

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 June 18, 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
 23
 24
 25

1 (The Meeting was Called to Order at 6:20 p.m.)

2 CHAIRMAN SALADINO: Good evening, folks.

3 This is the Village of Greenport Zoning Board of
4 Appeals Regular Meeting. It's 6:20.

5 And *Item No. 1 is going to be a motion to*
6 *accept the minutes of the March 19th, 2024 Zoning*
7 *Board of Appeals meeting.* So moved.

8 MEMBER NYCE: Second.

9 MEMBER KAUFMAN: Second.

10 CHAIRMAN SALADINO: All in favor?

11 MEMBER NYCE: Aye.

12 MEMBER REARDON: 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 July 16th,*
18 *2024, at 6 p.m., at the Station One Firehouse,*
19 *Third and South Street, Greenport, New York 11944.*
20 So moved.

21 MEMBER GORDON: Second.

22 CHAIRMAN SALADINO: All in favor?

23 MEMBER NYCE: Aye.

24 MEMBER REARDON: Aye.

25 MEMBER GORDON: Aye.

1 MEMBER KAUFMAN: Aye.

2 CHAIRMAN SALADINO: And I'll vote aye.

3 Item No. 3 -- oh. *Item No. 3 is 304 Sterling*
4 *Place. This is a Motion to accept the Findings and*
5 *Determinations for Elizabeth Talerma. This*
6 *property is located in the R-1 One Family Residential*
7 *District and is not located in the Historic District.*
8 *The Suffolk County Tax Map number is 1001-2-2-17.*

9 So moved.

10 MEMBER KAUFMAN: Second.

11 CHAIRMAN SALADINO: All in favor?

12 MEMBER NYCE: Aye.

13 MEMBER REARDON: Aye.

14 MEMBER GORDON: Aye.

15 MEMBER KAUFMAN: Aye.

16 MEMBER GORDON: Is it --

17 CHAIRMAN SALADINO: And I'll vote aye. I'm sorry.

18 MEMBER GORDON: Is it appropriate to ask a
19 question here about the -- I was reading the
20 minutes --

21 CHAIRMAN SALADINO: Dinni, you're the senior
22 member here, you can ask whatever you want whenever
23 you want.

24 MEMBER GORDON: Oh, thank you. I was reading
25 the minutes and I -- and noticing that, in fact,

1 the issue of the pool at that property is still
2 pending, right? Do we -- I guess I'm asking the
3 Building Department. Do we expect to get a request
4 for a variance, an application --

5 CHAIRMAN SALADINO: No. The pool --

6 MEMBER GORDON: -- with respect to the pool,
7 or has that issue been resolved?

8 MR. NOONE: The variance has been approved,
9 so you've approved the one variance that was
10 required.

11 MEMBER GORDON: But it wasn't for the pool.

12 MR. NOONE: It was for a building permit for
13 a pool.

14 MEMBER GORDON: Right, for the house.

15 MR. NOONE: The pool that they're building,
16 they -- they changed their plans because there was
17 an issue with the front yard.

18 MEMBER GORDON: Uh-huh.

19 MR. NOONE: That issue was --

20 CHAIRMAN SALADINO: She reduced the size of
21 the pool.

22 MR. NOONE: She reduced the size of the pool.

23 CHAIRMAN SALADINO: So there's no longer an
24 issue.

25 MR. NOONE: There's no issue. So since she

1 has the variance for the building permit, in other
2 words, if she didn't need the variance for the
3 front yard, she would have gotten this building
4 permit.

5 MEMBER GORDON: Uh-huh.

6 MR. NOONE: So there's no issue.

7 MEMBER GORDON: Okay. The minutes talk about
8 the variance for the house, and I thought -- I
9 don't know. It did not seem to me that we were
10 providing a variance that included the pool.

11 CHAIRMAN SALADINO: We're not.

12 MEMBER GORDON: Right, okay.

13 CHAIRMAN SALADINO: The pool, there's no
14 relief needed for the pool.

15 MEMBER GORDON: Okay.

16 CHAIRMAN SALADINO: She withdrew the request
17 for the, for the 10-foot intrusion into the front
18 yard with the swimming pool. She, by agreement
19 with the Building Department, agreed to --

20 MR. NOONE: She shortened the pool.

21 CHAIRMAN SALADINO: -- shorten the pool so it
22 doesn't intrude into the front yard.

23 MEMBER GORDON: Okay. So no -- yeah.

24 CHAIRMAN SALADINO: So the Zoning Board is
25 not involved with the swimming pool.

1 MEMBER GORDON: Well, that, so, to me,
2 clarifies the minutes, so it's fine.

3 CHAIRMAN SALADINO: Okay. Is that it?

4 MEMBER GORDON: Yep.

5 CHAIRMAN SALADINO: Okay. *Item No. 4 is*
6 *181 Fifth Street. This is a Motion to accept the*
7 *Findings and Determinations for 181 Fifth Street,*
8 *LLC. This property is located in the R-2 One and*
9 *Two-Family District and is not located in the*
10 *Historic District. The Suffolk County Tax Map*
11 *number is 1001-7-4-19.*

12 Everyone's read the findings, I assume. So moved.

13 MEMBER NYCE: Second.

14 CHAIRMAN SALADINO: All in favor?

15 MEMBER NYCE: Aye.

16 MEMBER REARDON: Aye.

17 MEMBER GORDON: Aye.

18 MEMBER KAUFMAN: Aye.

19 CHAIRMAN SALADINO: And I'll vote aye.

20 Folks, for the folks in the back that are
21 wondering why we're slowing down here, Item No. 5
22 is 218 Sixth Street. It's a motion to accept an
23 application. We're going to give the applicant --
24 the applicant is stuck in traffic. We're going,
25 we're going to give the applicant a couple of extra

1 minutes to get here, for the folks over there and
2 over here that are wondering. We're going to give
3 them a few extra minutes to get here, and then,
4 hopefully, they'll be here then and we'll take this
5 application up.

6 MEMBER GORDON: And thank you for your
7 consideration.

8 CHAIRMAN SALADINO: And for your patience.

9 MEMBER NYCE: Do you want a motion just to
10 suspend the meeting for a couple of minutes?

11 CHAIRMAN SALADINO: Can we do that? Can we,
12 can we adjourn the meeting for -- I'm going to make
13 a motion that we --

14 MEMBER GORDON: Probably adjourn is not the
15 right word.

16 CHAIRMAN SALADINO: The people in the
17 audience, they kind of know what I mean by saying
18 adjourned, as long as everybody is on the same
19 page. I'm going to make a motion that we adjourn
20 the meeting for --

21 MR. NOONE: Or take a break.

22 CHAIRMAN SALADINO: Take a break for five
23 minutes, ten minutes.

24 MEMBER GORDON: I think that's right.

25 CHAIRMAN SALADINO: So moved.

1 MEMBER NYCE: I'll second the Chairman's
2 motion.

3 CHAIRMAN SALADINO: All in favor?

4 MEMBER GORDON: Definitely.

5 MEMBER NYCE: Aye.

6 MEMBER REARDON: Aye.

7 MEMBER KAUFMAN: Aye.

8 CHAIRMAN SALADINO: Aye.

9 (The Meeting was Recessed at 5:25 p.m. and
10 resumed at 6:31 p.m.)

11 CHAIRMAN SALADINO: All right. To resume --
12 sorry, folks, we're -- we were held up there one
13 second.

14 *Item No. 5 on our agenda is 218 Sixth Street.*
15 *This is a motion to accept the application, schedule*
16 *a public hearing, and arrange a site visit regarding*
17 *the application of Frank Uellendahl on behalf of*
18 *Sandra Benedetto & Elizabeth Gertz.*

19 MS. GERTZ: Yes.

20 CHAIRMAN SALADINO: Am I getting that right?

21 MS. GERTZ: Yes.

22 CHAIRMAN SALADINO: *Applicant proposes removing*
23 *the existing 6-foot mudroom at the rear of the*
24 *house, and adding a 5-foot extension to the first*
25 *floor, and extend the existing 10-foot rear deck by*

1 5 feet. This would increase building coverage by
2 170 square feet.

3 The -- for the public, the setback requirements,
4 side yard, front yard, side yard requirements are
5 on the agenda. The members have read it, the
6 application -- the applicant's aware of what is
7 required.

8 So this property -- I'm just going to mention
9 the -- where the property is. The property is
10 located in the R-2 One and Two-Family District,
11 it's not in the Historic District. And for the
12 record, the Suffolk County Tax Map number is
13 1001-7-2-4. Is the applicant here?

14 MS. GERTZ: Pardon me?

15 CHAIRMAN SALADINO: Is the applicant here?

16 MS. GERTZ: Oh.

17 CHAIRMAN SALADINO: Name and address for the
18 Stenographer, please.

19 MS. GERTZ: Do I need to use the mic? Okay.
20 Can you hear me without it? Okay.

21 COURT REPORTER: I need you on the mic, yeah.

22 CHAIRMAN SALADINO: If it's there, you can
23 use it.

24 MS. GERTZ: Okay. Is that better or the
25 same? Okay. Thank you. Again, I'm sorry for the

1 delay, I appreciate --

2 CHAIRMAN SALADINO: Just your name and
3 address for the Stenographer.

4 MS. GERTZ: My name is Elizabeth Gertz,
5 G-E-R-T-Z, 218 Sixth Street, Greenport 11944.
6 I appreciate your hearing me out. I am the owner,
7 along with Sandra Benedetto, of property at
8 218 Sixth Street. We've owned it for 25 years.
9 In fact, today is the 25th anniversary of the
10 closing, and it's a small house on a small lot. We
11 are hoping to do relatively minor renovations.
12 Although it's a, it's a tear-down of a piece of the
13 house, it is really a small expansion.

14 This house was built in the 1880s. There is
15 attached to the house a small brick structure that
16 was added at some point, I don't know when. That
17 includes the bathroom and the mud room. And that's
18 what we have to, in order to expand those rooms,
19 tear that down. So that little mud room and
20 bathroom brick extension will be torn down and
21 expanded only about 5 feet, the room itself. And
22 we're going to renovate the bathroom, but expand
23 the back room about 5 feet, so it's a more usable
24 space. Right now, it's not usable for much of
25 anything. And it would afford us better access to

1 the backyard, but a little more, a little more
2 living space. The house itself is under 1100
3 square feet at this point, so we're adding,
4 according to Frank, about 170 feet to that.

5 There is an existing deck. The deck will be
6 torn down. It will not be any bigger than it is,
7 but it will be pushed out 5 feet, so that's the
8 5 feet difference.

9 The real problem with our house is that it
10 is, obviously, prior to any zoning, right on the
11 property line of our next door neighbor, and I
12 thought it was about six inches. I guess,
13 according to the plans, it's actually only an inch
14 from the property line. So for us to do any work
15 at all, we're not going past that. But that,
16 obviously, requires a variance, because it's too
17 close, but it's been too close, it's always been
18 too close.

19 And so we are sincerely hoping that none of
20 the neighbors have an objection, and I don't think
21 they will. It's not going to be any detriment. If
22 anything, it will improve, I think, you know, the
23 structure on the lot, and not take away anything
24 from any of our neighbors at all.

25 So that's the primary change that we're

1 making. That's really the only change. We will be
2 replacing the deck, so it will be 5 feet out, but
3 it will not be -- and it will run along the same
4 property line, but it will not be any bigger than
5 it is now.

6 It's not -- you know, I did speak briefly to
7 Frank Uellendahl, our Architect, who had intended
8 to be here. He knows, obviously, a lot more about
9 the technical details and the zone, zoning regulations.
10 But according to some of the questions that I'm told
11 should be addressed, it is not an undesirable
12 change, no detriment to the neighbors. Essentially,
13 it's continuing what's already there with some
14 improvements.

15 Because the structure, the house is already
16 out of code, basically, to do anything, we need a
17 variance, that's what we're asking for. And it
18 is -- I actually don't know what the variance means
19 by being substantial. That must be a either legal
20 or technical term. It doesn't seem substantial to
21 me, because it's not really changing any existing
22 footprint, except for a small space. But to the
23 extent that it remains out of a -- too close, I
24 guess it is substantial.

25 We have to do this. We did not create this

1 difficulty or need for the variance. We didn't do
2 anything to the house before this to make it -- to
3 require anything. And because it's so old and so
4 close to the property line, we couldn't do anything
5 if we didn't continue. We couldn't do anything to
6 the back of the house, or to the front, if we
7 didn't continue this next to the property line.

8 So, you know, it has existed for generations,
9 so have our neighbors' houses, most of them existed
10 for generations. They're used to it, they're used
11 to us, and I don't think there will be a problem
12 for them.

13 The only other question, I guess, is the, is
14 the shed, which I didn't actually realize was not
15 quite far enough away from the side. It's 3 1/2 feet,
16 as opposed to 5 feet. I -- that was put in about
17 20 years ago. It's -- if you look at the drawings,
18 it's crooked on the site. I don't know why it's
19 crooked on the site when it was installed. If it
20 hadn't been crooked, it might probably -- it might
21 not be out of code, but it is. And it just would
22 be a hardship for us to have to remove that and
23 move that, so that we're asking for that to be able
24 to stay where it is, too.

25 CHAIRMAN SALADINO: I don't have the application

1 in front of me.

2 MS. GERTZ: Questions?

3 CHAIRMAN SALADINO: Just one. I don't have
4 anything in front of me. The size of the shed?

5 MS. GERTZ: It's an 8-by-10, I think.

6 MEMBER REARDON: Eight-by-12.

7 MS. GERTZ: Eight-by-12 shed.

8 CHAIRMAN SALADINO: So 96 feet. Before,
9 before I ask my colleagues if they have any
10 questions, do you have, do you have -- so we all
11 understand that there's an existing mud room,
12 you're going to knock it down, a new foundation,
13 new walls, new roof.

14 COURT REPORTER: John. John, I'm sorry,
15 could you just speak into the mic?

16 CHAIRMAN SALADINO: I'm sorry. I'm sorry.
17 We understand about the mud room, it's going to
18 come down, new walls, new roof, and there's going
19 to be a 5-foot extension to the back of it.

20 MS. GERTZ: Yeah.

21 CHAIRMAN SALADINO: Do we have the total
22 square feet of, of the, of the entire renovation?

23 MEMBER GORDON: Yes.

24 CHAIRMAN SALADINO: I apologize, I don't have
25 my application in front of me.

1 MEMBER GORDON: Yes.

2 MEMBER NYCE: Existing dwelling is 1,081
3 square feet, is the --

4 CHAIRMAN SALADINO: No, the --

5 MEMBER NYCE: The added coverage is 170 square feet.

6 MS. BENEDETTO: Yeah.

7 MEMBER GORDON: It would increase building
8 coverage by 170 --

9 MEMBER NYCE: Additional coverage.

10 MEMBER GORDON: -- 170 square feet.

11 CHAIRMAN SALADINO: The additional coverage is
12 a hundred --

13 MEMBER GORDON: So that would be 1150.

14 CHAIRMAN SALADINO: The additional coverage
15 is 170 square feet.

16 MEMBER GORDON: Yeah.

17 CHAIRMAN SALADINO: What's the existing
18 coverage that's being -- the mud room now, how many
19 square feet is --

20 MEMBER REARDON: Fourteen-fifty. It says
21 existing square footage of building.

22 CHAIRMAN SALADINO: Well, that's the entire
23 building.

24 MS. BENEDETTO: The building. The mud room
25 is --

1 CHAIRMAN SALADINO: I don't have --

2 MEMBER REARDON: Or just the mud room itself?

3 MS. GERTZ: It's like --

4 CHAIRMAN SALADINO: Just the mud room.

5 MS. GERTZ: It's like a 5-by-8 room, so
6 it's described --

7 MEMBER NYCE: The existing mud room is
8 5-foot-9 by 18-4.

9 MS. GERTZ: Eighteen.

10 MEMBER NYCE: Minus the pantry. So it's
11 probably 5-foot-9 by 12.

12 CHAIRMAN SALADINO: And the pantry's coming down?

13 MS. GERTZ: Yeah.

14 CHAIRMAN SALADINO: So the building is --

15 MEMBER NYCE: Eighteen, 18-foot-4 wide.

16 CHAIRMAN SALADINO: Eighteen-4, and it's
17 going -- and it's 11 feet -- and 11 feet, right, to
18 the wall that's going to be replaced?

19 MEMBER NYCE: Yes.

20 CHAIRMAN SALADINO: So 11-by-18 --

21 MEMBER NYCE: So you want the square footage?

22 CHAIRMAN SALADINO: -- plus 5-by-18. Okay.

23 MEMBER NYCE: Eleven times 18, 198 square feet
24 is 11 times 18.

25 CHAIRMAN SALADINO: Okay.

1 MEMBER NYCE: All right?

2 CHAIRMAN SALADINO: And the deck, the deck is
3 going to be torn down and replaced as new?

4 MS. GERTZ: Yes, new, new deck.

5 CHAIRMAN SALADINO: Okay.

6 MS. GERTZ: Approximately the same size as
7 the existing deck.

8 CHAIRMAN SALADINO: Fifteen-by-18 is what I'm
9 looking at?

10 MS. GERTZ: It may be --

11 MEMBER GORDON: Five-by-18.3, it says.

12 CHAIRMAN SALADINO: No, it says 15.

13 MEMBER NYCE: No, it will be -- yeah, it will
14 be --

15 CHAIRMAN SALADINO: Fifteen-by-18 is going to
16 be the replacement size for the deck?

17 MS. GERTZ: Fifteen-by-15, yes.

18 MEMBER NYCE: No, it's going -- no, it's
19 going wider. It's 22 -- 15-by-22.6.

20 MEMBER REARDON: Twenty-two-four by --

21 MEMBER NYCE: No, it's on the bottom,
22 15-by-22.6.

23 MEMBER REARDON: Okay, there we go.

24 MEMBER NYCE: The deck, yeah, the deck goes
25 beyond the building on the new plan.

1 CHAIRMAN SALADINO: Okay.

2 MEMBER NYCE: Fifteen-by-22.6.

3 CHAIRMAN SALADINO: And the outside shower is
4 going to be relocated, also?

5 MS. GERTZ: It will be, yes. It will be --
6 according to this, and I'm actually not sure, I
7 think this is -- this is where it will be. It will
8 be attached on -- it will be on the deck, but next
9 to the extension, the house extension. So there
10 will be a bump-out of the deck for that shower.

11 CHAIRMAN SALADINO: Okay. Okay.

12 MEMBER REARDON: Well, it's built into the deck.

13 CHAIRMAN SALADINO: No, here, new.

14 MEMBER REARDON: Oh, that's the as-built.

15 CHAIRMAN SALADINO: Yeah.

16 MEMBER REARDON: Sorry.

17 CHAIRMAN SALADINO: That's all that -- until,
18 until the Public Hearing, that's all I'm thinking I
19 have. Just to answer one of your questions, when
20 you said you don't know what's substantial, side
21 yard, combined side yard has to be 25 feet, one
22 side yard 10 feet, the other, 15, combined, 25.
23 So, when, when you were asking on the side yard,
24 that should be 10 feet and you had one inch,
25 you know, 9 feet 11 inches in most people's opinion

1 is substantial.

2 MS. GERTZ: Oh, substantial variance, you mean?

3 CHAIRMAN SALADINO: Variance, yeah.

4 MS. GERTZ: Yeah, okay, although --

5 CHAIRMAN SALADINO: But it's not something
6 you should stress about.

7 MS. GERTZ: Okay.

8 CHAIRMAN SALADINO: Okay?

9 MS. GERTZ: Thank you.

10 CHAIRMAN SALADINO: That's all I have.

11 MEMBER GORDON: Okay.

12 MS. GERTZ: Anyone else?

13 MEMBER GORDON: I want to be sure I understand.
14 This is really maybe a question for the Building
15 Department. The front yard setback, the -- No. 1
16 in this list --

17 MS. GERTZ: Yeah, right.

18 MEMBER GORDON: -- of variance -- variances
19 requests is simply a -- what we've been doing in
20 recent years of legalizing or legitimizing
21 something that already exists, right, because
22 nothing is changing about the front yard setback.

23 MS. GERTZ: Right.

24 MEMBER NYCE: Right.

25 MEMBER GORDON: So that's simply a sort of

1 updating of what exists. And the second one is
2 also that, it's, it's to legitimize, legitimize
3 that tiny --

4 MEMBER NYCE: No, it's because you're
5 extending it.

6 CHAIRMAN SALADINO: No.

7 MEMBER NYCE: You're extending it by 5 feet,
8 so you're increasing it.

9 MEMBER GORDON: Isn't that only -- isn't
10 that -- that's with respect to No. 3.

11 MS. GERTZ: Yes.

12 MEMBER GORDON: I'm asking about No. 2.

13 CHAIRMAN SALADINO: It's new construction,
14 Dinni, we've done it.

15 MEMBER GORDON: It's existing, it says
16 existing.

17 CHAIRMAN SALADINO: But the building is
18 coming down.

19 MS. GERTZ: Only a portion of it.

20 MR. NOONE: But you still need, you still
21 need -- for the existing nonconforming section, you
22 still need that one variance. What you need
23 another variance for is the new proposed --

24 MEMBER GORDON: I understand that number --

25 MR. NOONE: Right.

1 MEMBER GORDON: You need No. 3. I -- and
2 that's the, that's the essence of this request.

3 MR. NOONE: Right. Really, No. 1 variance
4 and No. 2 variance are preexisting nonconforming.

5 MEMBER GORDON: Right.

6 CHAIRMAN SALADINO: I disagree.

7 MEMBER NYCE: Yeah.

8 CHAIRMAN SALADINO: I disagree.

9 MEMBER NYCE: Right.

10 CHAIRMAN SALADINO: If the -- if there was
11 going to be -- I'm sorry, I'm sorry.

12 MEMBER GORDON: This is why I'm asking.

13 CHAIRMAN SALADINO: Okay. If I could, my
14 opinion is, and what we've done in the past with
15 other applications, is that if that mud room was
16 staying, wasn't being torn down, and it was
17 staying, and we were going to put a 5-foot
18 extension on the east side of that mud room, like
19 is proposed, then it would be a preexisting
20 nonconformity, and it would be what we normally do
21 to legitimize those preexisting nonconforming. But
22 that portion of the building is being torn down and
23 now it's new construction, and it's adding to the
24 nonconformity of the existing house.

25 MEMBER GORDON: In that case, why do you need

1 the No. 2 at all?

2 MEMBER NYCE: Because you're adding, you're
3 adding a --

4 MEMBER KAUFMAN: But why is it split? Why is
5 it split between two?

6 MEMBER NYCE: Because you're moving the
7 foundation wall out by 5 feet.

8 MS. GERTZ: Not there, though. Nothing is
9 changing until you get to that brick.

10 CHAIRMAN SALADINO: Well, to be honest with
11 you, if, if the Building Inspector wrote the Notice
12 of Disapproval and taking the entire renovation as
13 a new portion of the building, you wouldn't need,
14 you wouldn't need No. 3, in my opinion, for the --
15 wait, is that No. 3? For the 5-foot, for the
16 5-foot extension, you wouldn't need it. If you
17 would have incorporated that 5-foot extension into
18 the renovation of the mud room, the new addition --
19 to me, that's a new addition. You know, you're
20 tearing down the mud room, which is nice, good.

21 MS. GERTZ: Yeah.

22 CHAIRMAN SALADINO: And you're putting an
23 addition.

24 MS. GERTZ: Yeah.

25 CHAIRMAN SALADINO: You're putting a new

1 foundation, the new floor, new roof, new walls.

2 MS. GERTZ: Yes.

3 CHAIRMAN SALADINO: And you want to extend
4 that 5 feet. The Building Inspector, in my
5 opinion, could have written the Notice of
6 Disapproval that way, but he didn't, and it seems
7 like it's an easy enough thing to deal with when we
8 get to it.

9 MEMBER NYCE: I apologize, I didn't get the
10 updated Notice of Disapproval, so the 2's and 3's
11 are confusing me, so --

12 MEMBER REARDON: Oh, I see.

13 MEMBER NYCE: But I'm good, I got it now, I
14 figured it out.

15 CHAIRMAN SALADINO: I don't have it in front
16 of me either, I'm reading from the agenda.

17 MEMBER NYCE: Yeah, so that's what I just
18 found out.

19 CHAIRMAN SALADINO: So --

20 MS. GERTZ: You could have these.

21 MEMBER NYCE: No, it's good, it's good, I was
22 just --

23 MR. NOONE: I sent them out.

24 MEMBER NYCE: I caught up.

25 CHAIRMAN SALADINO: You know, I just -- I

1 think it's required. When you put a new portion on
2 a house and it's not --

3 MEMBER GORDON: Of course, but I think that
4 is taking care of 3, and that 2 is either just
5 legitimizing what exists or unnecessary, because
6 it's been destroyed, because it's going to be taken
7 down. Either one is okay. It just seems to me
8 this is --

9 CHAIRMAN SALADINO: Well, okay. So we could
10 deal with it, we could deal with it when it comes
11 time for --

12 MEMBER GORDON: Okay.

13 CHAIRMAN SALADINO: But I have to be honest
14 with you, I'm uncomfortable asking him for a new
15 Notice of Disapproval.

16 MEMBER GORDON: Of course, I agree. And
17 then 4 is another -- is also just legitimizing one
18 of these. I mean, this is a program that we have
19 had in the last few years, and I am just trying to
20 note where we are applying --

21 CHAIRMAN SALADINO: Well, wait a second.

22 MEMBER KAUFMAN: But the shed is not that
23 old, though.

24 CHAIRMAN SALADINO: Wait a second, that's the
25 other thing. The shed isn't prior to code, so the

1 shed is there as-built.

2 MEMBER GORDON: But it is a -- is it not
3 existing nonconforming?

4 CHAIRMAN SALADINO: But it's illegal.

5 MEMBER GORDON: Okay.

6 MEMBER KAUFMAN: It was built 20 years ago.

7 MS. GERTZ: Roughly.

8 MEMBER KAUFMAN: Yeah, so it was built illegally.

9 CHAIRMAN SALADINO: It's as-built.

10 MEMBER KAUFMAN: Yeah.

11 CHAIRMAN SALADINO: If it was built with the
12 house prior to 1971, when the code was instituted,
13 it was would be a nonissue. Now it's -- but,
14 again --

15 MEMBER GORDON: So this simply approving --

16 CHAIRMAN SALADINO: Again, not a big deal.

17 MEMBER GORDON: This is, this is requesting a
18 variance for something as-built.

19 CHAIRMAN SALADINO: Yes.

20 MEMBER GORDON: Okay.

21 CHAIRMAN SALADINO: Seth, you got anything?

22 MEMBER KAUFMAN: No, that's it.

23 CHAIRMAN SALADINO: David?

24 MEMBER NYCE: Yeah. No, I'm following
25 exactly what you're saying.

1 CHAIRMAN SALADINO: Jack?

2 MEMBER REARDON: No questions, everything
3 seems straightforward to me.

4 CHAIRMAN SALADINO: Okay. I'm guessing we're
5 going to make a motion to accept this application.
6 Are there -- I just -- and I apologize, one second.
7 Everything from this applicant we need -- we have
8 everything from this applicant, affidavits and --

9 MR. NOONE: Yes.

10 CHAIRMAN SALADINO: It doesn't have to be
11 addressed next month, nothing?

12 MR. NOONE: Nope.

13 CHAIRMAN SALADINO: Do we -- okay. All right.
14 I'm about going to make a motion that we accept
15 this application. So moved.

16 MEMBER REARDON: Second.

17 CHAIRMAN SALADINO: All in favor?

18 MEMBER NYCE: Aye.

19 MEMBER REARDON: Aye.

20 MEMBER GORDON: Aye.

21 MEMBER KAUFMAN: Aye.

22 CHAIRMAN SALADINO: And I'll vote aye. We're
23 going to -- we're going to want to do a site
24 inspection, I'm guessing, right, folks? We're
25 going to want to do a site inspection. We would

1 ask you to just stake out, or you'll have Frank
2 stake out the property where the addition is going
3 to be, where, obviously, the shed --

4 MS. GERTZ: Yeah.

5 CHAIRMAN SALADINO: Obvious. Where the new
6 deck is going to be, where the addition will be,
7 just stake it out, so when we show up, we can get a
8 visual of it. And we're going to be there on the
9 day of --

10 MEMBER REARDON: July 16.

11 CHAIRMAN SALADINO: -- the Public Hearing,
12 July 16th. We'll make it 5:15?

13 MEMBER NYCE: 5:15 sounds good.

14 CHAIRMAN SALADINO: 5:15 is good?

15 MEMBER GORDON: Yeah.

16 MS. GERTZ: It's right before the --

17 MEMBER NYCE: Yes.

18 CHAIRMAN SALADINO: I'm sorry?

19 MS. GERTZ: It is right before the hearing,
20 then?

21 MEMBER NYCE: Yeah.

22 MS. GERTZ: Okay.

23 CHAIRMAN SALADINO: The hearing will be at
24 the meeting. We set the hearing, we set the Public
25 Hearing for 6 o'clock, we set them all at 6 o'clock.

1 And we're going to set the Public Hearing for --
2 what's the date again?

3 MR. NOONE: July 16th

4 CHAIRMAN SALADINO: July 16th at 6 o'clock
5 here, I'm guessing here --

6 MS. GERTZ: Okay.

7 CHAIRMAN SALADINO: -- at the Firehouse.

8 MR. NOONE: Yeah.

9 CHAIRMAN SALADINO: Sometimes we lose the
10 building and it's either here or at the Schoolhouse.
11 So, okay. So we'll see you on July 16th.

12 MS. GERTZ: July 16th.

13 CHAIRMAN SALADINO: At 5:15 we'll be at the
14 property, and 6 o'clock we'll see you here.

15 MS. GERTZ: Okay, great. Again, I really
16 appreciate you all waiting for us.

17 MEMBER NYCE: Absolutely.

18 MS. GERTZ: Thank you.

19 MEMBER REARDON: Thank you for making that
20 drive, I'm sure it wasn't easy.

21 MS. GERTZ: We're not doing it again for a
22 long time.

23 CHAIRMAN SALADINO: But you'll do it again
24 July 16th.

25 MS. BENEDETTO: Oh, no, we're here.

1 MS. GERTZ: We're here.

2 MS. BENEDETTO: Yeah. We're normally here.

3 MS. GERTZ: Yeah. I had a dental appointment.

4 MS. BENEDETTO: Things had to be taken care of.

5 Thank you so much.

6 MR. NOONE: Absolutely.

7 CHAIRMAN SALADINO: Wait, you took my agenda.

8 MEMBER NYCE: Here you go. Just any other

9 business that may --

10 MS. GERTZ: Mike, I'm Elizabeth. Nice to
11 meet you. Thank you very much for your help.

12 MR. NOONE: Thank you. I'm on the clock, you
13 can thank these people.

14 (Laughter)

15 MS. GERTZ: Thank you all, yes.

16 CHAIRMAN SALADINO: Good night.

17 MS. GERTZ: See you then.

18 CHAIRMAN SALADINO: *Item No. 6 is any other*
19 *Zoning Board of Appeals business that might*
20 *properly come before this Board. Anybody, anybody*
21 *in the audience? No? No questions? This is your*
22 *chance.*

23 I have one thing I would like to bring up to
24 the Board. There's always been a question in my --
25 there's always been a question in my mind exactly

1 what adjacent is. We require, we require mailings
2 from adjacent property owners. Every Building
3 Inspector that we've had had a different idea of
4 what adjacent is. Some said 100 feet, some said
5 same side of the street, some said 200 feet, some
6 said across the street. Do we have an idea what's
7 appropriate? Anybody got an idea what we should
8 kind of set as -- we could always ask for extended
9 mailings. You know, if it's a, if it's a
10 complicated application, we could always, you know,
11 ask to extend the area of the mailings. But just
12 for a routine thing, do we -- next door?

13 MEMBER NYCE: I would think one or two
14 properties, you know.

15 CHAIRMAN SALADINO: In either direction?

16 MEMBER NYCE: Yeah, I would think so.

17 CHAIRMAN SALADINO: On the same side of the
18 street?

19 MEMBER NYCE: Or if the backyards abut,
20 you know, or across, directly across the street.
21 I mean, I think if it's in -- within --

22 MEMBER KAUFMAN: Two hundred.

23 MEMBER NYCE: You could see it from your
24 house kind of thing.

25 MEMBER KAUFMAN: Right. Two hundred feet,

1 though, right?

2 CHAIRMAN SALADINO: Well, the properties
3 are -- like in West Dublin it's 50 feet, so
4 100 feet on either side.

5 MEMBER KAUFMAN: Yeah.

6 MR. NOONE: I've already done the radius.
7 I've actually already done for the Public Hearing,
8 for the public notice. Basically, this is a
9 property that's in the middle of the street, so for
10 a property like this where in West Dublin they're
11 small lots, I mean, I just did the properties on
12 either side, the properties that are directly in
13 front that overlap, the properties that are behind,
14 which are two that share either, either a corner
15 property line or directly behind. So, essentially,
16 it's the seven properties around it. I mean, I
17 think any more than that would be like overkill.
18 I mean, I would --

19 CHAIRMAN SALADINO: I agree. No, I agree
20 with you.

21 MR. NOONE: Okay. When I did the public
22 notices for Emilio's for 400 Main, obviously, I did
23 that a little differently than I did this. I mean --

24 CHAIRMAN SALADINO: Okay.

25 MEMBER NYCE: Yeah.

1 CHAIRMAN SALADINO: I only brought it up
2 because one or two applications, I don't even
3 remember when the last meeting was, but one or two
4 applications ago, there was a question of if we had
5 wanted expanded mailings, or we didn't want
6 expanded mailings, and it was kind of like an
7 involved application. So I just thought if it's
8 routine, you know, that you do either side, front
9 and back, and it turns out to be like seven, then
10 we would just leave it like that.

11 MEMBER GORDON: Yeah.

12 CHAIRMAN SALADINO: Right? Yeah, okay.
13 Sorry. Sorry, folks.

14 MR. NOONE: You know, a lot of the -- you know,
15 the placards are a big part of it, too. I mean,
16 anybody who lives on the street --

17 MEMBER NYCE: Right.

18 MR. NOONE: -- or within the area will see
19 the placard, for the most part.

20 CHAIRMAN SALADINO: And that's true. And
21 that's true, except sometimes when the placard's
22 not there, it blew down in a windstorm, or people
23 have a comment about a particular project that
24 don't live on that street. You know, we let
25 them -- we let whoever wants to talk talk. So,

1 you know, we do have folks that don't live on that
2 block, or a particular block, that might have a
3 comment about what's going on there, be it a
4 subdivision or something. We'll deal with it when
5 it comes up again.

6 All right. Anybody, anything else? No?
7 That's it?

8 And *Item No. 7 is a motion to adjourn.*
9 So moved.

10 MEMBER NYCE: Second.

11 CHAIRMAN SALADINO: All in favor?

12 MEMBER NYCE: Aye.

13 MEMBER REARDON: Aye.

14 MEMBER GORDON: Aye.

15 MEMBER KAUFMAN: Aye.

16 CHAIRMAN SALADINO: And I'll vote aye.

17 Thank you, folks. Thanks for coming.

18 (The Meeting was Adjourned at 6:56 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, 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 June 18, 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 21st day of June, 2024.

Lucia Braaten
Lucia Braaten