on that they
2 likely would need a permit. And by
3 Village code, a site like this
4 requires a permit and it requires a
5 site plan approval. So it was
6 partially the trigger, yes.

7 MR. BRENNAN: Okay. So my
8 understanding is that in accordance
9 with Chapter 150-12C, this property
10 does not require parking.

11 MR. PALLAS: Correct.

12 MR. BRENNAN: Because it's
13 grandfathered, so to speak.

14 And I also understand in Chapter
15 150-16, that this property does not
16 require off street loading area
17 because its square footage is less
18 than the 8,000-square-foot threshold.
19 So not required, not provided.

20 Our consultant LK McLean had
21 comments. I'd like those answered in
22 writing, but if don't mind, we can
23 talk through them right now.

24 MR. SIDOR: Sure.

25 MR. BRENNAN: I don't have her

1 comments with me right now. Does
2 anyone have the comments?

3 MR. PALLAS: You can borrow
4 this.

5 MR. BRENNAN: Yes, may I.

6 MR. PALLAS: (handing).

7 MR. BRENNAN: Thank you.

8 So the consultant had six
9 questions about the use. The first is
10 just reviewing the types of services
11 offered.

12 Can you just walk us through
13 that again?

14 MS. ANTONIADIS: So it's a yoga
15 studio and a Pilates studio. And
16 Pilates is a form of exercise on
17 reformers, which are specific
18 machines.

19 The consultant also asked how
20 many the people there would be, or how
21 many -- there would be twelve Pilates
22 reformers, so that space is only
23 limited to twelve, and the yoga
24 portion, although it can accommodate
25 as many as eighteen, we only

1 anticipate about ten. This is from
2 historical, you know, when I go to
3 yoga, how many people attend to the
4 yoga. So it's pretty much just an
5 exercise location.

6 MR. BRENNAN: So about twelve
7 customers for Pilates and about ten
8 for yoga; is that what you're saying?

9 MS. ANTONIADIS: Ten to
10 eighteen.

11 MR. BRENNAN: Ten to eighteen.

12 What about instructors and
13 staff, how will that operate?

14 MS. ANTONIADIS: So, there will
15 be one instructor for the yoga and one
16 instructor for the Pilates. I'm not
17 sure if we are going to have anyone at
18 the front desk. Normally in these
19 facilities, once the class starts, the
20 door gets locked or closed and we
21 don't need anyone to attend to the
22 desk, but probably three maximum.

23 MR. BRENNAN: And what will be
24 the use of the private treating rooms?

25 MS. ANTONIADIS: They -- I think

1 they were -- I incorrectly wrote that
2 down. Pilates and yoga at times are
3 very intimidating to people. They're
4 pretty much private rooms to do
5 Pilates or yoga, whether you're a
6 beginner, because you're apprehensive
7 using the equipment. Or if you're
8 advanced, you will have a private
9 session with the instructor. And we
10 would not be doing private instruction
11 during a class. It would be at
12 another time, so it would be the same
13 instructor.

14 MS. HAMMES: Well, they would
15 then it would only be in the room?

16 MS. ANTONIADIS: Yeah, it would
17 be in the private room.

18 MR. BRENNAN: What are going to
19 be your days and hours of operation?

20 MS. ANTONIADIS: We're figuring
21 6:00 to 7:00, 6:00 a.m. to 7:00 p.m.
22 Typically, the studios in this area,
23 in Southhold are about 8:30 they
24 begin. So we'll just play it by ear,
25 but the earliest would be the 6:00 a.m.

1 But I doubt it, it would be early.

2 MR. BRENNAN: And days?

3 MS. ANTONIADIS: Seven days.

4 MR. BRENNAN: Alright, I think
5 you already answered this. How many
6 clients would you serve
7 simultaneously?

8 MS. ANTONIADIS: It would be 30
9 simultaneously.

10 MR. BRENNAN: Does the building
11 have an accessible entrance?

12 MS. ANTONIADIS: From the front
13 it doesn't, it has one step. But from
14 the rear, we can accommodate that.

15 MR. BRENNAN: Currently, you can
16 accommodate, or you need to do work?

17 MS. ANTONIADIS: We would need
18 to change the door, but we can
19 accommodate it. It's flat level.

20 MR. BRENNAN: Okay. This is
21 really a Building Department issue as
22 well, about whether it's required.

23 Okay. I think that was it.

24 It's a type 2 action.

25 Alright, are there further

1 questions for the applicant?

2 MS. HAMMES: I guess I'll ask
3 Lily's favorite question about garbage
4 disposal. Because I see you're going
5 to have a juice station.

6 MS. ANTONIADIS: That's an
7 old -- we are not doing that.

8 MS. HAMMES: You've gotten rid
9 of the juice station?

10 MS. ANTONIADIS: There's going
11 to be minimal garbage. Pretty much
12 just a few tissues and then I'll take
13 care of it myself.

14 MS. HAMMES: Okay. That was
15 really my only other question.

16 MR. BRENNAN: Okay. Okay.
17 Thank you. So --

18 MS. ANTONIADIS: May I say
19 something?

20 MR. BRENNAN: Yes, you can.

21 MS. ANTONIADIS: I noticed that
22 on the minutes, it says pre-submission
23 hearing, or pro-submission. But I
24 don't understand why I need to have a
25 pre-submission, and I hope I don't

1 have to go to a hearing because this
2 is an accepted use, a permitted use.

3 MR. CONNOLLY: It's a change of
4 use that requires -- all site plan
5 applications require public hearings
6 per the code.

7 MS. ANTONIADIS: They don't
8 really because the Village code
9 actually states that, unless it's a
10 conditional use that's listed and
11 Section 157.B does list all the
12 conditional uses, and this is not a
13 place of worship, school, institution,
14 club, utility, yadda, yadda, yadda and
15 only that case you need a hearing. So
16 it's not the conditional use, it's a
17 permitted use because we are a
18 personal service store, which is care
19 appearance of the body.

20 MR. BRENNAN: It's permitted,
21 but it's still a change of use from
22 the last use, correct? Is that your
23 interpretation?

24 MR. PALLAS: Yes.

25 MR. BRENNAN: It's a change of

1 use because it was a library before.

2 MS. ANTONIADIS: Right, but
3 change of use doesn't require a
4 hearing.

5 MR. BRENNAN: I think it does if
6 a building permit is required.

7 MR. PALLAS: Chapter 65 dictates
8 the need for a public hearing in this
9 case.

10 MR. BRENNAN: We would need to
11 schedule a public hearing and we can
12 do that. My question is, can we do it
13 in time for the December 14th meeting?

14 MR. PALLAS: No.

15 MR. BRENNAN: We have to have
16 time -- well you're familiar with
17 this, for public notice.

18 MS. ANTONIADIS: I'm not
19 familiar with this.

20 MR. BRENNAN: No.

21 MS. ANTONIADIS: I'm only
22 familiar with the Historic
23 Preservation.

24 MR. PALLAS: No. There isn't
25 enough time.

1 MR. BRENNAN: So we would
2 schedule your -- we're going to have
3 one meeting in December, and we would
4 schedule a public hearing for January
5 for you.

6 MS. ANTONIADIS: But I thought I
7 have ten days -- within ten days.
8 It's November 28th, and I started this
9 process from October 28 and submitted
10 the use and then I'm getting, like,
11 thrown back and forth.

12 And I'd like to submit Building
13 Department plans for review because I
14 have a stop work order now too, and I
15 feel wasn't even addressed.

16 MR. BRENNAN: Well, I don't
17 think anything is preventing you from
18 submitting plans to the Building
19 Department. I think that's your risk,
20 but I don't see why you wouldn't
21 proceed on that front simultaneously.

22 Am I wrong about that?

23 MR. PALLAS: There is no
24 reason -- again, other than potential
25 of the site plan not being approved,

1 there is no reason we can't review
2 them, and have, you know, an answer to
3 whether or not a permit could be
4 issued once the site plan is approved.

5 MR. BRENNAN: Correct.

6 MR. PALLAS: Mr. Chairman, if I
7 may, are we not having a meeting on
8 the 29th of December?

9 MR. BRENNAN: No.

10 MR. PALLAS: Okay.

11 MS. HAMMES: Can we schedule it
12 for the Work Session the first week of
13 January?

14 MR. BRENNAN: I don't see why
15 not. There are two meetings in
16 January. We can schedule it for the
17 earliest meeting. It is a public
18 hearing, so the public will speak, so
19 they have to have an opportunity to
20 comment on this.

21 MS. ANTONIADIS: What do you
22 need me to prepare?

23 MR. BRENNAN: You should provide
24 a response to the consultant's
25 comment. And you could check with the

1 administrator about any other
2 application materials.

3 I don't have any other further
4 questions for you. I think it's
5 pretty straightforward.

6 MS. ANTONIADIS: Thank you.

7 MR. BRENNAN: Thank you.

8 So our January meeting is the 3rd.

9 MS. HAMMES: I think it's the
10 4th or something like that.

11 MR. PALLAS: It's the 5th.
12 January 5th, right? The 5th and the
13 26th.

14 MR. BRENNAN: Paul, do you see
15 any reason why we couldn't have the
16 public hearing on January 5th?

17 MR. PALLAS: That's entirely up
18 to you. There's plenty of time for
19 notice, so it would be entirely up to
20 you to decide if you want to schedule
21 it during a Work Session.

22 MR. BRENNAN: I don't have a
23 problem making it a combined Work
24 Session and public hearing, or work
25 session/regular session. Is that what

1 you call it?

2 MR. PALLAS: Yes.

3 MR. BRENNAN: Do you guys have a
4 problem with that?

5 MS. HAMMES: Yes.

6 MS. ANTONIADIS: May I approach
7 again.

8 MR. BRENNAN: Yes, you may.

9 MS. ANTONIADIS: So in the
10 minutes of the meeting of March 21,
11 2022, Acting Chairman Hammes inquired
12 as to whether -- there was another
13 hearing that was questionable and
14 about Acting Chairman Hammes, you
15 asked, "Okay, so I have a question
16 for -- for, maybe, the Village
17 Administrator and Rob, which I'm sure
18 I should know the answer to, but I
19 just, going back to the code, came up
20 with this question, which is, is a
21 public hearing required for this
22 application under the code. Because
23 when I looked at it, it just seems to
24 me that the code specifies a public
25 hearing of plots of division and

1 conditional use application. But I
2 didn't find it anywhere else that
3 clearly state that a public hearing is
4 required."

5 Counsel Connolly, "it's not in
6 the code, but it's in the policy of
7 the Planning Board going back however
8 long to have public hearings on all
9 site plan applications."

10 And Acting Chair Hammes, "Okay.
11 Alright. Well, then I think we're
12 going to probably just, sticking with
13 precedence, schedule a public hearing
14 for this, which we'll do, I guess, as
15 expeditiously as possible."

16 I don't see why we have to stick
17 to the precedence.

18 MS. HAMMES: I think there is a
19 difference here too. I had not looked
20 at Chapter 58 when I made that
21 comment, which I agree, after looking
22 at it, it does require a public
23 hearing.

24 This isn't a site plan approval,
25 it's a change of use. And I, at the

1 time, was speaking just to Chapter 150
2 of the code.

3 MS. ANTONIADIS: I will look at
4 the chapter.

5 MR. BRENNAN: Thank you.

6 Okay. Would you like us to
7 schedule a public hearing?

8 MS. ANTONIADIS: Yes, please.

9 MR. BRENNAN: Okay. Make a
10 motion to schedule a public hearing
11 for 308 Front Street at our next
12 meeting -- or actually our January 5th
13 meeting, which will be a work session
14 and regular session.

15 All in favor?

16 MS. HAMMES: Second.

17 MR. BRENNAN: All in favor?

18 (All said aye.)

19 Motion approved.

20 Item Number 8, 15 Front Street.
21 This is a public hearing regarding the
22 application of Elyse Merrifield. The
23 applicant proposes to continue a
24 conditional use with corresponding
25 name and tenancy change of the leased

1 retail space at 15 Front, which is
2 currently Popsicle & Finn, to Salt &
3 Sea. The property is located in the
4 W-C Waterfront Commercial District and
5 is not located within the Historic
6 District.

7 Welcome.

8 MS. MERRIFIELD: Hi there. I'm
9 Elyse. I was here in September for
10 the pre-hearing. So basically,
11 exactly what you said, I was the
12 half-owner of Popsicle & Finn. My
13 business partner decided to move that
14 store to Cutchogue, and I would like
15 to reopen in the same location as a
16 different name, different company.
17 Same exact store, same brand, looks
18 the same, new name, just me.

19 MR. BRENNAN: Do you have other
20 partners?

21 MS. MERRIFIELD: No.

22 MR. BRENNAN: Is there someone
23 from the public that would like to
24 speak on the application.

25 (No response.)

1 AUDIENCE MEMBER: Good luck.

2 MR. BRENNAN: Do the Board
3 members have questions for the
4 applicant?

5 MS. HAMMES: No, I have none.

6 MR. BRENNAN: Dan?

7 MR. CREEDON: You're just
8 looking to put a new sign, is that
9 what it is?

10 MS. MERRIFIELD: Well, it's a --

11 MS. HAMMES: It's a new name.

12 MS. MERRIFIELD: It's a new name
13 because my business partner -- I sold
14 my half of the business to my partner.
15 So I have the -- what the sign will
16 look like, and I need to do the sign
17 permit, but I -- my understanding was,
18 I need to get approved before I can
19 submit that.

20 MS. HAMMES: So it's conditional
21 use because of where it's located, so
22 even though it's the same type of
23 business that was there before, it's a
24 conditional use, it has to come back
25 for site plan approval.

1 MR. CREEDON: Okay.

2 MR. BRENNAN: So you're looking
3 for site plan approval as well as
4 approval on the sign, correct, it had
5 to be done still?

6 MS. MERRIFIELD: I haven't
7 submitted my sign permit yet because I
8 thought we had to get approved first.

9 MS. HAMMES: I have a copy of
10 it, though.

11 MS. MERRIFIELD: Yeah, I
12 accidentally included it in the
13 beginning, but I didn't even have a
14 sign.

15 MR. PALLAS: It wasn't in the
16 application package. I mean, I
17 don't --

18 MS. MERRIFIELD: I don't know
19 why I did it.

20 MR. PALLAS: I apologize. I
21 always get confused on the signs when
22 it's conditional use as opposed to --
23 you could approve the sign in concept
24 with this application and site plan.

25 MR. BRENNAN: Yeah. You and I

1 spoke about this a couple weeks back
2 about trying -- another applicant was
3 interested in changing a sign. I
4 assumed it was going to be coming up
5 with this meeting. I'd like to make
6 sure the applicant can accomplish as
7 much as possible in the meeting.

8 MS. MERRIFIELD: I have the
9 application. I didn't know how much
10 it was, so I have my checkbook, which
11 I can write the check. It doesn't say
12 how much --

13 MR. BRENNAN: I'm not so much
14 concerned about the fee. I guess, I
15 would just like to know if someone can
16 confirm whether the proposed sign fits
17 within the requirements, there is the
18 square-footage limitation.

19 MS. HAMMES: I have -- I have a
20 picture, it looks the same as --

21 MS. MERRIFIELD: Yeah. So I
22 have -- this is what the rest of the
23 signs look like. And I superimposed
24 my sign in there.

25 MR. BRENNAN: Yep.

1 MS. MERRIFIELD: This is what my
2 sign is going to look like, but it's
3 going to be the exact same sign as the
4 other three locations that are at 15
5 Front Street.

6 MR. PALLAS: If I may, Mr.
7 Chair.

8 MR. BRENNAN: Sure.

9 MR. PALLAS: I don't believe
10 that there is any specific
11 jurisdiction in this case. The sign
12 is not over a Village sidewalk.
13 Typically, you would approve signs
14 separately for a sign that overhangs a
15 Village sidewalk. This overhangs
16 private property.

17 MR. BRENNAN: Okay.

18 MR. PALLAS: So, to the extent
19 that the characteristics of the sign
20 are acceptable, I think that would
21 be -- that would be the extent of what
22 you would approve, for lack of a
23 better word. And the permitting
24 process would take care of the size
25 and all that, if it required -- the

1 sign required any variance for size,
2 it would go to the Zoning Board.

3 MR. BRENNAN: Very good.

4 MR. PALLAS: We had a similar
5 situation, I believe, with the store
6 on Main, the same concept with
7 signage, that was handled separately.

8 MR. BRENNAN: But that was over
9 Village property?

10 MR. PALLAS: So, we're only
11 considering the conditional use. I
12 think it's been practice or habit for
13 the Board to approve conditional uses,
14 when they change -- when the use
15 doesn't change, or the type of use
16 doesn't change. So we have seen some
17 applicants who are changing the
18 restaurant name or ownership
19 structures, similar to what you're
20 proposing, where it's more or less the
21 same store.

22 I just want to point out to the
23 Board that we do have an obligation,
24 under this chapter, to consider
25 something very specific on conditional

1 uses. So Chapter 150-11, C-2 states
2 that "When the subject property does
3 not abut the water, conditional uses
4 shall be permitted when established in
5 accordance with condition C1D."

6 And then Condition C1D says,
7 "Consideration shall be given to the
8 quality and extent of use from the
9 adjacent public street, through the
10 property, to the water, as well as the
11 design and relationship of development
12 to the waterfront as viewed from the
13 water."

14 MS. HAMMES: Here the building
15 is pre-existing, kind of. I mean, I
16 read that as well. I don't think it
17 provides a lot of guidance where it's
18 a pre-existing building.

19 MR. BRENNAN: It doesn't seem to
20 apply here. There is no view through
21 to the water.

22 MS. MERRIFIELD: No.

23 MR. BRENNAN: There is a view of
24 the back of the building from the
25 waterfront. And that would fall

1 within this consideration. The back
2 of this building is pretty cleaned up,
3 and it's pretty straightforward. I
4 don't think there was really --

5 MS. HAMMES: Well, the building
6 contains more than her business as
7 well.

8 MR. BRENNAN: That's correct.
9 There's multiple tenants.

10 MS. HAMMES: There's never been
11 anything in that -- in that part of
12 that building, other than retail.

13 MR. BRENNAN: I'm not looking to
14 give you a difficult time. I just
15 want to make sure that the Board knows
16 that they do have an obligation to
17 look at change of use in the
18 conditional use, even if it's the same
19 type of store, specifically as it
20 relates to the view from the water and
21 the street.

22 Okay. No further questions for
23 the applicant?

24 (No response.)

25 So we can close the public

1 hearing on this.

2 MS. HAMMES: Second.

3 MR. BRENNAN: All in favor?

4 (All said aye.)

5 MR. BRENNAN: Thank you.

6 MS. MERRIFIELD: Okay. Thank
7 you.

8 MR. BRENNAN: So I'd like to
9 make a motion to approve the
10 continuation conditional use,
11 corresponding name, and tenancy change
12 at 15 Front Street.

13 MS. HAMMES: Second.

14 MR. BRENNAN: All in favor?

15 (All said aye.)

16 MR. BRENNAN: Approved.

17 Any other Planning Board
18 business that might come before this
19 Board? Does anyone have any other
20 business they would like to discuss?

21 (No response.)

22 MR. BRENNAN: Okay. I have two
23 items.

24 I received a letter from John
25 Mancini, 103 Sterling Street. I

1 believe I shared that letter with the
2 other Board members.

3 The letter is not dated and it
4 does notice specifically address any
5 particular application currently
6 before this Board. But the purpose of
7 the letter was to comment on proposed
8 revision to parking regulations 150-12
9 and Chapter 150-16.

10 The author of the letter is
11 concerned that the revisions are not
12 comprehensive or strong enough.

13 So, I would like to thank Mr.
14 Mancini for submitting his letter.
15 And, to the extent that this Board may
16 have any influence over the proposed
17 regulations, we'll take his comments
18 under advisement. Thank you.

19 My second item is the Local
20 Waterfront Revitalization Program, the
21 LWRP. This is a -- really a
22 foundational document for the Planning
23 Board, and it really should be
24 integral to how this Board makes
25 decisions.

1 And as everyone is aware, that
2 document is -- has not been updated
3 recently and has not been adopted by
4 the Village.

5 MS. HAMMES: I think the current
6 binding document is the 1996 through
7 '98 that's on file with New York
8 State.

9 MR. BRENNAN: That one was
10 adopted --

11 MS. HAMMES: Yes.

12 MR. BRENNAN: -- in 1996?

13 MS. HAMMES: Or '98, if you go
14 to the New York State Department of
15 State website, it's published as the
16 Village's -- it's the current.

17 MR. BRENNAN: Okay. So
18 subsequent updates to that have not
19 been adopted.

20 MS. HAMMES: That is correct.

21 MR. BRENNAN: I believe it would
22 be in order for the Village to try to
23 continue to update that. I know there
24 is some work underway.

25 I would like to provide some

1 recommendations for the Village Board,
2 and begin to outline a process for
3 updating the LWRP, and ask anyone else
4 on the Planning Board to join me in
5 that work, if you're interested, and
6 you can do that outside of this
7 meeting.

8 MS. HAMMES: I think my one
9 comment, and I would have to double
10 check, but I believe New York State
11 suggests when you're doing LWRP work,
12 that it be done through a advisory
13 committee, so that's something to keep
14 in mind.

15 MR. BRENNAN: That would be the
16 kind of thing that would be
17 recommended.

18 MS. HAMMES: Good.

19 MR. BRENNAN: Any other
20 business?

21 (No response.)

22 MS. GORDON: Do I have to come
23 up? I just wanted to say that if you
24 were doing the LWRP revision involving
25 the --

1 MR. BRENNAN: Please come up and
2 introduce yourself. Thank you.

3 MS. GORDON: Dini Gordon, 152
4 6th Street, Greenport.

5 I was just -- I mean, I think
6 the idea of working on revision for
7 the LWRP should include some of the
8 Zoning Board as well.

9 MR. BRENNAN: Absolutely. Thank
10 you.

11 Okay. Item Number 10, Motion to
12 adjourn.

13 MS. HAMMES: Second.

14 MR. BRENNAN: All in favor?

15 (All said aye.)

16 MS. HAMMES: Approved. Thank
17 you. Thank you all.

18 (Time Noted: 5:13 p.m.)
19
20
21
22
23
24
25

C E R T I F I C A T E

1
2 STATE OF NEW YORK)
3) ss:
4 COUNTY OF SUFFOLK)

5 I, STEPHANIE O'KEEFFE, a Reporter
6 and Notary Public within and for the State of New
7 York, do hereby certify that the within is a true
8 and accurate transcript of the proceedings taken on
9 November 28, 2022.

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

14 IN WITNESS WHEREOF, I have hereunto
15 set my hand this 28th day of November, 2022.

16
17
18 

19 STEPHANIE O'KEEFFE
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