

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 Old School House  
 8 Front & First Streets  
 9 Greenport, NY, 11944  
 10 March 21, 2023  
 11 6:00 p.m.

12  
 13 B E F O R E:  
 14 JOHN SALADINO - CHAIRMAN  
 15 DINNI GORDON - MEMBER  
 16 SETH KAUFMAN - MEMBER  
 17 JACK REARDON - MEMBER  
 18 DENA ZEMSKY - MEMBER (Absent)

19 \*\*\*\*\*  
 20 ALSO IN ATTENDANCE:  
 21 ROBERT CONNELLY - ZONING BOARD ATTORNEY  
 22 MICHAEL NOONE - CLERK TO THE BOARD  
 23 ALEX BOLANOS - CODE ENFORCEMENT OFFICER

24  
 25

1 (The Meeting was Called to Order at 6 p.m.)

2 CHAIRMAN SALADINO: Good evening, folks.

3 This is the Village of Greenport Zoning Board of  
4 Appeals regular meeting.

5 *Item No. 1 this evening is -- it's a motion*  
6 *to accept the minutes of the February 21st, 2023*  
7 *Zoning Board of Appeals meeting. So moved.*

8 MEMBER REARDON: Second.

9 CHAIRMAN SALADINO: All in favor?

10 MEMBER GORDON: Aye.

11 MEMBER KAUFMAN: Aye.

12 MEMBER REARDON: Aye.

13 CHAIRPERSON SALADINO: And I'll vote aye.

14 *Item No. 2 is a motion to schedule the next*  
15 *Zoning Board of Appeals meeting for April 18th,*  
16 *2023, at 6 p.m. at Station One Fire House, Third*  
17 *and South Street, Greenport, New York 11944.*

18 So moved.

19 MEMBER GORDON: Second.

20 CHAIRMAN SALADINO: All in favor?

21 MEMBER GORDON: Aye.

22 MEMBER KAUFMAN: Aye.

23 MEMBER REARDON: Aye.

24 CHAIRPERSON SALADINO: And I'll vote aye.

25 *Item No. 3 is 148 Bay Avenue. This is a*

1 *motion to accept the Findings and Determinations*  
2 *for Nicholas Mazzaferro on behalf of Chris and*  
3 *Lauren Isaacs. The property is located in the*  
4 *R-2-, One- & Two-family Residential District and*  
5 *also located in the Historic District. And that*  
6 *Suffolk County -- the Suffolk County Tax Number is*  
7 *1001-5-2-15. So moved.*

8 MEMBER KAUFMAN: Second.

9 CHAIRMAN SALADINO: All in favor?

10 MEMBER GORDON: Aye.

11 MEMBER KAUFMAN: Aye.

12 MEMBER REARDON: Aye.

13 CHAIRPERSON SALADINO: And I'll vote aye.

14 Folks, we're going to take the agenda out of  
15 order. We're going to do the public hearing before  
16 the -- before we look at this other application,  
17 since it's scheduled for 6 o'clock.

18 Item Number -- this item is a *public hearing*  
19 *regarding the application regarding the area*  
20 *variances applied for by Zackery Nicholson on*  
21 *behalf of Mark Moffett and Melissa Wells. The*  
22 *Applicant seeks to -- seeks approval for two area*  
23 *variances for two non-conforming accessory*  
24 *structures. The property is located in the R-2,*  
25 *One- & Two-family Residential District, and is also*

1        *located in the Historic District. Is it? All*  
2        *right, it doesn't matter. Suffolk County Tax Map*  
3        *Number is 1001-3-4-36.4.*

4                We're going to -- we're going to open this  
5        public hearing. I'm going to ask the Clerk, we --  
6        the notice was published --

7                MR. NOONE: Yes, it was.

8                CHAIRMAN SALADINO: -- in the newspaper,  
9        right? We're going to read the mailings here,  
10       unless -- unless everyone's in agreement. We could  
11       just give the mailings to the Stenographer and she  
12       can enter them, because there's -- there's a lot of  
13       them.

14               MR. NOONE: Yeah, I believe there's eight of  
15       them, John.

16               CHAIRMAN SALADINO: So we're going to give  
17       these to Lucia and she's going to record them.

18        *(Mailings:*

19        *Sean Doucett, 133 Sterling Street, Greenport, NY 11944*

20        *Joan Bergrund, 25605 Main Road, Orient, NY 11957*

21        *Gustave Wade, 140 Sterling Street, Greenport NY 11944*

22        *Ellen Schnepel, 34 Monroe Place, Apt. 2B, Brooklyn NY 11201*

23        *Cynthia Canell, 634 Carpenter Street, Greenport NY 11944*

24        *Dagmar Richter, 101 Lafayette Avenue, Apt 17M,*

25        *Brooklyn, NY 11217*

1        *Hilbrand JWTRT, 160 Sterling Street, Greenport NY 11944*  
2        *145 Sterling Corp, P.O. Box 2111, Greenport NY 11944)*

3                CHAIRMAN SALADINO: And we're going to open  
4 this public hearing. Is the applicant here?

5                ZACKERY NICHOLSON: We are all here.

6                MELISSA WELLS: Yes, we're here.

7                CHAIRMAN SALADINO: You want to -- you want  
8 to tell us your story?

9                MELISSA WELLS: Yes, sure. Hi. Thanks for  
10 having us back. My name is Melissa Wells. My  
11 address is 155 Sterling Street in Greenport. This  
12 is our Architect.

13                ZACKERY NICHOLSON: Architect, Zack Nicholson.

14                MELISSA WELLS: Zack Nicholson. And this is  
15 my husband, Mark Moffett.

16                MARK MOFFETT: Hi.

17                MELISSA WELLS: Our address, also, 155  
18 Sterling Street in Greenport. And we're requesting  
19 two variances on existing sheds that are less  
20 than 5 feet from the property line.

21                The sheds have existed prior to the existence  
22 of our home. And we are doing this step so,  
23 hopefully, we can -- while they're not required, we  
24 would like to then have this step resolved. And,  
25 at the same time, we're working on our application

1 to Historic District, because our house is in  
2 Historic District.

3 So this is really about two sheds. We do not  
4 have a garage on the property, nor do we plan to  
5 build one. Our basement is a half basement, so the  
6 sheds serve a really useful purpose for us.

7 We've notified our neighbors, as you see. I  
8 had the chance to talk to Ellen, one of our next  
9 door neighbors, personally, who didn't express  
10 concerns about the sheds. But if you have  
11 questions, we're happy to answer them.

12 So that's the purpose of this evening, and I  
13 just want to thank you all for having us.

14 CHAIRMAN SALADINO: And we explained, the  
15 Zoning Board explained to you last month the whole  
16 logic behind this public hearing and --

17 MELISSA WELLS: Yes.

18 CHAIRMAN SALADINO: -- the reason for denial  
19 and stuff.

20 MELISSA WELLS: Yes, yes. And I want to --  
21 you know, this has really been a great way for me  
22 to be more curious and interested in our house. I  
23 spent some time at the Stirling Historical Society,  
24 and starting to get to know Carlos, and sitting  
25 with Chris in the historic, you know, room at the

1 library. So it's really kind of like drawn me in a  
2 bit about our property and the history. So,  
3 anyway, thank you. It's been an interesting  
4 process.

5 CHAIRMAN SALADINO: That's good. Any members  
6 have any questions for the applicant?

7 MEMBER GORDON: I have a little question. Do  
8 you have any plans to renovate these sheds?

9 MELISSA WELLS: Thank you for asking. No, we  
10 do not, and --

11 MEMBER GORDON: Are the sheds historic?

12 (Laughter)

13 MELISSA WELLS: I quite hope not. They do  
14 not appear to be at all. So I would -- I would  
15 say -- and I say that half in jest. I would say  
16 no, the sheds are not historic. We do not have any  
17 plans to renovate them. They're -- how shall I  
18 say? They have a nice kind of worn patina on them.  
19 So they're barely visible from the street. They're  
20 very unobtrusive. And you can see them now because  
21 it's winter, but as soon as all of the greenery  
22 grows in, they're really not visible at all. We  
23 have no plans to touch them.

24 And, you know, if I were to just kind of --  
25 not that I'm anticipating this, but a new shed

1 would pull something further out. It would be kind  
2 of newer and shinier, and it would be more visible  
3 from the street, which I think is actually less  
4 beneficial, given the location.

5 The properties, you could tell from one of  
6 the submissions of the survey, is actually an arrow  
7 shape. So kind of the driveway comes up like this,  
8 and then it looks like an arrow like that  
9 (demonstrating). So the sheds are kind of way over  
10 there, and there's a couple of pictures of them.  
11 So that's the --

12 MEMBER GORDON: Yes.

13 MELISSA WELLS: But thank you for asking.

14 MEMBER GORDON: Well, I was thinking that in  
15 the future -- I was trying to figure out what the  
16 implications would be of having legalized these  
17 sheds, if you decided to do something in the  
18 future. And I don't think it's terribly  
19 significant, and I'm interested to hear that you're  
20 not planning to do anything.

21 MELISSA WELLS: No, no. I -- you know, our  
22 project, we're grateful to be able to do the  
23 project now, to have Zack leading us.

24 I will just be frank. We -- you know, we  
25 don't come from family money, so for us, this has



1       been something that we've had to save up for. And  
2       I'd just personally rather spend money on things  
3       that --

4               MEMBER GORDON: Of course.

5               MELISSA WELLS: Like landscaping, that  
6       everyone -- you know, the street, everyone likes to  
7       walk down it. They're just a little more visually  
8       pleasing than sheds. So, yes, I won't touch the  
9       sheds.

10                               (Laughter)

11               MEMBER GORDON: Thank you.

12               MEMBER KAUFMAN: Nothing.

13               CHAIRMAN SALADINO: Thanks.

14               MELISSA WELLS: Thank you.

15               ZACKERY NICHOLSON: All right. Thank you.

16               CHAIRMAN SALADINO: Is there anyone from the  
17       public that would like to speak?

18               ELLEN SCHNEPEL: I'm Ellen Schnepel, I live  
19       at 165 Sterling Street. My property is contiguous  
20       to Mark and Melissa's on the west side, I believe  
21       it is. And it's my property that at one point had  
22       155 Sterling Street and 145 Sterling Street as part  
23       of it, so it was that initial land that had been  
24       subdivided into three. So I guess, initially, my  
25       land had their --

1 CHAIRMAN SALADINO: Sheds.

2 ELLEN SCHNEPEL: The sheds. I have  
3 absolutely no problem with the variances. I  
4 actually like the sheds, I think they're pretty,  
5 and sometimes it looks as if they're mine.

6 (Laughter)

7 ELLEN SCHNEPEL: And maybe I wish they were.  
8 The one issue I have with it is that on occasion  
9 they've been used to store garbage, and not in  
10 receptacles, and I think that's a violation. And I  
11 want to be assured that that is not going to  
12 continue, that if they are used for storage of  
13 household trash, that there be garbage bins in  
14 them.

15 And I think it also goes back to Dinni's  
16 question about whether they're going to be  
17 renovated. They are -- well, some of the -- some  
18 of the boards are in, I want to say in disrepair,  
19 whatever you say, and have -- or either been eaten  
20 out or rotten. And I think if -- I think they need  
21 to be refurbished. I don't think they need to be  
22 reno -- the whole structure needs to be renovated,  
23 but I think there is concern that the buildings be  
24 brought up to code or speed, so that they are  
25 sealed.

1 MEMBER GORDON: But you wouldn't say that --  
2 okay? You wouldn't say that they affect the  
3 environment in the neighborhood, would you?

4 ELLEN SCHNEPEL: Do you call four-legged  
5 creatures part of the environment in our  
6 neighborhood?

7 MEMBER GORDON: Of course.

8 ELLEN SCHNEPEL: They're small. I think that  
9 is an issue. I have video cameras on my property  
10 and it show -- you know, it shows movement of  
11 raccoons in particular, and there have been some  
12 opossum. So I think we all probably --

13 MEMBER GORDON: Right.

14 ELLEN SCHNEPEL: -- struggle with that. But  
15 I think most of the rest of us have garbage bins or  
16 go to the dump, or something like that, to take  
17 care of the overflow.

18 That's it. Thank you.

19 MEMBER GORDON: Okay.

20 CHAIRMAN SALADINO: Thank you. I have to be  
21 honest with you, Ellen, I'm not sure of our  
22 authority here when it comes to --

23 MEMBER KAUFMAN: Yeah.

24 CHAIRMAN SALADINO: -- what's happening  
25 inside the shed. As luck would have it, and I

1 don't want to put him on the spot, we have the Code  
2 Enforcement Officer here.

3 (Laughter)

4 CHAIRMAN SALADINO: And I'm going to ask Alex.

5 MR. BOLANOS: Well, if it's in the rear of  
6 the property. If it was in the front, Village  
7 property, then we could get involved. But I feel,  
8 and I could double-check in a situation like this,  
9 would be a neighborly dispute. Am I right or  
10 wrong, Rob, or --

11 MR. CONNELLY: Yeah. I mean, we could ask if  
12 they'll agree not to store, and we could put that  
13 in a decision if they are amenable to not storing  
14 refuse in the shed.

15 CHAIRMAN SALADINO: Well, I think, I think  
16 the complaint was that the refuse wasn't in --

17 MR. BOLANOS: Cans.

18 ELLEN SCHNEPEL: Improperly stored.

19 CHAIRMAN SALADINO: It was improperly stored.

20 MEMBER KAUFMAN: That would be a Health  
21 Department issue, wouldn't it? Wouldn't that be  
22 something that would be like not -- that would be a  
23 nuisance. I mean, it's not -- it's not a zoning  
24 issue, as far as I can tell.

25 MR. CONNELLY: It's part of the Uniform Code.

1           CHAIRMAN SALADINO: Yeah. I just don't want  
2 to overstep our bounds here.

3           MEMBER REARDON: Are you going to store your  
4 garbage properly?

5           MELISSA WELLS: May I, may I respond?

6           CHAIRMAN SALADINO: Sure.

7           MELISSA WELLS: We actually don't store any  
8 organic material in either shed, we store  
9 recyclables. And what we -- if everyone must know,  
10 we understand the importance of organics, and we  
11 actually store it, and we don't generate a ton of  
12 organics. We store it in plastic bags in our  
13 freezer, and then when Mark prepares -- and  
14 everything in the shed is in, you know, bottles, or  
15 in a box, or in a bag. And then when Mark gets  
16 ready to prepare everything to go to the dump, he  
17 takes things the day they're going to be picked up  
18 out of the freezer and puts them out. So we  
19 actually don't store any organics there. I just  
20 want just to say that on the record. Thank you.

21           CHAIRMAN SALADINO: Okay. It's just -- yes,  
22 Dinni.

23           MEMBER GORDON: Well, the only way in which  
24 it seems to me it affects our decisions about  
25 zoning is that we do vote on -- one of the

1 questions we ask is will the sheds -- would ask is  
2 will the sheds have a significant negative effect  
3 on the environment of the community. And, of  
4 course, it's not the sheds that have that effect,  
5 it's what's in them, but I think it's not  
6 immaterial to discuss in this situation.

7 CHAIRMAN SALADINO: I just know from personal  
8 experience, I have a -- I have an accessory  
9 building on my property. It used to be my next  
10 door neighbor's summer kitchen, and it has a hearth  
11 and a chimney, and they used to cook in there in  
12 the summertime 100 years ago. And occasionally  
13 I'll look out the back window and I'll -- and the  
14 only thing in there is a motorcycle. And  
15 occasionally I see, you know, a raccoon or a rabbit  
16 or -- coming in and out of the shed. And I'm just  
17 not sure what this Board can do about that.

18 You know, I just don't want to overstep our  
19 bounds. We do it far too often and we get in  
20 trouble for it. I don't want to -- I don't want to  
21 overstep our bounds here and say -- or try to put a  
22 covenant on a piece of property and say you can't  
23 put your trash pails in that shed. I'm not sure we  
24 have the right to say that. I don't know. Our  
25 Attorney, maybe. Can we, can we say that?

1 MR. CONNELLY: Well, you could put any, any  
2 condition on a Zoning Board approval, as long as  
3 there's a logical --

4 CHAIRMAN SALADINO: Doesn't it have to be  
5 reasonable?

6 MR. CONNELLY: It has to be logical nexus  
7 between the condition imposed and the grant of the  
8 variance, so yes, reasonable.

9 CHAIRMAN SALADINO: All right.

10 MEMBER KAUFMAN: Is this something that's  
11 been like -- it's ongoing for a long time, or is it  
12 something that's recent or --

13 ELLEN SCHNEPEL: No. I said in the past on  
14 occasion, yes.

15 MEMBER KAUFMAN: In the past. No, exactly.

16 ELLEN SCHNEPEL: Yes.

17 MEMBER KAUFMAN: Yeah.

18 ELLEN SCHNEPEL: Yes. I would hope that they  
19 are more enlightened now.

20 CHAIRMAN SALADINO: I'm sure they're  
21 listening. I'm sure they're listening.

22 (Laughter)

23 MEMBER KAUFMAN: Well, it sounds like they  
24 are more enlightened, so.

25 ELLEN SCHNEPEL: To be honest with you, I did

1 ask Melissa when she came over to my house, when  
2 she said she wanted to, you know, maintain the  
3 sheds. And I think the sheds are attractive. I  
4 mean, they're vernacularly attractive and they look  
5 like Greenport. But I did ask her if -- what was  
6 the purpose of the sheds, I mean, in maintaining  
7 them, and whether there would be garbage stored  
8 there, because of a past concern.

9 MELISSA WELLS: Yeah, we emailed about that.

10 ELLEN SCHNEPEL: Huh?

11 MELISSA WELLS: Yeah, we emailed about that.

12 ELLEN SCHNEPEL: Yeah, I know.

13 CHAIRMAN SALADINO: And as far as one of the  
14 sheds being in disrepair, again, that's outside  
15 Chapter 150. That's nuisance, right? That would  
16 have to be, you know, somebody else's decision  
17 if -- what exactly is --

18 ELLEN SCHNEPEL: Disrepair?

19 CHAIRMAN SALADINO: It's just not our  
20 decision to make.

21 ELLEN SCHNEPEL: Oh, it's not.

22 CHAIRMAN SALADINO: You know.

23 ELLEN SCHNEPEL: Yeah.

24 CHAIRMAN SALADINO: And it's -- and we're at  
25 a disadvantage, too, because, honestly, we thought



1 this wouldn't be that controversial, and we all  
2 decided not to make a site visit to actually, you  
3 know, shlep to the sheds and look at them. But I'm  
4 sure, I'm sure, I'm sure if somebody asks someone  
5 at Village Hall to come and look at those sheds and  
6 see if in their opinion, somebody's trained eye,  
7 that they're in disrepair enough that it warrants  
8 work, I'm sure that could happen. I don't -- I  
9 don't think we can do it. Well, what do -- do you  
10 think we have that authority? I don't think we  
11 have that authority.

12 MEMBER KAUFMAN: No.

13 CHAIRMAN SALADINO: But anything else for --  
14 nobody? Anybody else? Thank you. Anybody else  
15 from the public wish to speak? No?

16 (No Response)

17 CHAIRMAN SALADINO: All right. I'm going to  
18 make a motion we close this public hearing.

19 MEMBER GORDON: Second.

20 CHAIRMAN SALADINO: All in favor?

21 MEMBER GORDON: Aye.

22 MEMBER KAUFMAN: Aye.

23 MEMBER REARDON: Aye.

24 CHAIRMAN SALADINO: Aye.

25 Okay. Item Number -- Item Number --

1 MEMBER KAUFMAN: Six.

2 CHAIRMAN SALADINO: Six?

3 MEMBER GORDON: Are we going to do the  
4 Sterling Street motion?

5 CHAIRMAN SALADINO: No, we're going to do --

6 MEMBER KAUFMAN: Okay.

7 MEMBER GORDON: Okay.

8 CHAIRMAN SALADINO: We're going to accept the  
9 application first.

10 MEMBER KAUFMAN: Oh, okay.

11 CHAIRMAN SALADINO: All right. Item Number --  
12 what used to be *Number 4*, is a motion to accept the  
13 application, schedule a public hearing and possible  
14 site visit for the area variances applied for by  
15 Wayne Turrett on behalf of Jesse Browner and Judith  
16 Cain. Applicant proposes to add a one-story  
17 addition to a two-story house, build a new attached  
18 deck. This property is located in the R-1 One  
19 Family Residential District and is not located in  
20 the Historic District. The Suffolk County Tax Map  
21 Number is 1001-2-2-41.5.

22 Is the applicant here? Wayne, you want to  
23 tell us what the --

24 WAYNE TURRETT: Sure. So I don't know if you  
25 remember, but we came earlier to try to combine two

1       lots. It was impossible. The existing house sits  
2       on a lot that's nonconforming, it's too small.  
3       Both side yard setbacks are not to code, the front  
4       yard is not set back properly, and Alex wrote a  
5       disapproval for the application.

6               So we have an addition going out the back and  
7       a deck going out the back, and in order to make the  
8       addition usable, we had to go out a little bit to  
9       the side towards the west, and it put the addition  
10      on the lot line of the nonconforming lot, so it's  
11      further nonconformance. We're asking for a  
12      variance to allow that to happen, since he owns  
13      both lots. And because we couldn't combine them,  
14      we'd like to be able to do this addition.

15             CHAIRMAN SALADINO: Just so -- are you going  
16      over the lot line --

17             WAYNE TURRETT: No.

18             CHAIRMAN SALADINO: -- with the addition? So  
19      just right up to it.

20             WAYNE TURRETT: (Nodded Yes)

21             CHAIRMAN SALADINO: So, basically, it's only  
22      what's on this notice and it's only side yard?  
23      Front yard, side yard, and combined side yard,  
24      that's the only thing with --

25             MR. BOLANOS: Uh-huh.

1 CHAIRMAN SALADINO: So there's no sheds  
2 involved, there's no lot merger involved, there's  
3 no -- only what's on the notice --

4 WAYNE TURRETT: No lot merger involved, no.

5 CHAIRMAN SALADINO: Okay.

6 MEMBER GORDON: Do we have another site  
7 visit? I mean, I remember --

8 WAYNE TURRETT: Well, you never really had a  
9 site visit, right?

10 MEMBER KAUFMAN: Yeah.

11 WAYNE TURRETT: Because you came, but we  
12 didn't have anything laid out.

13 MEMBER GORDON: Right, that's true.

14 WAYNE TURRETT: So we're happy to lay it out,  
15 if you want.

16 MEMBER GORDON: I certainly did -- we  
17 certainly did see the situation and the fact that  
18 there were these two lots.

19 WAYNE TURRETT: Right, right. So you tell  
20 me. If you want to come out, we'll have everything  
21 staked out.

22 CHAIRMAN SALADINO: Well, we're going to talk  
23 about the application now for a minute or two.

24 WAYNE TURRETT: Okay.

25 CHAIRMAN SALADINO: Maybe some of the members

1 have a question about, about the application. The  
2 process, I'm sure you know what the process will  
3 be. We'll talk about it a few minutes, and if  
4 anybody has a question, they'll ask it. If not,  
5 we'll make a motion to accept it. If we accept it,  
6 then we'll set a time for a public hearing.

7 WAYNE TURRETT: Right.

8 CHAIRMAN SALADINO: And I'm sure we're going  
9 to want a site visit.

10 MEMBER KAUFMAN: Yeah.

11 WAYNE TURRETT: Okay.

12 CHAIRMAN SALADINO: All right. So, anybody,  
13 any questions for the applicant?

14 MEMBER GORDON: I just wanted to be clear  
15 about the 10,090 square feet. That is the --  
16 that's the measurement for the two, two  
17 nonconforming lots, right?

18 WAYNE TURRETT: Yes, I believe so.

19 MEMBER GORDON: Okay.

20 WAYNE TURRETT: Yeah.

21 MEMBER GORDON: Yeah.

22 WAYNE TURRETT: Each lot is 5,040 square  
23 feet, right.

24 MEMBER GORDON: Maybe I shouldn't say this,  
25 but in my view, this is a case of where the code is

1 fairly clear about the merger, but the merger is  
2 what would make sense.

3 WAYNE TURRETT: It definitely would have.

4 CHAIRMAN SALADINO: Well, today was Election  
5 Day, Dinni.

6 (Laughter)

7 CHAIRMAN SALADINO: Today was Election Day.

8 MEMBER GORDON: But I didn't run for  
9 anything.

10 CHAIRMAN SALADINO: If you would have ran and  
11 you would have voted to change the code, we  
12 wouldn't be having this talk now.

13 MEMBER GORDON: Gee, I'm sorry.

14 (Laughter)

15 CHAIRMAN SALADINO: So anybody else? Any  
16 questions for Mr. Turret?

17 MEMBER REARDON: No.

18 MEMBER KAUFMAN: No.

19 CHAIRMAN SALADINO: I think I'm going to make  
20 a motion that we accept this application. So moved.

21 MEMBER REARDON: Second.

22 CHAIRMAN SALADINO: All in favor?

23 MEMBER GORDON: Aye.

24 MEMBER KAUFMAN: Aye.

25 MEMBER REARDON: Aye.

1 CHAIRPERSON SALADINO: Aye. And we're going  
2 to schedule a public hearing for -- for April 18th  
3 at 6 p.m. We set them all at 6 o'clock. We're  
4 going to -- I'm thinking we want a site visit,  
5 since we had an abbreviated site visit last time.

6 WAYNE TURRETT: Right.

7 CHAIRMAN SALADINO: And we would ask you just  
8 to stake out whatever, whatever's ground level that  
9 has to be -- that you think we should see. And the  
10 site visit, what time do we want to make the site  
11 visit?

12 MEMBER KAUFMAN: Well, you know, daylight  
13 savings now, we have a lot of freedom.

14 (Laughter)

15 WAYNE TURRETT: What was the date again?

16 MEMBER GORDON: 5:30?

17 MEMBER REARDON: The 18th.

18 CHAIRMAN SALADINO: The date is April 18th at  
19 6 p.m. That will be the public hearing, and that  
20 will be at, unless we're --

21 MEMBER GORDON: It's tax day.

22 (Laughter)

23 CHAIRMAN SALADINO: Does that have  
24 anything --

25 MEMBER GORDON: Sorry. I'm sorry.

1           CHAIRMAN SALADINO: Do the firemen, do the  
2 firemen collect the taxes? It will be at the  
3 firehouse, if we don't get kicked out of there,  
4 too. And the site visit, what time do we want the  
5 site visit?

6           MEMBER KAUFMAN: 5:30, I think.

7           MEMBER GORDON: 5:30. It would be easy.

8           CHAIRMAN SALADINO: Five -- and the site  
9 visit will be at 5:30.

10          WAYNE TURRETT: Okay.

11          CHAIRMAN SALADINO: Okay? And like I said,  
12 Wayne, just -- just whatever you think we should  
13 see, whatever -- you know, the deck and whatever.  
14 And if you could just -- just for my own -- you  
15 could just -- it doesn't have to be the length of  
16 the property, just show us where the property  
17 line is.

18          MEMBER GORDON: And maybe where the bump-out is.

19          WAYNE TURRETT: Definitely.

20          CHAIRMAN SALADINO: Well, he'll --

21          WAYNE TURRETT: I'll outline that.

22          CHAIRMAN SALADINO: He'll definitely do the  
23 bump-out, because we're asking for him to do that.  
24 But the property line, we just want to see --

25          WAYNE TURRETT: Got it.



1 CHAIRMAN SALADINO: -- the bump-out up  
2 against the property line.

3 WAYNE TURRETT: Okay.

4 CHAIRMAN SALADINO: That's it, easy-peasy.

5 WAYNE TURRETT: Thanks, appreciate it.

6 CHAIRMAN SALADINO: Thank you. All right.

7 What's next is --

8 MEMBER GORDON: Going back to Sterling Street.

9 MEMBER KAUFMAN: Item 6.

10 CHAIRMAN SALADINO: Item -- eventually Item 6.

11 *Item 6 is 155 Sterling Street. It's a Discussion*  
12 *and possible motion on the area variances applied*  
13 *for by Zackery Nicholson on behalf of Mark Moffett*  
14 *and Melissa Wells. This property is located in the*  
15 *R-2, One- & Two-family Residential District and is*  
16 *also located in the Historic District. And the*  
17 *Suffolk County Tax Map number remains the same at*  
18 *1001-3-4-36.4.*

19 What are we thinking here, folks?

20 MEMBER GORDON: It just seems like such --

21 MEMBER KAUFMAN: Okay. Well, I think from a  
22 land use perspective, they're sheds and they're  
23 there, and no one has a problem with them. And  
24 maybe they're falling down a little bit, and as a  
25 property owner you should maintain them, but

1 that's -- from a zoning standpoint, I don't have a  
2 problem with any of it.

3 CHAIRMAN SALADINO: Okay. And we're not --  
4 Jack, you're on board with that?

5 MEMBER REARDON: Oh, definitely.

6 CHAIRMAN SALADINO: And we're not going to --  
7 we're not going to make any, any recommendations  
8 about --

9 MEMBER KAUFMAN: No.

10 MEMBER REARDON: No covenants and  
11 restrictions.

12 MEMBER KAUFMAN: No.

13 CHAIRMAN SALADINO: No, right. Good plan.  
14 Okay. All right. I'm going to -- we're going to  
15 do this balancing test that we're obligated to do.  
16 It's five questions, and the members will be  
17 respond -- normally --

18 MEMBER GORDON: SEQRA.

19 CHAIRMAN SALADINO: We will, we'll do SEQRA.

20 MEMBER GORDON: Oh, sorry.

21 CHAIRMAN SALADINO: We'll do SEQRA. And, all  
22 right, we'll do SEQRA now, if you want to do SEQRA  
23 now. I'm going to make a motion that -- that the  
24 Zoning Board of -- declaring the Zoning Board of  
25 Appeals as Lead Agency for the purpose -- purpose

1 of SEQRA. So moved.

2 MEMBER REARDON: Second.

3 MEMBER GORDON: Second.

4 CHAIRMAN SALADINO: All in favor?

5 MEMBER GORDON: Aye.

6 MEMBER KAUFMAN: Aye.

7 MEMBER REARDON: Aye.

8 CHAIRPERSON SALADINO: Aye.

9 And I'm going to ask our Attorney, is it a  
10 Type II Action --

11 MR. CONNELLY: Yes.

12 CHAIRMAN SALADINO: -- for the purposes of  
13 SEQRA? I have a -- we'll do it after this.

14 So the balancing test, there's five questions  
15 the members will answer. Normally, on a more  
16 complicated application, there'll be a discussion  
17 about the five questions and then we would vote.  
18 But I'm just going to read them, get the members'  
19 opinion, just so you know what's going on.

20 Whether an undesirable change will be  
21 produced in the character of the neighborhood or a  
22 detriment to nearby properties will be created by  
23 the granting of the area variance. Seth?

24 MEMBER KAUFMAN: No.

25 CHAIRMAN SALADINO: Dinni?

1 MEMBER GORDON: No.

2 CHAIRMAN SALADINO: Jack?

3 MEMBER REARDON: No.

4 CHAIRMAN SALADINO: And I'll vote no.

5 Whether the benefit sought by the applicant  
6 can be achieved by some method feasible for the  
7 applicant to pursue other than an area variance.  
8 Seth?

9 MEMBER KAUFMAN: No.

10 CHAIRMAN SALADINO: Dinni?

11 MEMBER GORDON: No.

12 CHAIRMAN SALADINO: Jack?

13 MEMBER REARDON: Yes.

14 CHAIRMAN SALADINO: Yeah, I kind of -- well,  
15 I kind of think you can move the sheds, but I'll  
16 vote no.

17 Whether requested area variance is  
18 Substantial. Seth?

19 MEMBER KAUFMAN: No.

20 CHAIRMAN SALADINO: Dinni?

21 MEMBER GORDON: No.

22 CHAIRMAN SALADINO: Jack?

23 MEMBER REARDON: No.

24 CHAIRMAN SALADINO: And I'll vote no.

25 Whether the proposed variance will have an

1 adverse effect or impact on the physical or  
2 environmental conditions in the neighborhood or  
3 district.

4 MEMBER KAUFMAN: No.

5 MEMBER GORDON: No.

6 MEMBER REARDON: No.

7 CHAIRMAN SALADINO: And I'll vote no.

8 Whether the alleged difficulty was  
9 self-created, which consideration shall be relevant  
10 to the decision of the Board of Appeals, but not  
11 necessarily preclude the granting of the area  
12 variance. Seth?

13 MEMBER KAUFMAN: No.

14 CHAIRMAN SALADINO: Dinni?

15 MEMBER GORDON: No.

16 MEMBER REARDON: No.

17 CHAIRMAN SALADINO: And I'm going to vote no.

18 All right. I'm going to -- I'm going to make  
19 a motion that we approve these --

20 MEMBER GORDON: Three variances.

21 CHAIRMAN SALADINO: One, two. Two, two  
22 variances, right?

23 MEMBER GORDON: Well, three, if you count the  
24 front yard setback, which I guess you have to do.

25 CHAIRMAN SALADINO: I must be looking at the

1 wrong notice.

2 MEMBER REARDON: No, this is just for the  
3 sheds.

4 MEMBER GORDON: Oh, sorry. Thank you.

5 CHAIRMAN SALADINO: All right. I'm going to  
6 make a motion we approve, the Zoning Board of  
7 Appeals approves these two variances. So moved.

8 MEMBER KAUFMAN: Second.

9 CHAIRMAN SALADINO: All in favor? Seth?

10 MEMBER KAUFMAN: What?

11 CHAIRMAN SALADINO: We're going to -- we'll  
12 do a roll call vote. This way --

13 MEMBER KAUFMAN: Oh, okay.

14 CHAIRMAN SALADINO: Yes?

15 MEMBER KAUFMAN: Aye.

16 CHAIRMAN SALADINO: Dinni?

17 MEMBER GORDON: Yes.

18 CHAIRMAN SALADINO: Jack?

19 MEMBER REARDON: Approved.

20 (Laughter)

21 CHAIRMAN SALADINO: And I'll vote yes, too.

22 MELISSA WELLS: Yay.

23 CHAIRMAN SALADINO: There it is, easy-peasy.

24 It's approved.

25 (Applause)

1           MELISSA WELLS: Thank you so much. My  
2           husband actually maintains them really well, so he  
3           actually checks and makes sure that there's no  
4           water, that there's no -- and there's no traces of  
5           animals. And he's actually a Biologist, so he is  
6           really familiar the --

7           MARK MOFFETT: We've got leaks in the house,  
8           but we've never had a drop of water in the shed.  
9           You know what I mean?

10                           (Laughter)

11           CHAIRMAN SALADINO: Well --

12           MELISSA WELLS: Thank you.

13           CHAIRMAN SALADINO: -- that's good. This  
14           way, when perhaps a neighbor calls Code Enforcement,  
15           you have all the answers.

16                           (Laughter)

17           MEMBER KAUFMAN: You'll have science on your  
18           side.

19           CHAIRMAN SALADINO: Science on your side.

20           MELISSA WELLS: Science on our side.

21           CHAIRMAN SALADINO: We have -- Item Number 7  
22           is any other Zoning Board of Appeals business that  
23           might properly come before this Board. This is the  
24           time for a question. Anybody got a question?  
25           Anybody got a question?

1 (Laughter)

2 ZACKERY NICHOLSON: I have a question for  
3 Alex. So say we were to replace those boards --

4 CHAIRMAN SALADINO: Just name and address for her.

5 ZACKERY NICHOLSON: Zackery Nicholson, 1250  
6 Evergreen Drive, Cutchogue. We needed to replace  
7 those board in like and kind. Does that trigger  
8 Historical applications, or just repairs, I mean?

9 MR. BOLANOS: Unfortunately, it does trigger  
10 even if it's in kind. But what we could do is, and  
11 we could have a discussion about this tomorrow, if  
12 we could deem it it's an emergency repair, and  
13 regardless, you're going to have to go to the  
14 Historic, that's something we could have approved.  
15 So now's the time to do it, and we'll just amend  
16 the plans, and we can make it -- we can make it  
17 work. So that's -- give me a call tomorrow and we  
18 could discuss it --

19 ZACKERY NICHOLSON: Okay.

20 MR. BOLANOS: -- and get a game plan going.

21 ZACKERY NICHOLSON: Okay. Thank you.

22 MR. BOLANOS: All right.

23 CHAIRMAN SALADINO: Okay. Item No. 8 is a  
24 motion to adjourn. So moved.

25 MEMBER REARDON: Second.



1 CHAIRMAN SALADINO: All in favor?

2 MEMBER GORDON: Aye.

3 MEMBER KAUFMAN: Aye.

4 MEMBER REARDON: Aye.

5 CHAIRMAN SALADINO: And I'll vote aye.

6 Thank you, folks, thanks for coming.

7 MELISSA WELLS: Thank you. Thanks for having us.

8 (The Meeting was Adjourned at 6:30 p.m.)

9

10

11

12

13

14

15

16

17

18

19

20

21

22

23

24

25

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

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

STATE OF NEW YORK )  
 ) SS:  
COUNTY OF SUFFOLK )

I, LUCIA BRAATEN, a Court Reporter and Notary Public for and within the State of New York, do hereby certify:

THAT, the above and foregoing contains a true and correct transcription of the Zoning Board of Appeals meeting of March 21, 2023.

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

IN WITNESS WHEREOF, I have hereunto set my hand this 31st day of March, 2023.

*Lucia Braaten*  
\_\_\_\_\_  
Lucia Braaten