

1 VILLAGE OF GREENPORT

2 COUNTY OF SUFFOLK : STATE OF NEW YORK

3 -----X

4 ZONING BOARD OF APPEALS

5 REGULAR SESSION

6 -----X

7 Station One Fire House

8 Third & South Streets

9 Greenport, NY, 11944

10

11 September 20, 2022

12 5:00 p.m.

13 B E F O R E:

14 JOHN SALADINO - CHAIRMAN

15 DINNIE GORDON - MEMBER

16 JACK REARDON - MEMBER

17 SETH KAUFMAN - MEMBER

18 DENA ZEMSKY - MEMBER

19 *****

20 ALSO IN ATTENDANCE:

21 PAUL PALLAS - VILLAGE ADMINISTRATOR

22 TINA ZILNICKI - CLERK TO THE BOARD

23 JOE PROKOP - VILLAGE ATTORNEY

24 ROBERT CONNOLLY - ZONING BOARD ATTORNEY

25

1 **(*The meeting was called to order at 5:07 p.m.*)**

2 CHAIRMAN SALADINO: Good evening, folks.
3 This is the Zoning Board of Appeals Regular
4 Meeting. Just -- we're going to open the
5 meeting, and just explain to the folks in the
6 back --

7 (*Laughter*)

8 -- and to the public that's watching this. We're
9 going to enter into -- normally the Zoning Board
10 never goes into Executive Session. This is
11 something that's rare for us, but it does
12 occasionally happen as part of the Zoning Board.

13 We're going to enter into Executive
14 Session. We open up this meeting, we're going to
15 enter Executive Session and then take care of
16 whatever business that has to be taken care of,
17 that has to be taken care of, and then we're
18 going to reenter the -- after that's done, we're
19 going to reenter the Regular Meeting.

20 So, as inconvenient as that might be, the
21 applicant for the people that -- I don't know
22 who's staying -- for the people that are not
23 staying, we're going to have to ask you to move.

24 I'm going to make a motion that we -- this
25 Board enters into Executive Session to discuss

1 pending litigation. So moved.

2 MEMBER GORDON: Second.

3 CHAIRMAN SALADINO: All in favor?

4 MEMBER KAUFMAN: Aye.

5 MEMBER GORDON: Aye.

6 MEMBER REARDON: Aye.

7 MEMBER ZEMSKY: Aye.

8 CHAIRMAN SALADINO: And I'll vote aye.

9 *(Moved into Executive Session - VOTE: 5/0/0/0).*

10 All right, folks.

11 *****

12 ***(*Executive Session: 5:09 p.m. - 5:48 p.m. *)***

13 *****

14 CHAIRMAN SALADINO: Good evening, folks.

15 This is the Zoning Board of Appeals Regular
16 Meeting. Just -- we're going to open the meeting.

17 Folks, *Item No. 2 of this meeting is a*
18 *motion to accept and approve the minutes of July*
19 *19th, 2022 Zoning Board of Appeals meeting.*

20 So moved.

21 MEMBER GORDON: I have something I want to
22 say. At the bottom of page eight in the July
23 meeting, there's a comment attributed to me; it
24 was not made by me, it was made by Eileen
25 Wingate. It has to do with the staircase of that

1 property.

2 STENOGRAPHER MAHONEY: I will correct it.

3 MEMBER GORDON: Can you just fix that?

4 STENOGRAPHER MAHONEY: Absolutely.

5 MEMBER GORDON: I can give you my note.

6 CHAIRMAN SALADINO: Okay. So moved.

7 MEMBER GORDON: Second.

8 CHAIRMAN SALADINO: All in favor?

9 MEMBER REARDON: Aye.

10 MEMBER KAUFMAN: Aye.

11 MEMBER ZEMSKY: Aye.

12 MEMBER GORDON: Aye.

13 CHAIRMAN SALADINO: And I'll vote aye.

14 *(July 19th, 2022 Minutes Approved - 5/0/0/0).*

15 *Item No. 3 is a motion to schedule the next*

16 *Zoning Board of Appeals meeting for October 18th,*

17 *2022 at 6 p.m. at the Station One Firehouse,*

18 *Third and South Streets, Greenport, NY, 11944.*

19 So moved.

20 MEMBER REARDON: I'll second.

21 CHAIRMAN SALADINO: All in favor?

22 MEMBER GORDON: Aye.

23 MEMBER ZEMSKY: Aye.

24 MEMBER REARDON: Aye.

25 MEMBER KAUFMAN: Aye.

1 CHAIRMAN SALADINO: And I'll vote aye
2 (*October 18, 2022 Meeting Set - 5/0/0/0*).

3 *Item No. 4 is 237 Sixth Street, it's a*
4 *motion to accept the Findings and Determinations*
5 *for Marisa Harney and John Barrett. This*
6 *property is located at 237 Sixth Street in the*
7 *R-2 (One and Two-Family) District and is not*
8 *located in the Historic District. The Suffolk*
9 *County Tax Map No. Is 1001-7.-1-3.*

10 Before I ask -- before I ask for a second;
11 Rob, I had a question about this. I see it here
12 on the front of the findings about an addition to
13 an accessory building.

14 ATTORNEY CONNELLY: Yes.

15 CHAIRMAN SALADINO: And does that relieve
16 us of putting it in -- in the relief granted?

17 ATTORNEY CONNELLY: Yeah, that -- yes.

18 CHAIRMAN SALADINO: Okay. All right.

19 Having read that, so moved.

20 MEMBER GORDON: Second.

21 CHAIRMAN SALADINO: All in favor?

22 MEMBER REARDON: Aye.

23 MEMBER GORDON: Aye.

24 MEMBER KAUFMAN: Aye.

25 MEMBER ZEMSKY: Aye.

1 CHAIRMAN SALADINO: And I'll vote aye
2 (*Approved - VOTE: 5/0/0/0*).

3 *Item No. 5 is 225 Monsell Place. It's a*
4 *motion to accept the application, schedule a*
5 *public hearing --*

6 MEMBER ZEMSKY: He just went to the men's
7 room.

8 CHAIRMAN SALADINO: I'm sorry?

9 MEMBER GORDON: The applicant just --

10 MEMBER ZEMSKY: Went to the men's room.

11 CHAIRMAN SALADINO: (*Laughter*).

12 MEMBER KAUFMAN: Let the record show.

13 (**Laughter**)

14 CHAIRMAN SALADINO: I didn't notice that.

15 ADMINISTRATOR PALLAS: While we're waiting,
16 Mr. Chair, if you want to take a vote on the
17 other item?

18 CHAIRMAN SALADINO: Sure. I was going to
19 wait -- I was going to wait till Item No. 6, but
20 since it would be appropriate --

21 (**Fire Bell going off**)

22 Is that the approximately six o'clock
23 whistle?

24 (**Laughter**)

25 Well, I don't know, it might be a fire.

1 *Item No. 5 is 225 Monsell Place, it's a*
2 *motion to accept the application, schedule a*
3 *public hearing and arrange a site visit for the*
4 *application submitted by Wayne Turett of The*
5 *Turett Collaborative on behalf of Jesse Browner*
6 *and Judith Clain?*

7 WAYNE TURETT: Yes.

8 CHAIRMAN SALADINO: *For the property*
9 *located at 225 Monsell Place, Greenport, NY*
10 *11944. This property is located in the R-1*
11 *(One-Family) District and is not located in the*
12 *Historic District, and the Suffolk County Tax Map*
13 *No. Is 1001-2-2-41.5). Is the applicant here?*

14 WAYNE TURETT: *(Raised hand)*. Good
15 evening. My name's Wayne Turett, I'm the
16 architect for Jesse Browner and Judith Clain.

17 Just to refresh memories, I was here
18 previously trying to combine the two
19 non-conforming lots, just so that we can make an
20 addition that just goes past the lot line since
21 they own both lots, but I was told that you can't
22 combine two non-conforming lots, only a
23 conforming and a non-conforming. So we went back
24 to the drawing board and we pulled in the
25 addition just to the east of the lot line.

1 So now the addition, the house does not exceed
2 the property line and what we're asking for is a
3 relief of setbacks since the property is so
4 narrow and the existing house already doesn't
5 conform.

6 CHAIRMAN SALADINO: Okay. Anybody have a
7 question for Mr. Turett?

8 (No Response)

9 No?

10 MEMBER REARDON: So does the property house
11 now currently go to one of the property lines,
12 it's like completely like on the property line?

13 WAYNE TURETT: It's not currently on the
14 property line, no.

15 MEMBER REARDON: It's a redesign?

16 WAYNE TURETT: The redesign is now to the
17 property line on the west side, and I think it's
18 seven feet from the east side, but that's an
19 existing condition, so.

20 MEMBER GORDON: I have a question. We have
21 a Notice of Disapproval dated February and today
22 we got an application which looks the same. Is
23 there any change since February?

24 WAYNE TURETT: Sure. We pulled the -- we
25 pulled the addition to the inside of the lot line

1 of the east property.

2 MEMBER GORDON: In that case --

3 ADMINISTRATOR PALLAS: You should have --
4 you should have the amended Notice of Disapproval
5 in the packet dated July 12th.

6 MEMBER GORDON: Okay, that's what I'm
7 looking for.

8 *(Brief Pause)*

9 Oh, amended notice, I see. Okay, thank
10 you.

11 CHAIRMAN SALADINO: Do you have an amended
12 Notice of Disapproval?

13 *(Brief Pause)*

14 ADMINISTRATOR PALLAS: We can send copies
15 tomorrow to the members.

16 CHAIRMAN SALADINO: Yeah, I don't have it.
17 Do you have it?

18 MEMBER REARDON: I don't have it, no.

19 CHAIRMAN SALADINO: No, I don't have it.
20 But I don't think that's enough for us to hold up
21 scheduling a public hearing; you know, we can
22 certainly do that.

23 Also, the other thing that I notice is we
24 don't have -- we don't have the form, the
25 notarized form from the owners designating --

1 WAYNE TURETT: Oh, you don't?

2 CHAIRMAN SALADINO: No.

3 WAYNE TURETT: Are you sure?

4 CHAIRMAN SALADINO: But again, that's not
5 enough to -- that's not enough to hold this up, I
6 don't think. If the members --

7 WAYNE TURETT: I remember hearing that you
8 didn't have it and I requested from the owners
9 and I'm pretty sure they sent it. Perhaps it's
10 in that amended package.

11 CHAIRMAN SALADINO: You know, that's --
12 that's something we can work out with the
13 Building Department.

14 MS. ZILNICKI: Yes.

15 WAYNE TURETT: Yeah, sure.

16 MS. ZILNICKI: You can resend it.

17 CHAIRMAN SALADINO: Yeah. This way we
18 don't hold you up.

19 WAYNE TURETT: You let me know, I'll have
20 it resent, sure.

21 CHAIRMAN SALADINO: Okay. Any members have
22 any questions?

23 *(No Response)*

24 No? So, I'm going to make a motion that we
25 accept this application. So moved.

1 MEMBER REARDON: I'll second.

2 CHAIRMAN SALADINO: All in favor?

3 MEMBER GORDON: Aye.

4 MEMBER KAUFMAN: Aye.

5 MEMBER ZEMSKY: Aye.

6 MEMBER REARDON: Aye.

7 CHAIRMAN SALADINO: And I'll vote aye

8 *(Approved - VOTE: 5/0/0/0).*

9 *(*Fire bell going off*)*

10 *(*Laughter*)*

11 And we're going to schedule a public
12 hearing for October 18th at six o'clock; we set
13 them all at six o'clock. And we're going to ask
14 you to -- we're going to need a site visit, I'm
15 guessing.

16 MEMBER KAUFMAN: Yeah.

17 CHAIRMAN SALADINO: We want a site visit.
18 So we're going to ask you to just stake out what
19 your plan is.

20 WAYNE TURETT: Uh-huh. Okay.

21 CHAIRMAN SALADINO: And is there anything
22 else we need?

23 MEMBER ZEMSKY: So the site visit is right
24 before the meeting, correct?

25 CHAIRMAN SALADINO: I'm going to set a time

1 for it. You know, I don't know what time the sun
2 goes down or what's convenient. What time do we
3 want to --

4 MEMBER GORDON: 5:30 would be okay in
5 October, I think.

6 CHAIRMAN SALADINO: 5:30.

7 WAYNE TURETT: October 18th?

8 CHAIRMAN SALADINO: We'll set the site
9 visit for 5:30 and I guess we'll see you then.

10 WAYNE TURETT: Okay. I'll be here, I think
11 *(laughter)*.

12 CHAIRMAN SALADINO: I'm pretty sure we
13 might also, so that's good. Thank you.

14 Okay, *Item No. 6 is any other Zoning Board*
15 *of business that might properly come before this*
16 *Board.* I'm going to make a motion that we accept
17 -- we accept the application for the applicant of
18 440 First Street. Do we schedule a public
19 hearing?

20 ATTORNEY CONNOLLY: Yes, schedule a public
21 hearing.

22 CHAIRMAN SALADINO: And we'll schedule a
23 public hearing this evening for July 9th and --
24 I'm sorry, I got the date wrong. For October
25 18th at 6 p.m. So moved.

1 MEMBER KAUFMAN: Second.

2 CHAIRMAN SALADINO: All in favor?

3 MEMBER KAUFMAN: Aye.

4 MEMBER REARDON: Aye.

5 MEMBER GORDON: Aye.

6 MEMBER ZEMSKY: Aye.

7 CHAIRMAN SALADINO: And I'll vote aye.

8 *(Public Hearing Scheduled - VOTE: 5/0/0/0).*

9 This is at the folks in the back, this is
10 your chance to ask any questions by the Zoning
11 Board. No questions?

12 *(*Laughter*)*

13 Okay. *Item No. 7 is a motion to adjourn.*

14 So moved.

15 MEMBER REARDON: Second

16 CHAIRMAN SALADINO: All in favor?

17 MEMBER GORDON: Aye.

18 MEMBER KAUFMAN: Aye.

19 MEMBER REARDON: Aye.

20 MEMBER ZEMSKY: Aye.

21 *("Aye" Said in Unison)*

22 CHAIRMAN SALADINO: And I'll vote aye.

23 Thank you, folks

24 ***(*The meeting was adjourned at 6 p.m. *)***

25

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

2

3 STATE OF NEW YORK)

4) SS:

5 COUNTY OF SUFFOLK)

6

7 I, ALISON MAHONEY, a Court Reporter and
8 Notary Public for and within the State of New
9 York, do hereby certify:

10 THAT, the above and foregoing contains a
11 true and correct transcription of the proceedings
12 taken on September 20, 2022, at Station One
13 Firehouse, Third & South Streets, Greenport, NY
14 11944.

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

19 IN WITNESS WHEREOF, I have hereunto set my
20 hand this 1st day of October, 2022.

21

22

23

Alison Mahoney

Alison Mahoney

24

25