

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 Firehouse
 8 Third & South Streets
 9 Greenport, New York 11944
 10 March 19, 2024
 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 DAVID NYCE - MEMBER
 18 JACK REARDON - MEMBER

19 *****
 20 ALSO IN ATTENDANCE:
 21 MICHAEL NOONE - CLERK TO THE BOARD
 22 ALEX BOLANOS - CODE ENFORCEMENT OFFICER

23
 24
 25

1 (The Meeting was Called to Order at 6:04 p.m.)

2 CHAIRMAN SALADINO: Good evening, folks. It's
3 approximately -- it's 6 o'clock. This is the Village
4 of Greenport Zoning Board of Appeals Regular Meeting.

5 *Item No. 1 on our agenda is a motion to accept*
6 *the minutes of the February 20th, 2024 Zoning Board*
7 *of Appeals meeting. So moved.*

8 MEMBER NYCE: Second.

9 MEMBER GORDON: Second.

10 CHAIRMAN SALADINO: All in favor?

11 MEMBER REARDON: Aye.

12 MEMBER NYCE: Aye.

13 MEMBER GORDON: Aye.

14 MEMBER KAUFMAN: Aye.

15 CHAIRMAN SALADINO: And I'll vote aye.

16 *Item No. 2 is a motion to schedule the next*
17 *Zoning Board of Appeals meeting for April 16th, 2024,*
18 *at 6 p.m. at the Station One Firehouse, Third and*
19 *South Streets, Greenport, New York 11944. So moved.*

20 MEMBER KAUFMAN: Second.

21 CHAIRMAN SALADINO: All in favor?

22 MEMBER REARDON: Aye.

23 MEMBER NYCE: Aye.

24 MEMBER GORDON: Aye.

25 MEMBER KAUFMAN: Aye.

1 CHAIRMAN SALADINO: And I'll vote aye.

2 *Item No. 3 is 160 Bay Avenue. This is a*
3 *motion to accept the Findings and Determinations for*
4 *Patricia C. Moore, Esq., on behalf of Emmanuel N.*
5 *Korakis -- am I getting that right, Korakis?*

6 MEMBER NYCE: Yeah.

7 CHAIRMAN SALADINO: *As Trustee of the Korakis*
8 *2023 Family Trust. This property is located in the*
9 *R-2, One- & Two-family Residential District, and is*
10 *also located in the Historic District. The Suffolk*
11 *County Tax Map number is 1001-5-2-13.*

12 Everybody read the findings, all good?

13 MEMBER GORDON: Yes.

14 MEMBER KAUFMAN: (Nodded Yes).

15 CHAIRMAN SALADINO: So moved.

16 MEMBER GORDON: Second.

17 CHAIRMAN SALADINO: All in favor?

18 MEMBER REARDON: Aye.

19 MEMBER NYCE: Aye.

20 MEMBER GORDON: Aye.

21 MEMBER KAUFMAN: Aye.

22 CHAIRMAN SALADINO: And I'll vote aye.

23 *Item No. 4 is 304 Sterling Place. This will be*
24 *a public hearing regarding the application of*
25 *Elizabeth Talerma of 304 Sterling Place. The*

1 *Applicant proposes the installation of a 320 square*
2 *foot in-ground swimming pool and a 496 square foot*
3 *accessory structure. This requires the following*
4 *variance:*

- 5 • *Front Yard Setback Requirement in the*
6 *R-2 District: The Minimum Front Yard*
7 *Requirement: 30 feet.*

8 *This plan shows the front yard of the*
9 *pre-existing setback of 3 feet. This would*
10 *require an area variance of 27 feet.*

11 *The property is located in the R-1 One Family*
12 *Residential District and is not located in the*
13 *Historic District.*

14 *The Suffolk County Tax Map Number is 1001-2-2-17.*

15 *I'm going to ask Mike, this was published in --*
16 *MR. NOONE: Yes, it was.*

17 *CHAIRMAN SALADINO: The notice was published in*
18 *the newspaper. And it was online for whoever wanted*
19 *to see it. We have the -- we have the mailings. If*
20 *it's, if it's -- I have the mailings here. There's*
21 *six responses -- seven responses. If it's okay with*
22 *the public and okay with the Board, we'll just give*
23 *them to the Stenographer. If anybody has a problem*
24 *with that, I'll read them.*

25 *MEMBER NYCE: No, I'm okay.*

1 CHAIRMAN SALADINO: No? Okay.

2 (Mailings:

3 Anthony Farley, 905 Westend Ave, Apt 25, NY, NY 10025

4 Dorothy Owen, 225 Bridge Street, Greenport, NY 11944

5 Carol & Gary Harte, 299 Sterling Pl, Greenport, NY

6 11944

7 December First Associates, P.O. Box 278, Greenport NY

8 11944

9 Charles Winheld, Kathy Deacon, P.O. Box 221,

10 Greenport, NY 11944

11 Rosemarie Skabeikis, 303 Bridge St, Greenport, NY

12 11944)

13 CHAIRMAN SALADINO: Is the applicant here?

14 MS. TALERMAN: Yes, I'm here.

15 CHAIRMAN SALADINO: Name and address for the
16 Stenographer. Lucia, you have these?

17 COURT REPORTER: Yes.

18 MS. TALERMAN: Elizabeth Talerman, 304 Sterling
19 Place. I -- what I can say is we're seeking a
20 variance because our house pre-dated the road, so
21 maybe the road could use a variance.

22 (Laughter)

23 MS. TALERMAN: But our house is three feet off
24 the road. Everything else is within the required
25 setbacks and code, I guess, yes.

1 MR. BOLANOS: (Demonstrated Thumbs Up).

2 CHAIRMAN SALADINO: We'll make that suggestion
3 to the Building Department about asking for a
4 variance for the road, but thank you.

5 Is there anyone from the public that would like
6 to comment? You back there, anybody, no?

7 (Laughter)

8 CHAIRMAN SALADINO: Does any member of the
9 Board have a comment they would like to make?

10 MEMBER GORDON: This isn't a comment, it's a
11 question. Because we don't have -- because the pool
12 placement is not before us, there's no, no problem
13 with that, but, you know, it means that we don't have
14 a survey with the pool on it.

15 MS. TALERMAN: You do.

16 MEMBER GORDON: We do?

17 CHAIRMAN SALADINO: I thought we did.

18 MEMBER KAUFMAN: Yeah, here.

19 MEMBER GORDON: Oh, okay. Because often there
20 are -- I don't have this piece of paper.

21 MEMBER KAUFMAN: Well, it's a very big piece of
22 paper.

23 MEMBER GORDON: Right. Maybe I left it at
24 home, yeah. You know, often pools have material
25 around them, kind of patio-like material around them,

1 and so none of that --

2 MEMBER KAUFMAN: So that's this.

3 MEMBER GORDON: Right. There's nothing beyond
4 the pool setback, that's my question. I just want to
5 be sure that, in fact, we don't have an issue with
6 the boundary.

7 MS. TALERMAN: Right. As you see it on the
8 plan is as we plan to create it.

9 MEMBER GORDON: Okay.

10 MS. TALERMAN: So the pool has --

11 COURT REPORTER: Do you mind going to the mic?

12 MS. TALERMAN: Oh, I'm sorry. The pool has
13 very minimal coping. The accessory structure is set
14 back from that.

15 MEMBER GORDON: Yes.

16 MS. TALERMAN: And there is nothing else that
17 is planned, other than planting, screening --

18 MEMBER GORDON: Right.

19 MS. TALERMAN: -- as we discussed at our last
20 meeting.

21 MEMBER GORDON: Right, fine, okay. That's,
22 that's what I wanted to know. Coping is the word I
23 couldn't find. Thank you.

24 CHAIRMAN SALADINO: So I've got a question for
25 the Building Department.

1 MR. BOLANOS: Yes, sir.

2 CHAIRMAN SALADINO: So looking, looking at
3 these plans, looking at these plans, the Building
4 Department determined that 30 feet from the rear
5 property line would not -- is not considered on
6 Sterling Place. Thirty feet from the rear property
7 line the Building Department doesn't consider part of
8 the front yard setback.

9 MR. BOLANOS: Repeat the question, please.
10 I'm sorry.

11 CHAIRMAN SALADINO: I'm turning, I'm turning my
12 hearing aid on. Because this, because this property
13 has two front yards --

14 MR. BOLANOS: Corner, yes, sir.

15 CHAIRMAN SALADINO: -- one on Monsell, one on
16 Sterling Place, so the -- we know, we know that you
17 need a 30-foot setback for a front yard, and we're
18 about to grant a variance for a 30-foot setback for
19 the front yard on Monsell Place. But we also know
20 that you can't have a pool in the front yard. And
21 part of this pool is further than is 20 feet from
22 Sterling Place. Did the Building Department decide
23 that where the pool is placed is in the rear yard?
24 Is that what you -- am I making myself clear?

25 MR. BOLANOS: Well, at some point, one -- at

1 some point, one yard has to be declared a rear yard,
2 and one a front yard. So this is the rear yard.

3 MEMBER NYCE: So, to follow John's point, I
4 wish we had the side yard setback.

5 (Laughter)

6 MR. BOLANOS: I mean, I could reevaluate and
7 bring it back, but I --

8 CHAIRMAN SALADINO: You know what? I just --
9 it's just that we were faced with this before and,
10 you know, the outcome was different. But if, if the
11 Building -- in my opinion, I'm not -- I can't speak
12 for my colleagues. If the Building Department is
13 comfortable with deciding that this pool is in the
14 rear yard, we don't usually see it that way, but if,
15 if you're comfortable that this pool is in the rear
16 yard, and it's not on the Notice of Disapproval, I'm
17 just -- I guess I'm just asking.

18 MR. BOLANOS: Well --

19 CHAIRMAN SALADINO: And I'm going to -- go
20 ahead, Alex.

21 MR. BOLANOS: No. There's a -- there's a lot
22 of properties here that are existing nonconforming.
23 So, I mean, we're working with what we have here. I
24 mean, this is something we could bring to the table,
25 we could dissect, we could talk about it, and -- but

1 I saw they have, they have the room to do it. At
2 some point, one side needs to be determined as a
3 front yard, so, I mean, we could all --

4 CHAIRMAN SALADINO: Well, both sides. Two
5 sides have to be front yards, right?

6 MR. BOLANOS: Eventually, it is two sides, one
7 yard, but one side is going to be eventually a rear,
8 a back side. One has to be determined. You can't
9 have two front sides. I mean, you could have two
10 front sides, but normally here what we always do is
11 we draw parallel lines to the house, and we calculate
12 it, and we determine --

13 MEMBER GORDON: But aren't you considering that
14 the front yard -- there are two front yards, one on
15 Sterling Place and one on Monsell Place that form --
16 framing the corner? And I suppose what you could
17 argue is that the -- the pool, the primary placement
18 of the pool suggests that it's in a side yard,
19 because there's this structure, and a stone patio,
20 and the pool house. Certainly, the pool house is not
21 on a front yard.

22 CHAIRMAN SALADINO: Only because -- I ask only
23 because in the past we've had properties on the
24 front -- in the -- a property that had -- was on a
25 corner --

1 MR. BOLANOS: Wiggins.

2 CHAIRMAN SALADINO: -- that had two front --
3 we're not talking about it.

4 MR. BOLANOS: Yeah.

5 CHAIRMAN SALADINO: We don't want anybody
6 throwing rocks at us. We had a property, two
7 properties that had -- were corner properties that
8 had two front yards, and a pool was proposed, and
9 because it didn't meet the setback requirement of a
10 front yard, even though the pool would have been what
11 was -- most people considered a rear yard. There's
12 also an interpretation from the Zoning Board that we
13 made a few years ago, maybe seven or eight years ago.
14 Do you remember that?

15 MEMBER GORDON: Uh-huh.

16 CHAIRMAN SALADINO: Where exactly the front
17 yard and the rear yard --

18 MEMBER GORDON: Yes.

19 CHAIRMAN SALADINO: -- and the side, side yard
20 is. So --

21 MR. BOLANOS: I mean, there is -- I am human, I
22 could make mistakes. I could go back, I could look
23 at this, and if you guys like, I would like to come
24 back, and, I mean --

25 CHAIRMAN SALADINO: I got to be honest with

1 you, Alex, I'm going to ask, I'm going to ask the
2 members of Board if --

3 MEMBER GORDON: I -- may I speak?

4 CHAIRMAN SALADINO: Of course.

5 MEMBER GORDON: I think the purpose of the rule
6 to have both have two front yards here has a lot to
7 do with people coming down the street and going
8 around the corner and seeing around the corner what
9 you see. The pool is way down the end of the front
10 yard of Sterling Place, it is not relevant to this
11 concern about what you're seeing. And the structure
12 that is connected to the pool is clearly on the rear
13 yard. So it seems to me we have to say that the
14 rear -- that the front yard, this front yard along
15 Sterling Place, which is much longer than the one
16 along Monsell Place, really functionally ends around
17 where the pool is. That's my view of it.

18 MEMBER KAUFMAN: I agree.

19 MR. BOLANOS: And I'm sorry to reinforce, but
20 Mr. Chairman says always, "That was then, this is
21 now." Before I would work with Mr. Pallas and he
22 would always tell me even though there are both front
23 yards, we need to determine one backyard, because
24 it's -- you know, so that's the way -- that's my --
25 that was my mentality on this project, that they were

1 considered to me, because at some point, even though
2 they are on the corner and they do have front yards,
3 one designated area has to be considered to be equal
4 as a rear yard for them.

5 MEMBER GORDON: Or a side yard.

6 MR. BOLANOS: Correct.

7 MEMBER GORDON: Because there's -- you're --
8 they enter the house from here, so I'm assuming this
9 is the side yard. I'm fine with that.

10 MR. BOLANOS: Yeah.

11 MEMBER GORDON: How about you guys?

12 CHAIRMAN SALADINO: The code, the code says,
13 the codes says that it has to be -- there has to be
14 determined a side yard and a rear yard. It says
15 corner properties that have two front yards, and then
16 it would determine one side yard and one rear yard.
17 The interpretation that the Zoning Board had made was
18 that, that -- and there's an illustration of it also
19 in the code. I only bring it up -- I don't have a
20 problem with this, I don't have a problem with this
21 at all. I bring it up because there's going to be a
22 problem with it with someone else and I would like to
23 avoid that. So what do you think?

24 MEMBER NYCE: I understand your point, that I
25 think one of these ends up being its own application,

1 its own set of circumstances. But given a similar
2 situation, the house was sitting back further,
3 someone down the road puts a structure over the pool,
4 is that obstructing -- to Dinni's point, is that
5 obstructing the view around the corner?

6 MEMBER GORDON: No.

7 CHAIRMAN SALADINO: No.

8 MEMBER NYCE: Probably not, yeah.

9 CHAIRMAN SALADINO: No, I don't --

10 MEMBER NYCE: My main thing with the pool is
11 that they be safely away from property lines and
12 other structures, so that anybody that has to be on
13 the property for safety reasons, fire fighting,
14 emergency rescue, whatever, does not fall into the
15 pool, which I had done once. So that would be my
16 main concern, was that those, those setbacks are met
17 and they have -- they are in this instance.

18 I would assume that the designer has looked at
19 all the different possibilities of where to put the
20 pool, and this is the location in this instance. I
21 don't, I don't have any serious objections to the
22 application as it is.

23 CHAIRMAN SALADINO: Well, it works, it works.
24 It kind of works for us, because it's -- first of
25 all, it's not on the Notice of Disapproval.

1 MEMBER NYCE: Right.

2 CHAIRMAN SALADINO: So we don't -- but we
3 are -- we do act as the Building Inspector. So I
4 just -- again, I don't have a problem with this, I
5 think it's fine.

6 MEMBER REARDON: He's a pool-friendly guy.

7 CHAIRMAN SALADINO: I just -- I had a problem
8 with the lawsuit from the next guy that we're going
9 to --

10 MEMBER REARDON: May I ask a few questions?

11 CHAIRMAN SALADINO: To me or to her?

12 MEMBER REARDON: To her.

13 CHAIRMAN SALADINO: Of course.

14 MEMBER REARDON: Do you already have a building
15 permit for your pool?

16 MS. TALERMAN: It was rejected. How do you
17 call it? The Building Department sent it to the
18 Zoning Board, but they did not accept it.

19 MEMBER REARDON: So the pool and the addition
20 are one permit?

21 MR. BOLANOS: Well, this is a Notice of
22 Disapproval, so until they receive approval at this
23 Board, they can't get a permit.

24 MS. TALERMAN: And the Notice of Disapproval
25 was about the front door.

1 MEMBER REARDON: Of the house.

2 MS. TALERMAN: Of the house, yeah.

3 MEMBER REARDON: So my two cents on this is
4 that you should really be applying for two variances,
5 one for the house, which you got going on right now,
6 and another one eventually for the pool.

7 I am a pool owner also in the Village, I know
8 about the 20-foot setback. It seems like that would
9 be encroaching on what would be determined as
10 normally we determine a front yard. When you're on
11 the corner, you've got two front yards, so you're
12 encroaching within that 30-foot front yard setback.
13 And the discussion I hear here is that the pool, your
14 pool isn't going to be one of those problematic
15 pools, because it's not really on the corner, it's
16 aesthetically off and back a little bit. And you've
17 chosen to make it small, I presume, to fit it in,
18 you know.

19 MS. TALERMAN: To make sure that we observe the
20 side yard and the backyard setbacks.

21 MEMBER REARDON: Right. Any distance from the
22 structure, right. You've done all that. But this is
23 just my two cents, is that the pool should have a
24 variance also for the 10 feet that, in my
25 interpretation of the code, is encroaching upon

1 the --

2 MS. TALERMAN: You're interpreting that --

3 MEMBER REARDON: Yes.

4 MS. TALERMAN: -- as a front yard?

5 MEMBER REARDON: So that's my, my interpretation
6 for you.

7 MS. TALERMAN: Okay.

8 MEMBER REARDON: However, I'm one of the Board,
9 and whatever the Board obviously chooses, how we
10 choose to proceed, I'm with it.

11 MEMBER KAUFMAN: I have a question, just this
12 is to the Board. I understand it's a corner lot.
13 There are, there are potentially two front, you know,
14 front setbacks, but the property can only have one.
15 Ultimately, the Building Inspector selects which one
16 is treated --

17 CHAIRMAN SALADINO: No.

18 MEMBER KAUFMAN: But that's what you were just
19 saying, that's what --

20 MR. BOLANOS: One gets designated as a front
21 yard eventually.

22 MEMBER KAUFMAN: So the setbacks apply only to
23 that one? The 30-foot setback only applies to that
24 one?

25 MR. BOLANOS: Front yard.

1 MEMBER KAUFMAN: Yeah. So that's --

2 CHAIRMAN SALADINO: You can't, you can't
3 make -- you can't -- we're complicating this more.

4 MR. BOLANOS: Yeah.

5 CHAIRMAN SALADINO: -- and I apologize.
6 We're --

7 MEMBER KAUFMAN: I'm just trying to --

8 CHAIRMAN SALADINO: Extending the light agenda
9 and we've got time to kill.

10 (Laughter)

11 MEMBER KAUFMAN: I'm just kind of -- I just
12 don't understand.

13 CHAIRMAN SALADINO: I'm only kidding.

14 MEMBER GORDON: All it says --

15 CHAIRMAN SALADINO: That's -- sometimes when
16 two people look, look at a portion of the code, they
17 interpret it different ways. The code can only be
18 interpreted one way. A property that's on a corner,
19 and this is reaffirmed by an interpretation from the
20 Zoning Board --

21 MEMBER KAUFMAN: Yes.

22 CHAIRMAN SALADINO: -- a property that's on the
23 corner has two front yards. One yard has to be
24 decided to be -- has to be determined to be a rear
25 yard, and one yard --

1 MEMBER KAUFMAN: Okay.

2 CHAIRMAN SALADINO: -- a side yard. But
3 there's always going to be two front yards, and
4 there's always going to be that 30-foot requirement
5 for any front yard.

6 If, if Alex is comfortable, if the Building
7 Department is comfortable, and with the advice of the
8 previous Village Administrator, and this is how they
9 want to interpret this yard, I'm kind of like okay
10 with it. I'm okay with it. I don't think we should
11 have to --

12 MR. BOLANOS: Before --

13 MEMBER GORDON: Obviously, you were comfortable
14 with it, because the only variance we're giving here
15 is for, for --

16 MEMBER KAUFMAN: For this.

17 MEMBER GORDON: -- this front yard, for the
18 Sterling Place. That's the only thing on the --

19 MR. BOLANOS: Existing, existing nonconforming.

20 MEMBER GORDON: So if you were concerned about
21 the other, the other aspect of it, why isn't it on
22 the --

23 MEMBER KAUFMAN: It's not.

24 CHAIRMAN SALADINO: Because sometimes -- can I
25 answer for you?

1 MR. BOLANOS: Yes, sir.

2 CHAIRMAN SALADINO: Because sometimes people
3 see things, you know, Alex sees stuff that I don't
4 see, or you don't see, and sometimes we see stuff
5 that he doesn't see.

6 MEMBER GORDON: Sure.

7 CHAIRMAN SALADINO: That's why we have the
8 right for -- to act as the Building Inspector. The
9 fact that it's not on the Notice of Disapproval --

10 MEMBER GORDON: Okay.

11 CHAIRMAN SALADINO: -- in my opinion is
12 probably a small oversight.

13 MEMBER GORDON: Okay.

14 CHAIRMAN SALADINO: But if we're all
15 comfortable on the Notice of Disapproval the way it
16 is, I don't, I don't have a problem with that.

17 MR. BOLANOS: Yeah. And, also, my
18 interpretation of the swimming pool --

19 CHAIRMAN SALADINO: Don't be a sore winner,
20 you're winning here.

21 MR. BOLANOS: No, no.

22 (Laughter)

23 MR. BOLANOS: My interpretation was that the
24 pool needs to be 20, 20 feet behind every property
25 line, and, therefore, they meet it, even if it's from

1 the front. Even though we have considerably two
2 front yards here, but normally we always had
3 determined -- and I don't want to set a precedence.
4 I mean, we could -- but to me, I didn't see a problem
5 with this. They were meeting all the setbacks and
6 the screening.

7 CHAIRMAN SALADINO: Okay. Just -- but just for
8 the record, yeah, all pools, they -- you need 20 feet
9 from the property line

10 MR. BOLANOS: Yes, sir, from the property line,
11 20 feet from the property line.

12 CHAIRMAN SALADINO: And then the code also
13 says, as long as we're quoting the code --

14 MR. BOLANOS: Yes, sir.

15 CHAIRMAN SALADINO: -- the code also says that
16 you can't have a pool in the front yard. So it's not
17 a question about, about 20 feet from the neighbor's
18 property line, it's a question about is this pool in
19 the front yard. And if, if the Building Department,
20 the Building Inspector, Code Enforcement Officer, and
21 the Head of the Building Department, Mr. Pallas,
22 looked at this --

23 MR. BOLANOS: Yes.

24 CHAIRMAN SALADINO: -- and they're reasonably
25 certain that this is in the rear yard --

1 MR. BOLANOS: Yes. At some point, you would
2 have to enter that house from one main principal
3 entrance, and that would be considered --

4 CHAIRMAN SALADINO: And you're getting ahead of
5 yourself.

6 MR. BOLANOS: Yeah, right.

7 CHAIRMAN SALADINO: You're getting ahead of
8 yourself.

9 (Laughter)

10 MR. BOLANOS: But, you know, that's -- so they
11 would be -- yes, I agree, I concur.

12 CHAIRMAN SALADINO: Too much, too much. Thank you.
13 Is there anyone else from the public that would
14 like to speak?

15 (No Response)

16 CHAIRMAN SALADINO: If not, what's the, what's
17 the pleasure of the Board?

18 MEMBER NYCE: Close the public hearing.

19 CHAIRMAN SALADINO: I'll make a motion that we
20 close this public hearing. So moved.

21 MEMBER GORDON: Second.

22 CHAIRMAN SALADINO: All favor?

23 MEMBER REARDON: Aye.

24 MEMBER NYCE: Aye.

25 MEMBER GORDON: Aye.

1 MEMBER KAUFMAN: Aye.

2 CHAIRMAN SALADINO: And I'll vote aye. I
3 don't -- dragged that out long enough.

4 (Laughter)

5 *Item No. 5 is 181 Fifth Street. This is going*
6 *to be a public hearing regarding the application of*
7 *181 Fifth Street, LLC. The Applicant proposes a*
8 *612 square foot, two-story addition with basement.*
9 *This requires the following variances:*

- 10 • *There's going to be a Front Yard Setback*
11 *Requirement.*

12 *150-12 of the Regulations say that the*
13 *Minimum Front Yard is 30 feet.*

14 *This plan shows the front yard setback of 15.2 feet.*
15 *This would require an area variance of 14.8 feet.*

- 16 • *There's going to be a Side Yard Setback Requirement.*
17 *150-12 also says that the Minimum Side Yard*
18 *Requirement is 10 feet.*

19 *This plans shows the side yard setback of 3.7 feet.*
20 *This would require an area variance of 6.3 feet.*

- 21 • *150-13 Residence District regulations.*

22 *For Accessory buildings (b) Such building shall*
23 *be set back 5 feet from any lot line and should*
24 *not be located less than 10 feet from the*
25 *principal building.*

1 *This plan shows a metal accessory building*
2 *.2 feet from the property line. This would*
3 *require an area variance of 4.8 feet.*

4 • *150-13 Residence District regulations.*
5 *Accessory buildings (b) Such building shall be*
6 *set back 5 feet from any lot line and not be*
7 *located less than 10 feet from the principal*
8 *building.*

9 *The plan shows a plastic accessory building*
10 *1.2 feet from the property line. This would*
11 *require an area variance of 3.8 feet.*

12 *This property is located in the R-2 One and*
13 *Two-Family District. It's not located in the*
14 *Historic District.*

15 *And the Suffolk County Tax Map number is 1001-7-4-19.*

16 Again, I have the -- I have the mailings.

17 There's six -- there's eight mailings. If the public
18 would like, I could read them. If not, if the
19 members of the Board are okay, we could just give
20 them to the Stenographer. They'll enter that --
21 she'll enter that in the record

22 MEMBER GORDON: I think I should say I'm not
23 recusing myself. I'm just disclosing that I live
24 behind the property and did receive a notice.

25 CHAIRMAN SALADINO: Can you be fair and

1 impartial?

2 MEMBER GORDON: I can be fair and impartial.

3 CHAIRMAN SALADINO: Then we're good.

4 (Mailings:

5 Prometei LLC, 447 E. 14th Street, Apt. 7A, New York,
6 N.Y. 10009.

7 John Winkler and Maritza Budet, 175 Fifth Street,
8 Greenport, NY 11944

9 West Dublin Grpt LLC, 235 Fourth Street, Greenport
10 NY 11944

11 Christine Nusse & Patricia Bennett, 375 Riverside Drive
12 Apt. 5BB, New York, NY 10025

13 Kevin and Andrea Boucher, 3724 Flagler Street,
14 Key West, FL 33040

15 Diana Gordon Rev. Trust, 152 Sixth Street, Greenport,
16 NY 11944

17 Robert & Alexandra Zimardo, 154 Sixth Street,
18 Greenport, NY 11944

19 Justin Concannon & Roric Tobin, 320 E. 58th St.,
20 Apt. 14F, New York, NY 10022.)

21 CHAIRMAN SALADINO: I'll ask Michael. Michael,
22 you posted this to the newspaper, the notice was
23 posted?

24 MR. NOONE: It's been posted.

25 CHAIRMAN SALADINO: Is the applicant here?

1 MR. QUILLIN: Yes.

2 CHAIRMAN SALADINO: Name and address for the
3 Stenographer.

4 MR. QUILLAN: Brian Quillin, 181 Fifth Street,
5 Greenport, New York, owner and occupant.

6 So, yes, we're asking for the variances for the
7 front yard setback, side yard, the accessory
8 building, which is the metal structure, and as well
9 as what's on here as the plastic accessory building.

10 CHAIRMAN SALADINO: And we had a discussion, at
11 our site visit we had a discussion.

12 MR. QUILLIN: With the plastic accessory
13 building, which is going to come down, it's not a
14 permanent structure

15 CHAIRMAN SALADINO: So we're going to eliminate
16 that --

17 MR. QUILLIN: Yeah.

18 CHAIRMAN SALADINO: -- that one variance?

19 MEMBER NYCE: Just so the public understands,
20 all of the others are preexisting on the original
21 structure, right?

22 CHAIRMAN SALADINO: The new, the new addition
23 doesn't --

24 MEMBER NYCE: Require.

25 CHAIRMAN SALADINO: -- doesn't require any, any

1 relief. Any members have a question? Anybody?

2 MEMBER REARDON: Brian, I have plans here of
3 the existing structure, but nothing that's going on
4 within the new proposed addition. So could you just
5 tell us what's going on inside?

6 MR. QUILLIN: Sure, yeah. Those are being
7 worked on. So it's just going to be two floor.
8 One's going off of the second floor apartment. So,
9 basically, just like living room space.

10 MEMBER REARDON: Uh-huh.

11 MR. QUILLIN: Same thing with the downstairs,
12 and just access to a basement as well, so it's just
13 living space.

14 MEMBER REARDON: I'm sorry. Downstairs is
15 going --

16 MR. QUILLIN: Just a full basement down below
17 the first floor.

18 MEMBER REARDON: Right. And then the first
19 floor, the ground level is going to be what?

20 MR. QUILLIN: Living, living room.

21 MEMBER REARDON: That's what's going to be on
22 both floors?

23 MR. QUILLIN: Yeah, pretty much --

24 MEMBER REARDON: The main floor?

25 MR. QUILLIN: Pretty much going to be on

1 each --

2 MEMBER REARDON: Got it. All right.

3 Thank you.

4 MR. QUILLIN: -- each story.

5 MEMBER GORDON: So that part doesn't include
6 any kitchen?

7 MR. QUILLIN: No. The kitchens are pretty much
8 staying where they are. They might extend slightly
9 into the addition, because the kitchen, there in a
10 small space where they are now. So we have a 24-foot
11 extension going off, which we'd like to push some of
12 the kitchen into that, kind of an open floor plan
13 into the living space as well.

14 CHAIRMAN SALADINO: But nothing that's
15 happening is going to involve land use? This is
16 strictly inside the --

17 MR. QUILLIN: Yes.

18 CHAIRMAN SALADINO: -- the dynamic envelope of
19 the house?

20 MR. QUILLIN: Absolutely.

21 CHAIRMAN SALADINO: So I don't, I don't want to
22 sound flippant, but I don't really care what goes on
23 inside.

24 (Laughter)

25 CHAIRMAN SALADINO: Okay. Anybody else, any

1 questions?

2 MEMBER KAUFMAN: No.

3 MEMBER GORDON: (Shook Head No)

4 CHAIRMAN SALADINO: No? Thank you.

5 MR. QUILLIN: Thank you.

6 CHAIRMAN SALADINO: Is there anyone from the
7 public that would like to speak?

8 (No Response)

9 CHAIRMAN SALADINO: If not, what's the pleasure
10 of the Board?

11 MEMBER NYCE: Close the public hearing.

12 CHAIRMAN SALADINO: I'm going to make a motion
13 we close this public hearing.

14 MEMBER KAUFMAN: Second.

15 CHAIRMAN SALADINO: So moved.

16 MEMBER REARDON: Second.

17 CHAIRMAN SALADINO: All in favor?

18 MEMBER REARDON: Aye.

19 MEMBER NYCE: Aye.

20 MEMBER GORDON: Aye.

21 MEMBER KAUFMAN: Aye.

22 CHAIRMAN SALADINO: And I'll vote aye.

23 We have two items in front of us. We'll -- if
24 we have time, we'll take, we'll take up the
25 discussion of, of -- what's the address? Oh,

1 304 Sterling Place. The Board, what do we think?

2 Pretty routine? You're okay with --

3 MEMBER NYCE: I don't have any problem.

4 MEMBER GORDON: I think we've dealt with the
5 questions in the hearing.

6 CHAIRMAN SALADINO: I apologize for bringing it
7 up twice.

8 (Laughter)

9 CHAIRMAN SALADINO: So we're okay with the
10 logic --

11 MEMBER KAUFMAN: Yes.

12 CHAIRMAN SALADINO: -- where the pool is with
13 the logic of the Building Department, how the code
14 is?

15 MEMBER KAUFMAN: I am, yes.

16 CHAIRMAN SALADINO: We're okay with that? All
17 right. I'm going to make a motion that the Zoning
18 Board of Appeals declares itself Lead Agency for the
19 purposes of SEQRA. So moved.

20 MEMBER GORDON: Second.

21 CHAIRMAN SALADINO: All in favor?

22 MEMBER REARDON: Aye.

23 MEMBER NYCE: Aye.

24 MEMBER GORDON: Aye.

25 MEMBER KAUFMAN: Aye.

1 CHAIRMAN SALADINO: And I'll vote aye.

2 This is a Type II Action, so no further action
3 is necessary.

4 The one, the one relief that we're asked --
5 that we're being asked for is a 27-foot variance for
6 a front yard, preexisting. So we have a balancing
7 test to do.

8 MEMBER GORDON: Even for the preexisting? Yes.

9 CHAIRMAN SALADINO: Dinni, I'm --

10 MEMBER GORDON: Yes, you're right, you're
11 right.

12 CHAIRMAN SALADINO: I'm like in a groove here.

13 MEMBER GORDON: You're right.

14 CHAIRMAN SALADINO: Don't change the groove.

15 MEMBER GORDON: Sorry.

16 CHAIRMAN SALADINO: You change the groove, I go
17 to pieces.

18 (Laughter)

19 MEMBER GORDON: Don't do that.

20 CHAIRMAN SALADINO: We have, we have this
21 balancing test. For the people that don't know,
22 there are five questions. We'll vote at the end of
23 the five questions. All right.

24 Whether an undesirable change will be produced
25 in the character of the neighborhood or a detriment

1 to nearby properties will be created by the granting
2 of an area variance.

3 (Roll Call by Chairman Saladino)

4 MEMBER REARDON: No.

5 MEMBER NYCE: No.

6 MEMBER GORDON: No.

7 MEMBER KAUFMAN: No.

8 CHAIRMAN SALADINO: And I'll vote no.

9 Whether the benefit sought by the applicant can
10 be achieved by some method feasible for the applicant
11 to pursue other than an area variance.

12 (Roll Call by Chairman Saladino)

13 MEMBER REARDON: No.

14 MEMBER NYCE: No.

15 MEMBER GORDON: No.

16 MEMBER KAUFMAN: No.

17 CHAIRMAN SALADINO: And I'll vote no.

18 Whether the requested area variance is
19 substantial.

20 (Roll Call by Chairman Saladino)

21 MEMBER REARDON: No.

22 MEMBER NYCE: No.

23 MEMBER GORDON: No.

24 MEMBER KAUFMAN: No.

25 CHAIRMAN SALADINO: I don't know. Twenty-seven

1 feet, kind of substantial. I'll vote no.

2 (Laughter)

3 CHAIRMAN SALADINO: Whether the proposed
4 variance will have an adverse effect or impact on the
5 physical or environmental conditions of the
6 neighborhood or district.

7 (Roll Call by Chairman Saladino)

8 MEMBER REARDON: No.

9 MEMBER NYCE: No.

10 MEMBER GORDON: No.

11 MEMBER KAUFMAN: No.

12 CHAIRMAN SALADINO: And I'll vote no.

13 Whether the alleged difficulty was
14 self-created, which consideration shall be relevant
15 to the decision of the Board of Appeals, but shall
16 not necessarily preclude the granting of an area
17 variance.

18 (Roll Call by Chairman Saladino)

19 MEMBER REARDON: Yes.

20 MEMBER NYCE: No.

21 MEMBER GORDON: No. They inherited this.

22 MEMBER KAUFMAN: No.

23 CHAIRMAN SALADINO: No coaching. Seth?

24 MEMBER KAUFMAN: No.

25 CHAIRMAN SALADINO: No? And I'm going to vote no.

1 I'm going to make a motion that, that we grant
2 this area variance. So moved.

3 MEMBER REARDON: Second.

4 CHAIRMAN SALADINO: We'll take a roll call just
5 so it's efficient.

6 (Roll Call by Chairman Saladino)

7 MEMBER REARDON: Yes.

8 MEMBER NYCE: Yes.

9 MEMBER GORDON: Yes.

10 MEMBER KAUFMAN: Yes.

11 CHAIRMAN SALADINO: And I'll vote yes.

12 Easy-peasy.

13 MS. TALERMAN: Thank you.

14 CHAIRMAN SALADINO: We have no items to take
15 care of. They're just waiting for us to do that.

16 There's another discussion that this Board has
17 to take up, is 181 Fifth Street for Mr. Brian
18 Quillin. Anybody, any, any comments on this
19 application? No?

20 MEMBER NYCE: No.

21 CHAIRMAN SALADINO: Dinni?

22 MEMBER GORDON: No.

23 MEMBER KAUFMAN: No.

24 CHAIRMAN SALADINO: Okay. I'm going to make a
25 motion that the Zoning Board of Appeals declare

1 itself Lead Agency for the purposes of SEQRA.

2 So moved.

3 MEMBER KAUFMAN: Second.

4 CHAIRMAN SALADINO: All in favor?

5 MEMBER REARDON: Aye.

6 MEMBER NYCE: Aye.

7 MEMBER GORDON: Aye.

8 MEMBER KAUFMAN: Aye.

9 CHAIRMAN SALADINO: And I'll vote aye.

10 This is a Type II Action, no further action is
11 necessary under SEQRA. We're going to take the
12 variances. One is going to be eliminated, because
13 the applicant agreed about the one accessory
14 building. So the one, two -- what is it, three?

15 MEMBER NYCE: Three, yeah. Three. The one,
16 the one side yard, the front yard, and the metal
17 accessory building.

18 CHAIRMAN SALADINO: And we're going to take
19 them in -- as en masse, as a unit, right?

20 MEMBER NYCE: (Nodded Yes).

21 CHAIRMAN SALADINO: So, again, same as the
22 previous applicant, which is the balancing test.
23 We'll read this, and then we'll --

24 Whether an undesirable change will be produced
25 in the character of the neighborhood or a detriment

1 to nearby properties will be created by the granting
2 of the area variance.

3 (Roll Call by Chairman Saladino)

4 MEMBER REARDON: No.

5 MEMBER NYCE: No.

6 MEMBER GORDON: No.

7 MEMBER KAUFMAN: No.

8 CHAIRMAN SALADINO: And I'll vote no.

9 Whether the benefit sought by the applicant can
10 be achieved by some method feasible for the applicant
11 to pursue other than an area variance.

12 (Roll Call by Chairman Saladino)

13 MEMBER REARDON: No.

14 MEMBER NYCE: No.

15 MEMBER GORDON: No.

16 MEMBER KAUFMAN: No.

17 CHAIRMAN SALADINO: And I'll vote no.

18 Whether the requested area variance is substantial.

19 (Roll Call by Chairman Saladino)

20 MEMBER REARDON: No.

21 MEMBER NYCE: No.

22 MEMBER GORDON: No.

23 MEMBER KAUFMAN: 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 (Roll Call by Chairman Saladino)

5 MEMBER REARDON: No.

6 MEMBER NYCE: No.

7 MEMBER GORDON: No.

8 MEMBER KAUFMAN: No.

9 CHAIRMAN SALADINO: And I'll vote no.

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

15 Now, just so we remember, it's all preexisting
16 stuff.

17 (Roll Call by Chairman Saladino)

18 MEMBER REARDON: Yes.

19 MEMBER NYCE: No.

20 MEMBER GORDON: No.

21 MEMBER KAUFMAN: No.

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

23 I'm going to make a motion that we grant these
24 three area variances. I'm not going to read them.

25 The three have to do with front yard, side yard and

1 one accessory building. The other accessory building
2 by the applicant's agreement is going to be removed.
3 I'm going to make a motion we grant the area
4 variances. So moved.

5 MEMBER NYCE: Second.

6 MEMBER GORDON: Second.

7 (Roll Call by Chairman Saladino)

8 MEMBER REARDON: Yes.

9 MEMBER NYCE: Yes.

10 MEMBER GORDON: Yes.

11 MEMBER KAUFMAN: Yes.

12 CHAIRMAN SALADINO: And I'll vote yes.

13 We have one, one other item, and we're done
14 with that. *Item No. 6 is any other Zoning Board of*
15 *Appeals business that might properly come before this*
16 *Board.* Here's your shot. Anybody? People in the
17 back, no questions?

18 (Laughter)

19 CHAIRMAN SALADINO: Okay. *Item No. 7 is a*
20 *motion to adjourn.* So moved.

21 MEMBER NYCE: Second.

22 CHAIRMAN SALADINO: All in favor?

23 MEMBER REARDON: Aye.

24 MEMBER NYCE: Aye.

25 MEMBER GORDON: Aye.

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MEMBER KAUFMAN: Aye.

CHAIRMAN SALADINO: And I'll vote aye.

Thank you for joining us.

(The Meeting was Adjourned at 6:42 p.m.)

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

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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 19, 2024, to the best of my ability.

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 26th day of March, 2024.

Lucia Braaten
Lucia Braaten