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VILLAGE OF GREENPORT  
COUNTY OF SUFFOLK : STATE OF NEW YORK  
-----x  
PLANNING BOARD  
WORK SESSION AND REGULAR MEETING  
-----x

May 31, 2024  
4:00 p.m. - Station One Firehouse  
236 3rd Street  
Greenport, New York 11944

Before:  
PATRICIA HAMMES - Chairwoman  
DANIEL CREEDON - Member (Not Present)  
SHAWN BUCHANAN - Member  
ELIZABETH TALERMAN - Member (Not Present)  
FRANCES WALTON - Member  
  
ALSO PRESENT:  
MICHAEL NOONE - Clerk of the Board

1           CHAIRWOMAN HAMMES: Good afternoon, and  
2           welcome to the scheduled worked session and regular  
3           meeting of the Village of Greenport Planning Board  
4           for Friday, May 31st, 2024. The time is 3:59 PM,  
5           and I hereby call this meeting to order.

6           This meeting is a public meeting and  
7           includes a hearing in respect of two entertainment  
8           permits.

9           As a reminder to the applicants and the  
10          public, if you are speaking today, please start by  
11          slowly and clearly stating your full name and  
12          address for the record.

13          In addition, please remember that all  
14          comments should be addressed solely to the Planning  
15          Board and not to any applicant or other person in  
16          the audience. Thank you.

17          We are going to take the agenda out of order  
18          so that the people that are here for the  
19          entertainment hearings don't have to sit through  
20          other business of the Planning Board.

21          So I think we'll start with what is Item No.  
22          6 on the agenda, which is a public hearing, a  
23          discussion and possible motion to approve the  
24          application of Butta Cakes, LLC dba Lucharitos, in  
25          respect of the property located at 119 Main Street.

1           This property is located at Suffolk County  
2 Tax Map #1001-5-4-34, and is located in the C-R  
3 Retail Commercial District and is also located in  
4 the Historic District.

5           As has been previously stated at numerous  
6 Planning Board meetings, the Village Code has been  
7 recently amended to expressly address whether and  
8 under what circumstances businesses in the C-R and  
9 W-C Districts may host entertainment and catered  
10 affairs.

11           The purpose of the provisions requiring the  
12 issuance of an entertainment permit were adopted by  
13 the Village Board of Trustees for, among other  
14 reasons, to specifically define the circumstances  
15 under which a business is entitled to host  
16 entertainment and/or catered affairs, to ensure that  
17 businesses hosting entertainment and/or catered  
18 events at their properties are complying with  
19 applicable Village Code provisions, including  
20 Chapter 88 relating to Noise, and are not otherwise  
21 conducting such activities in a manner that would  
22 unduly interfere with the public health, safety and  
23 welfare, and the comfort, convenience and order of  
24 the Village in general, and the surrounding  
25 neighborhood in particular, and to provide the

1 Village with a mechanism for enforcement of  
2 violations of that Village Code arising in  
3 conjunction with the hosting of such events.

4 The Board of Trustees, in adopting recent  
5 amendments to the Code, including in respect of the  
6 issuance of entertainment permits and other  
7 amendments relating to Chapter 88, which is the  
8 "Noise" chapter of the Code, has made it clear that  
9 businesses operating in the C-R and W-C districts  
10 should be viewed as being entitled to host  
11 entertainment and catered events as part of the  
12 ordinary course of operation of their businesses, so  
13 long as they have provided the Village with an  
14 operating plan in respect thereof and are in  
15 compliance with relevant provisions of the Code,  
16 including Section 150-51 relating to entertainment  
17 permits, and Chapter 88 relating to Noise.

18 With this in mind, any public comments on  
19 this issuance of an entertainment permit should be  
20 specific to the relevant property and proposed  
21 activity by the relevant business and not more  
22 generalized in respect of matters that would apply  
23 to any businesses hosting entertainment or catered  
24 events.

25 These types of generalized comments or

1 concerns are more properly addressed to the  
2 legislative body of the Village, i.e., the Board of  
3 Trustees.

4 I'm going to now ask the applicant to come to  
5 the podium, if you would not mind. You are  
6 representing the applicant. So if you could please  
7 state your name and address for the record.

8 CARLOS: My name is Carlos and I work in  
9 Lucharitos, 119 Main Street in Greenport.

10 CHAIRWOMAN HAMMES: And you are here  
11 representing Marc?

12 CARLOS: I am representing Marc, yes. And we  
13 going to do the entertainment, we going to do  
14 Fridays. Fridays we going to do ladies night. We  
15 close like 12:00. And now at the time we going to  
16 have DJ, we going with closed door and we finish by  
17 12.

18 CHAIRWOMAN HAMMES: Okay. The application,  
19 just if you can make Marc aware of the fact, that  
20 the application talks about 2:00 AM, but under the  
21 current Chapter 88 the cutoff time for any noise  
22 that can be heard off the property, which would  
23 include through the windows, is 12:30. So he should  
24 keep that in mind.

25 MEMBER WALTON: Perhaps it's a typo meant to

1 be 12. But then it would be 12:00 PM. No, it would  
2 be 12:00 AM. So, yes.

3 CARLOS: Yes.

4 CHAIRWOMAN HAMMES: Okay, I'm just going to  
5 run through a couple of things I need you to confirm  
6 on behalf of Lucharitos.

7 Since the business has completed and  
8 submitted the application, I need verbal  
9 confirmation that the business has reviewed Chapter  
10 150-51 of the Code and generally understands the  
11 requirements thereof.

12 CARLOS: Uh, huh. (Affirmative nod).

13 CHAIRWOMAN HAMMES: In particular, you'll  
14 operate in accordance with the operating plan and  
15 the other provisions of that Chapter.

16 I also want to confirm that the business is  
17 aware of the amended Chapter 88 of the Village Code,  
18 which is the "Noise" provision, which has recently  
19 been updated and has the new hours as far as  
20 amplified music and the like.

21 And then I want to confirm, to the best of  
22 your knowledge, that the information and materials  
23 Lucharitos provided in the application is in a  
24 proper form and does not conflict with or otherwise  
25 contemplate altering the premises in a way that

1 would conflict with the site plan of the business.

2 Is that all correct?

3 CARLOS: (Affirmative nod).

4 CHAIRWOMAN HAMMES: Can you say it so they can  
5 get in the record?

6 CARLOS: Yes.

7 CHAIRWOMAN HAMMES: Okay, the applicant nods  
8 in agreement.

9 At this time I'm going to ask the Village to  
10 confirm whether it is aware of any outstanding Code  
11 or site plan/conditional use violations in respect  
12 of the relevant business.

13 MR. NOONE: No.

14 CHAIRWOMAN HAMMES: Does anyone on the Board  
15 have any questions for this applicant?

16 MEMBER WALTON: No, you already addressed  
17 them.

18 CHAIRWOMAN HAMMES: Okay, I'll open it up to  
19 the public to address the Board.

20 Since there is nobody, except the other  
21 applicant in the room, I assume there is nobody here  
22 that wants to add anything.

23 Okay, no correspondence, correct?

24 MR. NOONE: Nope.

25 CHAIRWOMAN HAMMES: All right, so I make a

1 motion to close the public hearing in respect to the  
2 application of Butta Cakes, LLC, doing business as  
3 Lucharitos, for the issuance of an entertainment  
4 permit in respect of the hosting of entertainment  
5 and catered affairs at the property located at 119  
6 Main Street.

7 Do I have a second?

8 MEMBER WALTON: Second.

9 CHAIRWOMAN HAMMES: All those in favor? Aye.

10 MEMBER WALTON: Aye.

11 MEMBER BUCHANAN: Aye.

12 CHAIRWOMAN HAMMES: The motion passes.

13 Okay, I just have a little more I have to  
14 read.

15 Section 150-51(C)(4) sets forth the criteria  
16 and determinations that this Board needs to take  
17 into account and make in connection with the  
18 issuance of any entertainment permit.

19 In making the determinations required under  
20 Section 150-51(C)(4) this Board is relying on the  
21 information contained in the application for the  
22 applicable entertainment permit with respect to  
23 factual matters and the proposed operation of the  
24 business in connection with hosting entertainment  
25 and/or catered events by the applicable business.



1           This Board is also assuming that the  
2 applicant will operate under the entertainment  
3 permit in accordance with applicable Village Code  
4 and its currently effective site plan and any  
5 applicable conditional use approvals.

6           A finding that the application satisfies the  
7 requirements of Section 150-51(C) (4) and an approval  
8 of the issuance of an entertainment permit does not  
9 in any manner constitute an approval of any  
10 deviations from any applicable site plan or  
11 conditional use approvals currently in effect in  
12 respect of Lucharitos, or constitutes an amendment  
13 of any such site plan or conditional use approval,  
14 nor does it constitute a waiver of any violation of  
15 the requirements applicable under any such site plan  
16 or conditional use approval.

17           In the interest of time, I'm not going to  
18 read each of the provisions set forth in Section  
19 150-51(C) (4) but instead would now ask that each  
20 Board member confirm that it has reviewed this  
21 section in connection with this application and  
22 indicate whether it agrees that the provisions set  
23 forth herein are adequately satisfied in respect of  
24 the proposed operations of Lucharitos.

25           MEMBER WALTON: I have reviewed them and am

1 satisfied.

2 MEMBER BUCHANAN: I have reviewed them and I'm  
3 satisfied.

4 CHAIRWOMAN HAMMES: I have as well.

5 Based on the foregoing determinations, I move  
6 that this Board approve the application for an  
7 entertainment permit for the property located at 119  
8 Main Street, doing business as Lucharitos.

9 Do I have a second?

10 MEMBER WALTON: Second.

11 CHAIRWOMAN HAMMES: All those in favor? Aye.

12 MEMBER BUCHANAN: Aye.

13 MEMBER WALTON: Aye.

14 CHAIRWOMAN HAMMES: Motion carries. Thank you,  
15 very much, for taking your time. You're good to go.

16 CARLOS: Thank you.

17 CHAIRWOMAN HAMMES: Thank you. You're all  
18 done. The Village will be in touch with you for the  
19 entertainment permit.

20 We'll now move on to Item No. 7 on the  
21 agenda, which is a public hearing, discussion and  
22 possible motion to approve the application of Sun  
23 Greens Inc, doing business as Stirling Sake, in  
24 respect of the property located at 447 Main Street.

25 This property is located at SCTM #1001-4-7-21

1 and is located in both the CR Retail Commercial  
2 District and the Historic District.

3 The same comments made in respect of the  
4 background for recent changes in the Village Code  
5 relating to entertainment permits and noise as were  
6 made in respect of the prior application apply  
7 equally to this application. I'm not going to repeat  
8 them.

9 With this in mind, any public comments on the  
10 issuance of the entertainment permit should be  
11 specific to the relevant property.

12 I will now ask the applicant to come to the  
13 podium and please just state your name and address  
14 for the record.

15 MR. MORI: My name is Yuki Mori. I have a  
16 business at 457 Main Street.

17 CHAIRWOMAN HAMMES: Okay, do you have anything  
18 in particular you want highlight in your  
19 application? I mean, I think we all read it, unless  
20 there is something that you think you want to make  
21 us particularly focused on.

22 MR. MORI: I have not decided the date.

23 CHAIRWOMAN HAMMES: That's okay, we don't need  
24 it.

25 MR. MORI: Yes.

1           CHAIRWOMAN HAMMES: All right. I'm now going  
2 to go through the same things that I went with him,  
3 just to ask you to confirm these things.

4           MR. MORI: Okay.

5           CHAIRWOMAN HAMMES: So I want to confirm  
6 verbally that you have reviewed Chapter 150-51 of  
7 the code and understand the requirements thereof, in  
8 particular 150-51(D) which relates to the operation  
9 of the business conducting entertainment, and that  
10 you are going to comply with your operating plan.

11          MR. MORI: Yes.

12          CHAIRWOMAN HAMMES: And similarly, that you  
13 are familiar with the amended Chapter 88 of the  
14 Village Code, including the provisions of Section  
15 88-5 which relate to the use of sound reproduction  
16 devices which are commonly used in connection with  
17 entertainment. You are aware of those?

18          MR. MORI: Yes.

19          CHAIRWOMAN HAMMES: And then finally I want to  
20 confirm that to the best of your knowledge the  
21 information and materials you have provided in your  
22 application do not conflict with or otherwise  
23 contemplate altering the premises in a way that  
24 would conflict with any existing approvals  
25 applicable to the property, correct?

1 MR. MORI: Yes.

2 CHAIRWOMAN HAMMES: At this time the Village  
3 confirms that there are not any outstanding  
4 violations?

5 MR. NOONE: There are no outstanding  
6 violations.

7 CHAIRWOMAN HAMMES: Any other correspondence  
8 with respect to the application?

9 MR. NOONE: No.

10 CHAIRWOMAN HAMMES: Okay, does anyone from the  
11 Board have any questions or comments?

12 MEMBER WALTON: I have a question. I want to  
13 confirm that music entertainment would be indoors?

14 MR. MORI: Indoor, yes.

15 MEMBER WALTON: I just wanted to confirm that.

16 CHAIRWOMAN HAMMES: (Perusing). Okay, there is  
17 nobody from the public, so I don't need to read  
18 that.

19 All right, I make a motion to close the  
20 public hearing in respect of the Application of Sun  
21 Greens, Inc., doing business as Stirling Sake, for  
22 the issuance of an entertainment permit in respect  
23 of the hosting of entertainment and catered events  
24 at the property located at 477 Main Street.

25 Do I have a second?

1 MEMBER WALTON: Second.

2 CHAIRWOMAN HAMMES: All those in favor? Aye.

3 MEMBER WALTON: Aye.

4 MEMBER BUCHANAN: Aye.

5 CHAIRWOMAN HAMMES: The motion passes.

6 Section 150-51(C) (4) sets forth the criteria  
7 and determinations that we need to take into  
8 account. It's all the same things I previously said  
9 about the functions in the prior application apply  
10 to this application. In the interest of time I'm  
11 not going to read through all that again.

12 I'll ask each Board member to confirm once  
13 again that they've read the provisions of  
14 150-51(C) (4) and are satisfied that they are met in  
15 respect of this application.

16 MEMBER WALTON: Confirmed.

17 CHAIRWOMAN HAMMES: Shawn?

18 MEMBER BUCHANAN: Yes.

19 CHAIRWOMAN HAMMES: I have as well.

20 Based on the foregoing determinations, I move  
21 that this Board approve the application for an  
22 entertainment permit for the property located at 477  
23 Main Street, doing business as Stirling Sake.

24 Do I have a second?

25 MEMBER WALTON: Second.

1 CHAIRWOMAN HAMMES: All those in favor? Aye

2 MEMBER BUCHANAN: Aye.

3 MEMBER WALTON: Aye.

4 CHAIRWOMAN HAMMES: Motion carries. You're  
5 all good to go.

6 MR. MORI: Thank you.

7 CHAIRWOMAN HAMMES: Thank you, very much, for  
8 taking your time.

9 Okay, it's going to be a speedy meeting  
10 tonight. We'll go back to the beginning of the  
11 agenda.

12 First up, the next order of business is a  
13 motion to accept and approve the draft Minutes of  
14 the April 26th Planning Board work session, public  
15 hearings and regular meeting.

16 Does anyone on the Board have any comments on  
17 the Minutes?

18 MEMBER BUCHANAN: No.

19 MEMBER WALTON: No.

20 CHAIRWOMAN HAMMES: I move to accept and  
21 approve the Minutes of the April 26th, 2024,  
22 Planning Board work session, public hearings and  
23 regular meeting. Do I have a second?

24 MEMBER BUCHANAN: Second.

25 CHAIRWOMAN HAMMES: All those in favor? Aye.

1 MEMBER BUCHANAN: Aye.

2 MEMBER WALTON: Aye.

3 CHAIRWOMAN HAMMES: All in favor, none  
4 opposed, the motion carries.

5 The next order of business is a motion to  
6 accept and approve the draft Minutes of the May  
7 10th, 2024 Planning Board work session, public  
8 hearings and regular meeting.

9 Does anyone on the Board have any comments on  
10 the Minutes?

11 MEMBER WALTON: No.

12 MEMBER BUCHANAN: Only that I was not at that  
13 meeting.

14 CHAIRWOMAN HAMMES: You can still vote.

15 MEMBER BUCHANAN: Okay.

16 CHAIRWOMAN HAMMES: I move to accept and  
17 approve the Minutes of the May 10th, 2024, Planning  
18 Board work session, public hearings and regular  
19 meeting. Is there a second?

20 MEMBER WALTON: Second.

21 CHAIRWOMAN HAMMES: All those in favor? Aye.

22 MEMBER WALTON: Aye.

23 MEMBER BUCHANAN: Aye.

24 CHAIRWOMAN HAMMES: None opposed, motion  
25 carries.



1           The next order of business is to schedule the  
2 next Planning Board work session, public hearings  
3 and regular meeting for 4:00 p.m., on June 14th,  
4 2024. I so move to schedule this meeting.

5           Do I have a second?

6           MEMBER WALTON: Second.

7           CHAIRWOMAN HAMMES: All those in favor? Aye.

8           MEMBER WALTON: Aye.

9           MEMBER BUCHANAN: Aye.

10          CHAIRWOMAN HAMMES: None opposed, motion  
11 carries.

12          Next we are going to vote on scheduling the  
13 next Planning Board work session, public hearings  
14 and regular meeting for 4:00 p.m., on June 28th,  
15 2024.

16          Is there a second?

17          MEMBER WALTON: Second.

18          CHAIRWOMAN HAMMES: All those in favor? Aye.

19          MEMBER WALTON: Aye.

20          MEMBER BUCHANAN: Aye.

21          CHAIRWOMAN HAMMES: All in favor, none  
22 opposed. Motion carries.

23          Does anybody have any other business they  
24 wish to discuss this evening before we let out on  
25 this Friday evening?

1 MEMBER WALTON: Findings?

2 CHAIRWOMAN HAMMES: No, there are not any, so.  
3 All right, since nobody else has anything else to  
4 discuss at this moment, I make a motion to adjourn  
5 the meeting.

6 Do I have a second?

7 MEMBER WALTON: Second.

8 CHAIRWOMAN HAMMES: All those in favor? Aye.

9 MEMBER WALTON: Aye.

10 MEMBER BUCHANAN: Aye.

11 CHAIRWOMAN HAMMES: Motion carries. The  
12 meeting is now adjourned. Thank you, very much, for  
13 your time.

14 (The time noted is 4:15 p.m.)

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

STATE OF NEW YORK )

) SS:

COUNTY OF SUFFOLK )

I, WAYNE GALANTE, a Notary Public in and for the State of New York, do hereby certify:

THAT the within transcript is a true record of the proceedings taken on May 31, 2024.

I further certify that I am not related either by blood or marriage, to any of the parties in this action; and

THAT I am in no way interested in the outcome of this matter.

*Wayne Galante*  
\_\_\_\_\_  
WAYNE GALANTE