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VILLAGE OF GREENPORT
COUNTY OF SUFFOLK : STATE OF NEW YORK

-----X

PLANNING BOARD
WORK SESSION, PUBLIC HEARING
&
REGULAR MEETING

-----X

Station One Firehouse
Third & South Streets
Greenport, New York 11944
July 12, 2024
4:00 p.m.

B E F O R E:
PATRICIA HAMMES - CHAIRWOMAN
ELIZABETH TALERMAN - MEMBER
FRANCES WALTON - MEMBER

ALSO PRESENT:
BRIAN S. STOLAR, VILLAGE ATTORNEY
MICHAEL NOONE - CLERK TO THE BOARD

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CHAIRWOMAN HAMMES: : All
right. Good afternoon and welcome to
the scheduled work session regular
meeting of the village of Greenport's
planning board for Friday July 12,
2024. The time is 4:00 p.m. and I
hereby call this meeting to order.

This meeting is a public
meeting and includes a hearing in
respect of an entertainment permit at
the property at 102 Main Street
proposing to do business as the
Shipyard and a continuation of a
submission for demolition of existing
structure at their property located
at 400 Main Street.

As a reminder to the
applicants and the public, if you are
speaking today please remember to
start by slowing and clearly stating
your full name and address for the
record. And in addition, all
comments shall be addressed solely to

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the planning board.

I'm going to move items number one and two of the agenda to the end of the meeting since they are more administrative. Thus, we are going to start a public hearing discussing the possible motion to vote on the application of New Co. of Greenport LLC doing business as the Shipyard property located at 102 Main Street. This property is located at Suffolk County tax map 10015312.2 and is located in the W-C Waterfront Commercial District and Historic District. This business recently changed hands and was previously operated as a restaurant named Fortino's Tavern.

While we had stated this numerous previously, as a reminder to the public, village code was recently amended to express whether under what circumstances business in the CPR may host entertainment and catered

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2 affairs. The purpose of the
3 permission to acquire the issuance of
4 an entertainment permit required the
5 issuance by the village board of
6 trustees for among other reasons to
7 specifically define the circumstances
8 under which a business is entitled to
9 host entertainment or catered affairs
10 and to ensure that a business hosting
11 entertaining that are catered events,
12 that the properties are complying
13 with applicable village code
14 provisions including Chapter 88
15 relating to noise and are not
16 otherwise conducting such activities
17 in a manner that would interfere with
18 health, safety and welfare and
19 comfort and convenience in the
20 surrounding neighborhood in
21 particular and to provide the village
22 with a mechanism of enforcement of
23 violations of that village code.

24 The board of trustees in
25 adopting recent amendments to the

1
2 code including in respect to these
3 issues and other amendments relating
4 to Chapter 88, which is the noise
5 chapter of the code, has made it
6 clear that businesses operating in
7 the CR and WC district should be
8 entitled to host entertainment and
9 catered events as part of their
10 ordinary course of operations of
11 their business. So as long as they
12 provided the village with an
13 operating plan in respect thereof and
14 are otherwise in compliance with
15 other provisions of the code,
16 including section 115-51 relating to
17 entertainment permits; Chapter 88,
18 related to noise; and Chapter 44,
19 related to mass of semblance.

20 With this in mind, any public
21 comments on the issuance of obtaining
22 a permit should be specific to the
23 relative property, activity by the
24 relative business and not more
25 generalized in respect to matters

1
2 that would apply to any business
3 hosting entertainment or catered
4 events. Those types of generalized
5 comments or concerns are more
6 properly addressed at the legislative
7 body of the village.

8 I will now ask the applicant
9 to please come to the podium. Thank
10 you for your application. I guess if
11 you could please state your name and
12 address for the record.

13 DARREN KINMAN: Sure. Darren
14 Kinman. My address is 160 5th
15 Street, Greenport, New York.

16 CHAIRWOMAN HAMMES: What is
17 your affiliation with --

18 DARREN KINMAN: Oh, I'm just
19 --

20 THE REPORTER: One person at a
21 time. Let her finish.

22 CHAIRWOMAN HAMMES: Sorry.
23 You are not the named
24 applicant, right?

25 DARREN KINMAN: Right. That

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is my financial partner.

CHAIRWOMAN HAMMES: Okay. I mean I had understood based on the board of trustees meeting he didn't have any substantial interest but I assume he has authorized you to speak on his behalf.

DARREN KINMAN: Absolutely. He is on his way.

CHAIRWOMAN HAMMES: All right. Thanks for the application, I guess. Is there anything in particular that you would like to highlight in this application.

DARREN KINMAN: Primarily we are a family restaurant and the entertainment we plan to have will be primarily on the dock. That's not him. So it is going to be, you know, we are not having loud music. It is moving to accompany people dining on the dine assuming the dock has acclimate weather. Nothing too crazy.

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CHAIRWOMAN HAMMES: All right.

I don't know if you guys received this letter. It just came in this afternoon. It is from one of the community members. I'll read it into the record a little bit.

Here it is if you want it.

(Handing).

DARREN KINMAN: Thank you.

CHAIRWOMAN HAMMES: I'll read it into the record. I have to go through a couple of things now and then we'll open it up to the board for discussion.

DARREN KINMAN: Sure.

CHAIRWOMAN HAMMES: "Since the application has been completed and submitted we are seeking verbal confirmation that the applicant and business understand and read Chapter 151 understand the requirements and particularly 151D neutralizes the operation of the business in connection to hosting

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catered events and entertainment."

DARREN KINMAN: We have read the chapter. I have got them right here.

CHAIRWOMAN HAMMES: I won't ask you about 88 since you have said you have done that.

And to the best of your knowledge, the information and materials that have been provided to me in the application don't conflict with the otherwise contemplated altering the premises in a way that would conflict with the currently effective site plan of the business?

DARREN KINMAN: Not at all.

CHAIRWOMAN HAMMES: One final note I have been making on these applications because this is another code change that not everybody is aware of, is Chapter 44, which relates to mass assemblies. It has recently been revised by the trustees and it provides that each of the

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2 businesses holds a entertainment
3 permit. If you are hosting a private
4 event for more than one hundred
5 persons, you need a mass assembly
6 permit that you have to file for. So
7 you should be aware at that if at any
8 point you are hosting more than 100
9 people at the site.

10 DARREN KINMAN: Sure.

11 CHAIRWOMAN HAMMES: Okay. I
12 did receive confirmation from the
13 village. They are not aware of any
14 outstanding code violations with
15 respect to the business for the
16 property.

17 We did receive this one
18 letter, which I guess before I read
19 that into the record, I will turn it
20 over to the board members to see if
21 they have questions or comments for
22 the applicant at this time.

23 Elizabeth, do you want to
24 start?

25 MEMBER TALERMAN: I think the

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only comment I have is to the extent that there will be music on the dock being sensitive to the fact that that sound travels away from the restaurant as well as towards your patrons. And so rather than amplified, I think acoustic music is --

DARREN KINMAN: Acoustic is what we prefer.

MEMBER TALERMAN: Sure.

MEMBER WALTON: Sorry. Could you repeat --

DARREN KINMAN: We prefer acoustic music. It will be primarily acoustic.

MEMBER WALTON: Primarily acoustic. My comments and or requests is along the same line as Elizabeth's. It is hard to buffer any sound on the water and I wanted to understand where you plan to position any amplification if any.

DARREN KINMAN: It will be

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closest to the door, the entrance of the restaurant so the music will be going -- because otherwise people won't hear it because if we have an issue, that is going to be a lot louder.

MEMBER WALTON: Speak a little bit into the microphone. Thank you.

DARREN KINMAN: We are a small dock as a restaurant. We are not playing loud music to people get up and dance. We are playing music so people can enjoy their dinner. It will be staged right outside the dinner. I'm not sure if you know the dock. When you leave, the back door towards the dock is where the music will be. And it will be acoustic music. I mean nothing too crazy.

MEMBER WALTON: To some degree, the building itself will buffer the music.

DARREN KINMAN: It will. I live on the water here (pointing),

1
2 and I hear music at 1:00 a.m. I
3 don't want that. We want it to be a
4 nice family atmosphere with quiet
5 music.

6 MEMBER WALTON: Thank you.

7 CHAIRWOMAN HAMMES: I just had
8 pretty much a similar comment to
9 make. I mean I would say I was down
10 at Claudio's last weekend and they
11 had overlapping music as one was
12 finishing up and one was starting and
13 I can't pronounce the word properly
14 but it was cacophonous. I think from
15 your perspective you have to keep in
16 mind when you have music you may find
17 yourself your patrons may not be able
18 to enjoy it that much.

19 DARREN KINMAN: Right. One of
20 the issues previously was that they
21 would listen to music from both of
22 those places and it was difficult for
23 diners to relax listening to loud
24 music coming from both directions but
25 if I could get up there and play my

1
2 guitar, I would but I can't play the
3 guitar so I won't be doing that but I
4 understand.

5 CHAIRWOMAN HAMMES: I believe
6 in your application your hours
7 indicated that you are going to be
8 serving dinner until 10. Do you have
9 a time at which -- understanding
10 what the noise code says but again as
11 you are aware there is a lot of focus
12 on that and Claude owes has jumped
13 through a lot with the sound barrier
14 and alike and I think acoustic music
15 is one thing that probably people
16 aren't going to be too fussed about.
17 But you know, if it is ending by
18 10:00 p.m., that would be one thing.
19 If your position is I'm going to get
20 this and I'm going to get a rock band
21 and go until one in the morning. I
22 think that might be something.

23 DARREN KINMAN: Absolutely.
24 The music will be over by 9 because
25 our last service will be probably

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2 8 o'clock. So by 9 o'clock, you
3 know, people are wrapping up and
4 going home any way.

5 CHAIRWOMAN HAMMES: I'm going
6 to read this letter into the record.
7 I have to.

8 So we have received one letter
9 and to the planning board members;
10 Daniel Creedon, Shawn Buchanan,
11 Frances Walton, Elizabeth Talerman
12 and Patricia Hammes.

13 "Dear Planning Board,

14 This is in regard to the
15 Entertainment Permit Application of
16 102 Main Street, Newco DBA The
17 Shipyard. I know the Board believes
18 it must grant entertainment permit
19 applications "as of right," but you
20 are also a "Planning Board" that must
21 consider whether existing conditions
22 meet the requirements that will allow
23 the establishment to operate within
24 the code.

25 The property in question,

1
2 which is on the dock across from
3 Claudio's, has gone through multiple
4 restaurant owners in the last
5 two decades. My husband and I have
6 eaten at nearly all of them; it's a
7 pleasant place to sit for the sort of
8 quiet meal on the water not available
9 at most other waterfront
10 establishments. The indoor space is
11 small and intimate, allowing for
12 conversation at dinner that doesn't
13 allow for raising one's voice.

14 We in the Historic District
15 remain plagued by the music from
16 Claudio's despite the new noise
17 ordinance. We can still on a
18 Saturday or Sunday afternoon or
19 evening in our backyard be forced to
20 listen, yet again, to "Brown Eyed
21 Girl" sung off key with very loud
22 percussives and, of course, "Sweet
23 Caroline," for those local Red Sock
24 fans who endure."

25 I actually like sweet Caroline

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and I am not a Red Sox fan.

"The last thing the town needs is yet another bar band on the dock that can be heard throughout the village, bouncing its "music" across the bay and then off the walls of any homes near the shoreline so that residents cannot escape it. Particularly, in this case, given the existing conditions of the property, there is simply no way to soundproof a dock and one cannot imagine where a live indoor band would do go.

I know the Board believes it must grant entertainment permit applications "as of right," but being a planning board means considering whether the proposal is a good "plan" for the future, particularly if it doesn't have what's needed to contain live or overly amplified music and so comply with the new noise ordinance. Kind regards,.

Lorraine Kreamling."

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2 At this point, does anybody
3 else from the public wish to speak on
4 this application?

5 ELON MARTIN: I just have a
6 quick comment.

7 CHAIRWOMAN HAMMES: If you
8 want to speak, you have to get up and
9 say your name and address for the
10 record. Sorry.

11 ELON MARTIN: All right.

12 CHAIRWOMAN HAMMES: Please let
13 him up.

14 ELON MARTIN: Hi. Elon
15 Martin. 102 Central Avenue.

16 I'm just wondering if it is
17 going to be acoustic and it is going
18 to be intimate. I have been at
19 plenty of restaurants where the music
20 is indoors and then the seating
21 outdoors. When you are outdoors, you
22 are going to hear all the other music
23 on the water. There is just no way.
24 So just a thought. That's all. It
25 seems to me it would make more sense

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to have -- I'm speaking to you but I want to speak to him. It would make more sense to have acoustic music on the interior for a nice intimate romantic dinner for two.

CHAIRWOMAN HAMMES: Thank you for your thoughts.

ELON MARTIN: Thank you.

CHAIRWOMAN HAMMES: Anyone else?

Do you want to come back up for a minute?

DARREN KINMAN: Sure.

CHAIRWOMAN HAMMES: So I guess the question is whether or not you have met these conditions.

DARREN KINMAN: No because potentially we would have parties in the future like wedding parties and things like that.

CHAIRWOMAN HAMMES: What about outside?

DARREN KINMAN: Acoustic outside still needs to be amplified

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but it is an acoustic guitar but there needs to be some kind of amplification; otherwise you just can't hear the music.

CHAIRWOMAN HAMMES: Right. You need to be able to hear the music.

DARREN KINMAN: That's correct. That's why I needed to submit an application. But that won't drown out the music that is around town any way. So I mean, you know.

CHAIRWOMAN HAMMES: And music outside being done by 9 o'clock.

DARREN KINMAN: Oh, a hundred percent. We don't -- I mean, you know, we are going to be home by 10:00.

CHAIRWOMAN HAMMES: Do you guys have any thoughts on this?

MEMBER TALERMAN: I think you can amplify over amplification. You know what is going to happen.

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DARREN KINMAN: Right.

MEMBER TALERMAN: So having music outside could probably mean occasional and depending on the season that happens at Crabby Jerry's and Claudio's. The fact that you are positioning where you are and amplifying out to your dock makes sense and that's exactly what we told Claudio's they couldn't do. They had to push the music the other way and create a buffer so your neighborhood didn't have to suffer. Though we already know that their neighborhood can hear it anyway. I can hear it by the hospital.

DARREN KINMAN: Right.

MEMBER TALERMAN: I get it. So I think the sensitive is that even acoustic music is amplified, it is going to be pushed out. You can't be in competition with your neighbors. It's sort of a discretionary thing.

DARREN KINMAN: At some point,

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we will say there is no point to having music if I'm listening to "Sweet Caroline" bellowing out.

CHAIRWOMAN HAMMES: Claudio's music is usually in the evenings as opposed to the afternoon music.

DARREN KINMAN: Right.

CHAIRWOMAN HAMMES: Is there any way to tailor something about the level of the acoustic other than tying it to the noise code? I think our concern is we don't want you to decide to keep ramping up to try to compete with them. That's what I'm concerned about.

ATTORNEY STOLAR: Right. How do you enforce when you have multiple locations potentially individually seating the noise code? So it becomes an enforcement issue at that point.

CHAIRWOMAN HAMMES: Yeah. I guess my view is that I can support this if outside finishes by 9 o'clock

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in line with what you said so there is not a loud rock band every day.

DARREN KINMAN: Right. Steel drums.

MEMBER WALTON: I think we share the concern that you both Elizabeth and Trish pinpointed the issue. Whatever assurance you can provide that it is acoustical with minor amplification as opposed to electric guitar or some other form of drums or anything like that. So I mean I guess you are willing to commit to acoustical.

DARREN KINMAN: Sure.

MEMBER WALTON: But you want the ability to provide some amplification.

CHAIRWOMAN HAMMES: Which generally speaking, a guitar player has an amp.

MEMBER WALTON: Right. I mean, it's hard. I think that that is reasonable, finishing at

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9 o'clock. So I would be prepared to support that under those terms.

DARREN KINMAN: Okay. Thank you.

CHAIRWOMAN HAMMES: And your business is just going to have to be aware that you have an over hang across from you and if things get worse down there you are all going to be under the microscope equally unfortunately.

DARREN KINMAN: Right. And we don't intend to be in any way.

CHAIRWOMAN HAMMES: Awesome. All right. You can sit down at this point.

I'm going to make a motion to close the public hearing in respect of the application of Newco Greenport, LLC doing business at the Shipyard and the issuance of the entertainment permit in respect with hosting the entertainment and hosting catered events at the property.

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Do I have a second?

MEMBER WALTON: Second.

CHAIRWOMAN HAMMES: All in favor?

(All ayes.)

CHAIRWOMAN HAMMES: Motion passes.

Section 150-51-C4 of the code sets forth the criteria that this board needs to take into account and make in connection with the entertainment permit. In making the determinations required under Section 150-51-C4, this board is relying on the information contained in the application for the applicable permit with respect to factual matters and the proposed offer issue in the connection of hosting entertainment and or catered events by applicable business. This board is also assuming that the applicant will operate according to entertainment permit and applicable

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2 village code and site plan and
3 applicable approvals. Finding that
4 the application satisfies the
5 requirements of 150-51-C4 code, and
6 there will be issuance of the permit
7 in favor of the business. This does
8 not in any manner constitute the
9 approval from any deviation of site
10 plan or any other approval in effect
11 in respect to the business or
12 constitute an amendment in such said
13 effect; nor does it constitute a
14 waiver of any violation of the
15 requirements.

16 In the interest of time, I am
17 not going to read each of the
18 provisions set forth in 150-51-C4,
19 but instead ask that each board
20 member confirm that they have read
21 this section in connection with this
22 application and indicate whether they
23 agree with the provisions set forth
24 therein are adequately satisfied in
25 respect with this operation at 102

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Main Street and the issues we have discussed.

MEMBER TALERMAN: Reviewed, confirmed and agreed.

MEMBER WALTON: (Nodding.)

CHAIRWOMAN HAMMES: Okay. So based on the prior discussion and foregoing determinations, I make a motion that this board approve the issuance of an entertainment permit for the business at 102 Main Street operating as the Shipyard subject to the fact that any live music outside will be done by 9 o'clock and then it will generally be limited to acoustic-type music with, you know, customary amplification.

That's it, right?

MEMBER WALTON: Well except rather than generally, any -- you referenced that you might have a private affair. That would be inside. So can we strike the word generally and say acoustic with

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appropriate amplification.

CHAIRWOMAN HAMMES: Okay,
fine.

MEMBER WALTON: Okay.

CHAIRWOMAN HAMMES: All right.
Do I have a second?

MEMBER WALTON: Second.

CHAIRWOMAN HAMMES: All those
in favor?

(All ayes.)

CHAIRWOMAN HAMMES: Nobody
opposed. Motion carried.

You are done. Good luck. We
look forward to visiting you.

DARREN KINMAN: Sunday at
lunchtime. Thank you so much. I
appreciate it. Thanks so much.

CHAIRWOMAN HAMMES: All right.
The next order of business is
the continuation of the
pre-submission conference in respect
of an application for approval of
conditional use in site plans
submitted by Matt Michel in respect

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2 to the property located at 400 Main
3 Street. This property is located at
4 Suffolk County Tax Map 1001-4-7-24.
5 It is located in the C-R Realty
6 Commercial District. It also located
7 in the Historic District.

8 The existing building on the
9 property consists of a single-floor
10 building with front door/outdoor
11 patio and was most recently operated
12 as Pizza, and related restaurant and
13 parking area. The property has been
14 vacant since November 2020. The
15 proposed site plan seeks to demolish
16 the existing building on the site and
17 build a new three-story building,
18 which would include a bar-restaurant
19 on the first floor, parking, and
20 apartments on the second and third
21 floors. The proposed new building
22 will an expand what is currently on
23 the property. This application will
24 ultimately require a conditional use
25 approval As well as site plan

1
2 approval. It appears it will also
3 require certain variances from the
4 ZBA as well as certificate of
5 appropriateness from the Historic
6 District.

7 We started this presubmission
8 conference for this property at our
9 last meeting and the applicant has
10 already provided us with a fair
11 amount of information in response to
12 a number of questions. I think that
13 today, he was going to work to give
14 us a little bit more detail on the
15 proposed landscaping and I would
16 also, at this time, like to give him
17 the opportunity to raise any other
18 points he would like to raise,
19 respective to issues or concerns
20 raised in front of the board at the
21 last meeting. With that, I now
22 request the applicant to come up to
23 the podium to state his name and
24 address for the record and highlight
25 any points he wishes to bring to the

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board's attention.

MATTHEW MICHEL: Thank you.

Matthew Michel. 400 Main Street.

So I guess I will just recap a few things really quick. We are working on a community impact report, which was spoken about when you said it would be necessary to answer all those questions.

We also plan on getting the Historical Board agenda, which we have not done yet but we will work on that this week.

Eventually I'm going to have Cat come up and talk about landscaping. I know there was a few questions about the width of the border. I think you mentioned -- someone mentioned three feet was not enough. To that, I would say I don't know that there is any requirement. I would be curious to hear, if at all, but you know, she'll speak on that. And she is also going to speak

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on the size of the hedges, what type of hedges and speak on Boston Ivy a little bit as well.

I also want to point out that the tree mentioned on Main Street near the garden. I hadn't really thought of that. I think you noticed it wasn't on the plan. I would hate to knock that tree down. I would like to keep that, as well as on the other corner, Carpenter and Central, I have always -- I have talked to Ruth many times about that tree and I always intended to keep the -- I don't know if it is an okay [sic]. The other two, like I said, I don't know if it works with the plan but I'll do my best to save them or move them. I have said that and I plan on doing that.

So as well, the next thing is -- someone mentioned the loading zone in front of the garage space. I think that is a great idea. It is

1
2 not being used in the morning anyway
3 and maybe it can carry over a little
4 past the garage bay area to the curb.
5 We can mark it off or something. I
6 can see that working as a loading
7 zone, so we can certainly reflect
8 that.

9 Someone else mentioned one
10 exit. I think it was your fellow
11 board member. Whether or not that's
12 legal, I don't know but we do have
13 multiple exits in the building. I
14 think he might have been referring to
15 not seeing an exit out of the
16 courtyard onto Main Street, which of
17 course, we could put a one-way gate,
18 even if we don't want traffic coming
19 in that way. I don't see that being
20 an issue.

21 I don't know if you have any
22 questions for me. I think that's
23 mostly what I had to say and I can
24 let Cat come up next. Catherine, she
25 can talk about the landscaping.

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CHAIRWOMAN HAMMES: Okay. Why don't we do the landscaping and we'll circle up?

MATTHEW MICHEL: Okay.

CHAIRWOMAN HAMMES: I have one or two other questions but we'll talk about the landscaping.

MATTHEW MICHEL: Okay. I'm not sure, maybe you can prompt her if there are some things that you remembered because she wasn't here. I don't know if she read the minutes. Probably not. I know she can't engage with the public.

CHAIRWOMAN HAMMES: State your name and address for the record.

CATHERINE OSENSKY: Catherine Osensky [phonetic], and I'm here for 400 Main Street.

CHAIRWOMAN HAMMES: All right. So you have done the landscape design I assume?

CATHERINE OSENSKY: Yes.

CHAIRWOMAN HAMMES: And I

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think it was discussed the two trees that aren't on here will stay and there are two others that may or may not stay?

CATHERINE OSENSKY: Correct. One sycamore near Clarks and one oak tree that we intend to remain.

CHAIRWOMAN HAMMES: Maybe you could walk us through kind of the proposed height of some of these things on the borders in particular.

CATHERINE OSENSKY: Mm-hmm.

CHAIRWOMAN HAMMES: Maybe on Main Street.

CATHERINE OSENSKY: Yes. So Main Street, there are -- it's kind of like an underlying height. The linen trees, their mature height will be around probably 40 feet. It depends on the conditions. So comparable size to the existing sycamore trees there.

CHAIRWOMAN HAMMES: So there are seven of those?

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CATHERINE OSENSKY: Yes.

CHAIRWOMAN HAMMES: What is the approximate height on it?

CATHERINE OSENSKY: About 40 feet.

MEMBER TALERMAN: What is the height we are bringing in? What is the maturity level.

CATHERINE OSENSKY: Maturity level is the height they will grow to.

MEMBER TALERMAN: No, the height they will be brought in at. Are you bringing them in at eight feet or --

CATHERINE OSENSKY: Likely 8 to 10 feet. That is an installation topic we haven't determined yet. That will be determined by the budget and that kind of factors but 8 to 10 feet would be the minimum height I would suggest bringing them in at.

CHAIRWOMAN HAMMES: What would be the next highest thing in the Main

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Street corner area, going down Main?

CATHERINE OSENSKY: The hydrangea likely, which will get to five feet.

CHAIRWOMAN HAMMES: Annabelle hydrangea?

CATHERINE OSENSKY: Yes. There are planter boxes as well and they serve as an additional height to the plant material going into the boxes. So if the hydrangeas are in the planter boxes, they will be at an accumulative total of maybe eight feet.

CHAIRWOMAN HAMMES: This intention is to basically have a fence around it as well that these boxes are hanging off of?

MATTHEW MICHEL: A fence on main?

CHAIRWOMAN HAMMES: What are the boxes attached to?

CATHERINE OSENSKY: Movable planter boxes.

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CHAIRWOMAN HAMMES: Okay.

Sorry.

CATHERINE OSENSKY: No

worries.

CHAIRWOMAN HAMMES: So there

is no really totally fixed structure here?

CATHERINE OSENSKY: Right.

Just an organic buffer between the street and the dining area there.

MEMBER TALERMAN: And the

western red cedar, which is a buffer between the neighbor and the parking lot -- I'll tell you the reason for my question. Is there is going to be a lot of headlights that come in? So talk to us about how high or low that is. Is it a typical green giant?

CATHERINE OSENSKY: Yes. It

is a typical green giant. That along the property line is intended to be fencing as well and the green giant will be inside of the fencing. Again I would recommend eight to 10 feet

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minimum upon planting and they can
get up to 70 feet tall.

MEMBER TALERMAN: How high in
the fence?

CATHERINE OSENSKY: 8 feet.

MEMBER TALERMAN: Thank you.

MEMBER WALTON: Would you also
talk about the plantings along
Carpenter Street that is also
residential? There is a house right
there on the corner. It's very
close. Carpenter isn't a wide street
and I'm equally concerned about
headlights, noise, visibility of the
parking lot.

CATHERINE OSENSKY: Right.

MEMBER WALTON: I don't
remember if we talked about whether
it is a permeable surface or not. It
might have been addressed and I have
forgotten but looking at asphalt and
headlights at night is not a pleasant
thing so if you could talk about that
as well.

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CATHERINE OSENSKY: Yeah.

Along the street we have the eight-foot fencing again. That planting scheme is a little bit of a native palette. So there is the amelanchier, which is also known as serviceberry, and those can get up to 25 feet tall with a similar width. So that's kind of -- that would be the tallest planting in that palette there.

MEMBER TALERMAN: That's on the outside of the fence or the inside.

CATHERINE OSENSKY: It's planted on the interior of the fence now but it could easily be switched to the exterior. That was kind of preferred.

MEMBER TALERMAN: I'm thinking that for those neighbors looking at a fence versus looking at the beautiful plantings you have makes a material difference.

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Catherine OSENSKY: Sure.

MEMBER WALTON: Is there a reason that you proposed it to be on the inside of the fence.

CATHERINE OSENSKY: I guess kind of just to beautify the parking area and for people entering and exiting that space I think that could be an advantage but it is kind of subjective and up for being flexible there.

MATTHEW MICHEL: Is the fence on Carpenter -- is there a fence proposed or --

CATHERINE OSENSKY: Yes.

MATTHEW MICHEL: That's eight feet as well?

CATHERINE OSENSKY: Yes.

CHAIRWOMAN HAMMES: It looks like the fence runs from Main Street corner, on the east side, and then down the, I guess, the north side and then down the east side?

CATHERINE OSENSKY: Correct.

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CHAIRWOMAN HAMMES: Then there is no fence on the other sides?

CATHERINE OSENSKY: Right.

MEMBER WALTON: I certainly think that the people who are permanently residing there, having the plantings on the outside would be preferable.

CATHERINE OSENSKY: Sure.

MEMBER WALTON: But could you also -- you said the maximum height of that set of plantings would be 25 feet.

CATHERINE OSENSKY: Right.

FRANCES WALTON: What height would they be when you planted them?

CATHERINE OSENSKY: 8 to 10 feet would be again the minimum that I would suggest. Could be larger.

MEMBER TALERMAN: Yep. And to be clear, for me, it's not my budget. It's not an either or. I agree with you completely that it would be so

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much more beautiful to come out of the restaurant into the parking lot and see greenery but the same is true on the other side for those folks.

CATHERINE OSENSKY: Of course, yeah.

MEMBER WALTON: Any other items in your design that you would like to highlight.

CATHERINE OSENSKY: I think there was a comment -- I wasn't here but Matt filled me in on the Boston ivy and that someone was concerned that it would be invasive. It is technically an invasive plant, even though it is not an invasive habit. Some people confuse it with a different type of parthenocissus, which is also known as Virginia creeper, and that can be invasive. We can easily make a substitute for that but I just wanted to highlight that Boston ivy typically doesn't have an invasive habit. It is

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typically very controlled and grows really nicely along fences and gives a nice green wall effect. It's just nice.

MEMBER TALERMAN: It behaves more like other ground covers --

CATHERINE OSENSKY: Like English ivy but it is less aggressive than English ivy.

MEMBER TALERMAN: And minca.

CATHERINE OSENSKY: Less aggressive than minca. And it climbs so it would cover a fence pretty nicely.

MEMBER WALTON: And we touched on it already when Matt presented but there are a couple of evergreens on Central that he wasn't sure if they could be kept in that location or not.

CATHERINE OSENSKY: Right.

MEMBER WALTON: Is that something that you have had a chance to look at and consider.

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CATHERINE OSENSKY: I think I would have to look again at the parking flow there because they are a little bit in the middle of where our proposed parking lot would be and they are not in the best health. I think it is a conglomerate of three spruce trees.

MEMBER TALERMAN: Yeah. I went by the other day to look and the oak and the sycamore are wonderful but those in my opinion -- I'm an amateur at gardening. Those spruces are languishing. They are not even getting tall.

MEMBER WALTON: I think we are talking about different trees. I'll take another look in the area briefly.

CATHERINE OSENSKY: They are okay. I think they have been choked out by vines and it looks like the back one is tilting a little bit. There is definitely die-out on the

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interior of them.

MEMBER WALTON: But you'll take another look -- I'll take another look but you will take another look to see if there is any way to keep them.

CATHERINE OSENSKY: Yes.

CHAIRWOMAN HAMMES: You are going to have to be a little careful on the corner and the street signs. Nothing can obviously block that.

CATHERINE OSENSKY: Yeah, right. Yeah, those are all lower plantings because I think they had planned to put their own sign in that planting bed so it is all 2 to 3 feet high in that area.

MEMBER WALTON: The sidewalk that is shown on the plans, is that the same location that the current sidewalk is.

CATHERINE OSENSKY: Yes, it is.

MEMBER WALTON: So if any

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parking were to be added along
central, it would narrow the street?
I might be asking the wrong person.

MATTHEW MICHEL: There is no
sidewalk on Central right now really.
You are saying that spot --

MEMBER WALTON: There is a
little bit of a sidewalk.

MATTHEW MICHEL: There is,
like, 15 feet maybe.

MEMBER WALTON: But your
proposed -- the spots that you were
proposing to add there would come
into the street, in other words, if
the sidewalk is staying where it is.

MATTHEW MICHEL: Okay. I
think that's the intention

CHAIRWOMAN HAMMES: I'm not
even sure. This is going to be a
question for the engineer because I
don't think you can park here and
here. There is one or two spots
here.

MEMBER WALTON: Looking at the

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street --

MEMBER TALERMAN: They cut parking for at least one car up to the stop sign.

CHAIRWOMAN HAMMES: That's what I'm saying. You are not going to get much here but that is a question for the engineer.

MEMBER TALERMAN: Right.

MEMBER WALTON: Either there is room for it or there isn't.

CHAIRWOMAN HAMMES: Right. That's on my list of questions for the engineer.

MEMBER TALERMAN: I don't have any more questions for the landscaping but I have one question for Matt on the area in front of the garage.

CHAIRWOMAN HAMMES: Yeah. I have a couple of questions for Matt as well.

Do you have anyone else on landscaping?

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MEMBER WALTON: I don't think
so.

CHAIRWOMAN HAMMES: Thank you.

MEMBER TALERMAN: Thank you.

CATHERINE OSENSKY: Thanks.

MEMBER TALERMAN: We talked
about this last time and thank you
for considering using that patio. I
know it is not but that loading zone
for loading in the mornings. And I
just wanted to remind you that one of
the things we were talking about
since we won't be approximate to the
chase lot anymore to pick up our
pizzas is, is it possible in your
dinner rush hour to also use that as
a, you know, 10-minute waiting spot,
not a parking spot, but having people
pull in to grab their take out.

MATTHEW MICHEL: I think we
would probably limit it to a loading
zone at certain times in the morning
because we do have the trucks coming
now so if someone's there, if they

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have a problem -- you know, if they have to leave it and someone is picking up takeout and we don't know where they are, it probably has to be certain hours in the morning, I would say.

MEMBER TALERMAN: Yeah.

CHAIRWOMAN HAMMES: Do you have anything else?

MEMBER TALERMAN: Nope. That was it.

CHAIRWOMAN HAMMES: My question is on something I brought up last week. I was just trying to understand, looking at the drawings, again, the interaction between the bar and the restaurant.

MATTHEW MICHEL: Yeah.

CHAIRWOMAN HAMMES: And hours and that type of thing because I don't know what your plans are in terms of how late you are planning on keeping the restaurant open. But in my experience, restaurants usually

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close before bars do.

MATTHEW MICHEL: Right.

CHAIRWOMAN HAMMES: And the only entrance to the bar is through the restaurant, right.

MATTHEW MICHEL: Right. That is actually something we have talked about and thought about and I don't have a clear answer for it yet. I think we will always have a presence at the front or a manager on duty that's -- like, the restaurant -- say it is open until ten. If the bar is open alone, we would have some presence in there because still obviously people have to get through to the bathrooms as well.

CHAIRWOMAN HAMMES: But your intention is not that the bar spills out into the restaurant area and outside seating area.

MATTHEW MICHEL: I don't think so but I think it would spill out to the patio directly adjacent to the

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2 bar and wouldn't rule out lounge
3 seating later at night. That is not
4 in the plan or what we have talked
5 about but it can develop that way and
6 we are open to input as well. After
7 hearing the entertainment permit
8 discussion, I'm sure I am going to
9 hear a lot about noise so I'm sure
10 you are going to tell me what works
11 and what doesn't.

12 CHAIRWOMAN HAMMES: Well just
13 to be clear, we are not going to tell
14 you anything. We are going to tell
15 you what our concerns are and we tell
16 you how we have to have our site
17 plans and how to be adequately
18 addressed in the plans. So we are
19 trying to make you aware of the
20 process and the concerns you are
21 going to hear. You know, at the end
22 of the day, we are not in the
23 business of telling people how to run
24 their business. We are in the
25 business of approving site plans and

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making sure that they work for the community. And if somebody chooses to build something that doesn't work, that is problematic. We may make suggestions.

I do have to -- I do think you need to think about this issue because arguably the entire --

THE REPORTER: Hang on. I can't really hear you.

(Whereupon, we briefly paused the session to wait for sirens to stop.)

THE REPORTER: Sorry.

CHAIRWOMAN HAMMES: If you plan on using the whole bar, that is something that should be in the site plan. The analysis will be very different if you say after 10 o'clock the entire place can be opened up to being a bar.

MATTHEW MICHEL: I think that sounds like a nightmare. So I don't think -- I feel like we are all

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2 aligned I just -- you know, I don't
3 know yet. I feel like we are so
4 concerned with whether or not we are
5 even going to get this passed through
6 that we haven't really thought about
7 how exactly that is going to flow
8 yet. But I anticipate the bar just
9 being open until 9 or 10:00 p.m.
10 Probably not the whole program.

11 MEMBER WALTON: You mentioned
12 a seating plan. Have you already
13 developed your seating plans for the
14 different areas?

15 MATTHEW MICHEL: Not quite
16 yet.

17 MEMBER WALTON: Not yet.
18 Because that is something ultimately
19 we will need to see.

20 MATTHEW MICHEL: Right. Do
21 you know at which point we present
22 that? Is that the next time we see
23 you?

24 CHAIRWOMAN HAMMES: Yeah. I
25 think you sent some stuff in to Mike

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2 this week. The plan is to close the
3 presubmission today probably unless
4 you want us for some reason to hold
5 it open and then we will go off and
6 work with our consultants to put
7 together this report that will
8 highlight to you all the areas of
9 concerns that we have and things that
10 need to be addressed. Then the next
11 step after that is usually -- or you
12 know, we haven't gotten to that point
13 yet with anybody but the next step
14 after that is supposed to be that you
15 put together your full submission
16 based on what the code requires and
17 taking into account, you know, what
18 we tell you in terms of how you want
19 to address things so that we have
20 some idea which would presumably at
21 that point include a seating plan.

22 MATTHEW MICHEL: Okay.

23 CHAIRWOMAN HAMMES: Then you
24 would file that and once it has been
25 confirmed that everything has been

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2 received for that. At that time, I
3 think the village will work with you
4 for the attorney talked back and
5 forth on this. I believe the village
6 will work with you for the necessary
7 variances and get you on the ZBA
8 agenda which will be a -- I was
9 going to say this earlier but you
10 have to make a decision on where you
11 want to seek the parking variance or
12 skip that step and go to a provisions
13 decisions that will be made at that
14 time. In any event, once the village
15 confirms they have everything they
16 will then work with you to go through
17 the ZBA process and historic work
18 process. This board can't make a
19 final determination. It might affect
20 your plans. Then we'll have a public
21 hearing. The idea behind this
22 process is we will have given you
23 enough feedback that you will have a
24 general idea of where you are and
25 hopefully you are close to the mark

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2 to give your final plans and it is a
3 relatively close process. We used to
4 do that during the process and it
5 went on and on and on with the
6 durations back and forth and back and
7 forth. The point of this process of
8 the submission has been to hear from
9 you get an idea of what you are
10 looking at and we can give you
11 feedback based on engineering
12 consultant and the lawyer will get
13 things and we'll ask the department
14 and we will take into account what we
15 heard from the public as well as the
16 board, and that should give you, you
17 know, a pretty good idea of where
18 things are. Once you get that report
19 if there are further questions we
20 have to figure out where to go from
21 there.

22 MATTHEW MICHEL: Okay. I have
23 a question about occupancy.

24 So occupancy. Do you know how
25 that's determined? Because what we

1
2 can fit and what we want to fit is
3 two different things. If parking is
4 based on occupancy, do we have to
5 follow some kind of standard
6 occupancy formula to determine we can
7 fit 400 people so we have to have 350
8 parking spaces? Or do we need to --
9 can we kind of choose our occupancy
10 based on what we want to see in the
11 restaurant?

12 CHAIRWOMAN HAMMES: I mean,
13 the health department governs
14 occupancy, no?

15 ATTORNEY STOLAR: No, no. He
16 is referring to how occupancy impacts
17 parking. Not necessarily fire
18 marshal issues.

19 The code presumably provides
20 for the number of parking spaces that
21 you require for each of the respected
22 uses. So the building department
23 will calculate that based on all of
24 your uses and determine how many
25 parking spaces are required.

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MATTHEW MICHEL: Okay.

CHAIRWOMAN HAMMES: But what he is trying to get at, and again, I'm not sure the building department would need to be involved in this. But the code says it's one parking spot for the greater of -- it's one spot for the greater of every either five persons of rated capacity or five seats. So the rated capacity, I believe, goes to the health --

ATTORNEY STOLAR: Not health. Fire marshal.

CHAIRWOMAN HAMMES: Right. But that's -- all in, there is a cap on the occupancy and that is kind of what it is going to be. So if you put more seats in, but your rating capacity ends up being higher, then your number will go up.

MATTHEW MICHEL: Got it.

CHAIRWOMAN HAMMES: Because it is made up based on the rate of capacity.

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MATTHEW MICHEL: But they will determine that for me and help me with that essentially? Ideally?

CHAIRWOMAN HAMMES: Yeah. I'm not good at math.

ATTORNEY STOLAR: Correct. And in that regard, the fire marshal utilizes the uniform code to determine appropriate occupancy depending on occupations of use.

MATTHEW MICHEL: Okay. So just to be super clear, so if it's higher than what we want to see, we would still have to provide parking spaces in theory for the number of people they say we could have?

CHAIRWOMAN HAMMES: Or I would guess that we could approve a site plan with you saying specifically that you would have less people, right, Brian?

ATTORNEY STOLAR: No. The number that is required for parking is going to be whatever that number

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2 is. That's the requirement. Then it
3 is on the applicant to apply, as you
4 mentioned before, either for a
5 variance from that number if the
6 number they have is less, or they can
7 come to you and seek a pile up or
8 whatever it is they may seek in terms
9 of relief.

10 CHAIRWOMAN HAMMES: But they
11 can't agree to just reduce their
12 capacity?

13 ATTORNEY STOLAR: The maximum
14 capacity? No. That is a calculation
15 based on the building.

16 CHAIRWOMAN HAMMES: I guess
17 that answers your question.

18 MATTHEW MICHEL: Yeah. That
19 answered that.

20 MEMBER WALTON: I did want to
21 touch on one other thing, which I
22 know we have spoken about but it's
23 the traffic flow. In particular, you
24 do a very good business in takeout
25 pizza, and I think you are also going

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2 to be doing catering and stuff. But
3 you've allowed for that in your truck
4 -- you know, your garage area. But
5 in terms of the traffic generation
6 from the pick-up flow, I would like
7 to better understand from an
8 operational perspective, how do you
9 plan to service that demand, which is
10 hefty.

11 MATTHEW MICHEL: Yeah, right.
12 Again, I think, you know, we are
13 going to get punished for having a
14 successful business in some ways and
15 being the last new business to really
16 open, and in a new place and build
17 out a new building, it's kind of,
18 like, really bad timing on our part.
19 But I guess you don't want me to talk
20 about other places but we would be
21 the only place that is adding 20
22 parking spaces to the village. As of
23 now, people find places to park and
24 walk a few blocks to get pizza. I
25 guess we could offer a few spots in

1
2 the parking lot that are short term
3 for picking up pizza. Or maybe we
4 could put that in front of the
5 restaurant. You know, short-term
6 parking. Half hour. But I can see
7 this is going to be a continued issue
8 but I think the village has gone
9 about this the completely wrong way
10 with the code and maybe this isn't
11 the time or place but we are a
12 walking village. You said yourself
13 that you don't want to see asphalt
14 but you are asking me to add more and
15 more asphalt so it seems backwards
16 with this code. So I don't know
17 exactly how it is going to work but
18 all the great places are existing,
19 nonconforming and they are the places
20 everyone loves. Places -- everyone
21 parks and finds some way to go to. I
22 don't know the answer but I think
23 that it will be solved somehow.

24 MEMBER WALTON: Okay.

25 MATTHEW MICHEL: And it will

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not be a crisis because in the
1 month total maybe there has been
trouble finding parking.

MEMBER WALTON: Let me just be
clear or make sure I am clear.

So the idea is that people
will come into -- they will park
somewhere or stand somewhere and come
into the restaurant ideally they will
park and stand somewhere as opposed
to circle?

MATTHEW MICHEL: Yeah.

MEMBER WALTON: They will come
into the restaurant to pick up there.

MATTHEW MICHEL: Yeah. And as
I said last time and this may help,
we only take a certain amount of pick
up every 10 minutes. So we only have
two or three customers every ten
minutes. So in in that way, I think
we can limit the amount of people
there all at one time to pick up and
take out.

MEMBER WALTON: And some of

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them will be walking.

MATTHEW MICHEL: Right.

MEMBER WALTON: Not everyone will be there to park.

MATTHEW MICHEL: Right, or eat in town. Exactly.

MEMBER WALTON: But for sake of clarity, I wanted to understand whether there is a pick-up window or if there is some way to expedite that pick-up.

MATTHEW MICHEL: It is usually five minutes and people are out.

MEMBER WALTON: Yeah.

MATTHEW MICHEL: We tell you 5 o'clock and you show up at 5 o'clock and here's your pizza and you leave. If anything, it is two or three minutes late at most. We have kind of got it down to a science now.

MEMBER WALTON: Yes, you do.

MATTHEW MICHEL: So I don't see it being a huge problem. If we had to choose for parking places to

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be take out only I don't see why we
can't do that.

MEMBER WALTON: Mm-hmm. Put a
time limit on that.

MATTHEW MICHEL: Right.

CHAIRWOMAN HAMMES: I just
need to be clear that the concerns
that you are hearing from this board
are not specifically to the parking.
I recognize that that is going to
have to be dealt with under the code.
The parking issue becomes a problem
when it is for a particular thing --
particularly something like takeout,
it can create a traffic issue. And
that is something that this board
takes very seriously because that can
create safety issues. This village,
it is very transportation --
particularly the downtown area is
very tightly constrained. So if a
fire engine or emergency vehicles
need to get somewhere and we have a
bunch of people double parked, it is

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a problem. And we can't ignore that.
And we need to think about that and
we need to try to solve that.

MATTHEW MICHEL: I can
understand that.

CHAIRWOMAN HAMMES: That is
the perspective this board takes to
this. It is not that you should have
a hundred parking spots because you
have a hundred people.

MATTHEW MICHEL: Of course.

CHAIRWOMAN HAMMES: Parking
comes up because it is a way to
mitigate traffic management but other
than that, I think our biggest
concern is really on the safety
aspects and the traffic aspects and
the surrounding neighborhoods getting
in and out of their homes.

MATTHEW MICHEL: I understand
that. And how traffic impacts those
folks. It's not that I'm not
understanding that I just don't know
what the answer is but I think we can

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address it in the community impact report.

CHAIRWOMAN HAMMES: Which is part of the purpose to make you think through these issues we are thinking of so we can get to the best outcome we can under the circumstances, right?

MATTHEW MICHEL: Right. Okay.

MEMBER WALTON: Trish is exactly right. My questions are not about how many spots you have but about the operations and the flow and how to get people in and out as quickly as you can.

CHAIRWOMAN HAMMES: And not create a safety hazard.

MATTHEW MICHEL: I would want to do it a similar way with take out times.

MEMBER WALTON: That's all I have.

CHAIRWOMAN HAMMES: Okay. I'm just going to open it up to the

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public one more time.

Anyone to the public who wishes to state their concern, please come up and state your name and address for the record.

RUTH SHANK: Ruth Shank, 320 Carpenter Street.

First of all, I would like to say I'm really happy for the oak tree. I'm here to support the pine trees. I'm happy that the oak tree and sycamore and oak tree are staying. Because of the size and height of the building I think aesthetically you need a buffer as those pine trees create softness and height. And I know that they -- I walk by them probably every day and I know they are not in the best of health. But they have had no care since 2020, I think, when the building closed, and probably no care before then. And I have taken the vines out personally, crawled under

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2 the trees and just tried to kill the
3 vines from, you know, going clear to
4 the top. So I do think that if they
5 had some maintenance and care, they
6 could be, you know, returned to their
7 beauty. And I'm not sure -- I know
8 they are in the way but maybe they
9 could be -- something could be moved
10 so that they could be saved because
11 all the other plantings, sure they
12 are going to get to 20-30-40 feet but
13 they are starting off at 8 to
14 10 feet. Those trees are huge and
15 they are beautiful.

16 MEMBER TALERMAN: Just one
17 comment to that, Ruth. I do agree
18 that if they were cared for, they
19 could come back and I suspect where
20 they are in the parking lot is
21 incompatible. And as someone who
22 just spent a fair amount of money to
23 move a 30-foot holly to the front of
24 my property -- it's thriving. It's
25 starting to thrive again after a

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2 year. They are movable, right? And
3 to incorporate those into your buffer
4 and into your plan would be wonderful
5 if you can do it.

6 CHAIRWOMAN HAMMES: Thank you.

7 MICHAEL WALTER: Hi. My name
8 is Michael Walter. I'm at 4425
9 Nassau Point Road in Cutchogue.

10 I have known Matt since he
11 opened 1943, and Evan, I think since
12 2005. And I'm a frequent patron of
13 both of their establishments. I have
14 the highest regard for both of these
15 gentlemen. I'm here to really give
16 more of a character reference than
17 anything else because I'm not
18 involved in the trees or parking or
19 all of that. But these are two
20 outstanding entrepreneurs who have
21 run incredible businesses for the
22 town of Greenport for as long as they
23 have been in business. I want to be
24 as supportive as I can. I'm sure
25 they will be very sensitive to the

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town board and community concerns and
to the town board concerns.

Matt is a gentleman. He
listens and takes into account
people's feelings. He is a terrific
young man and I hope you work with
them to support the project they are
trying to do.

MEMBER TALERMAN: Thank you.

CHAIRWOMAN HAMMES: Thank you.

ELON MARTIN: Elon Martin, 182
Central Avenue.

I just want to ask just,
because I am not familiar with the
process, if you wouldn't mind going
through what happens next all the
steps that we would have to go
through in terms of creating plans,
more detail.

CHAIRWOMAN HAMMES: Well it is
architectural. It is all set forth
in the code and there will be more
detailed plans.

ELON MARTIN: Which board will

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that come before?

CHAIRWOMAN HAMMES: It will come before us but we have to do an HPC no matter what he does because it is in the historic district. And also more likely than not have to go through the zoning board.

ELON MARTIN: When are the plans actually fixed? When are the materials called out?

CHAIRWOMAN HAMMES: We are the final line of approval. So we will close this hearing, we will write our report, we will send it to the applicant and it will be made public on the village's website. At that time, the applicant has up to six months to submit a full application with all the required paperwork under the code, anything else that our consultants may identify is needed because of the specific nature of the property. That can be extended by this board

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2 but the starting point is six months.
3 That will be filed. The building
4 inspector goes through it, works with
5 counsel and the consultant and make
6 sure everything is there because we
7 don't want to start the process and
8 suddenly notice we are missing an
9 important piece of paper. We will --
10 there is back and forth going on
11 between us and the village right now
12 but we can't make a decision until
13 the zoning board and the historic
14 have weighed in because that can
15 alter the plans. So I believe that
16 the next process will be to
17 potentially simultaneously track
18 those. Historically, people have
19 gone to ZBA first, and then HPC and
20 then us. Just because, again, ZBA
21 says no to something and historic is
22 considering something, it may require
23 tweaking. The village will
24 personally work as quickly as
25 possible to schedule those things but

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2 it is just a period of time when the
3 zoning board will require a public
4 hearing. HPC does not require a
5 public hearing. Once they have
6 blessed it and kind of anything has
7 been tweaked, it will come to this
8 board. We'll get it and have a
9 public hearing and make a decision.
10 If we need to caveat that decision,
11 we'll have a discussion like we did
12 on the entertainment permit today and
13 have back and forth with the
14 applicant about whether you are
15 willing to modify this or that
16 because we don't think this
17 adequately addresses that. And there
18 will be an improved site plan and at
19 that point the building department
20 will work to issue --

21 ELON MARTIN: So they can get
22 a variance before getting site plan
23 approval.

24 CHAIRWOMAN HAMMES: Correct.

25 ELON MARTIN: That's odd but

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okay. I was trying to figure out how this village works.

CHAIRWOMAN HAMMES: That's how this village works. We will work as lead agency.

ELON MARTIN: Okay. Thank you very much.

CHAIRWOMAN HAMMES: Anybody else?

So I think we have already discussed a lot of what I planned on discussing next, which was timing and the next steps. But Matt, unless you desire otherwise we'll go ahead and take a vote to close this for today.

The opportunity for public comment in writing will remain open for ten days, which will be taken into account. You will receive copies of any of those if they are received. If anybody does wish to submit those written comments, they should be sent to Candace Hall, the village clerk or Mike Noon, the clerk

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2 of the board. I think those will
3 need to be received by July 22nd.
4 And then we will work as
5 expeditiously as possible to get you
6 the report. I suspect it will be the
7 end of August, however, given how
8 complicated this is and we want to
9 make sure we give you as much
10 feedback as we can because that is
11 the purpose of this process.

12 We have talked about the next
13 steps after that. So with all that
14 being said, I make a motion to close
15 the presubmission conference for the
16 application of Matt Michel on behalf
17 of Main & Central Realty LLC in
18 respect with the property located at
19 400 Main Street Suffolk County tax
20 map 1001-4-7-24.

21 Do I have a second?

22 MEMBER WALTON: Second.

23 CHAIRWOMAN HAMMES: All those
24 in favor?

25 (All ayes.)

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CHAIRWOMAN HAMMES: Motion

passed.

We look forward to working with you on this process. It is a little intimidating.

Thank you. Giving everybody two minutes to run for the door.

All right. The next order of business is a motion to accept and approve the following findings and determinations relating to the board's approval of the following entertainment permits.

I assume everybody has read these and is okay with them? Because I don't intend to read them all.

ELIZABETH TALERMAN: Yes.

CHAIRWOMAN HAMMES: All right. These are the ones that we are approving: An entertainment permit issued to Butta Cakes, LLC doing business with Lucharito's for the property located at 119 Main Street, Suffolk County tax map 1001-5-4-34;

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2 An entertainment permit issued to Sun
3 Cranes Inc., doing business Stirling
4 Sake for the property located at 488
5 Main Street, Suffolk County tax map
6 1001-40-7-21. I hope that's right.

7 48 Front Street Corp doing
8 business as Green Hill Kitchen for
9 the property located at 49 Front
10 Street, at Suffolk County tax map
11 1001-4-10-32; 487 Restaurant
12 Corporation doing business as Anker
13 for the property located at 47 Front
14 Street at Suffolk County tax map
15 1001-5-4-19; 45 Front Street
16 Restaurant Corporation doing business
17 as Alpina for the property located at
18 45 Front Street, Greenport at Suffolk
19 County tax map 1001-5-4-20; Porter's
20 Hospitality doing business as Andy's
21 Restaurant at the property located at
22 34 Front Street, Greenport, at
23 Suffolk County tax map 1001-4-10-30;
24 Court 104 Inc. doing business with
25 Court Waterfront Bar and Grill at the

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2 property located at 104 3rd Street at
3 Suffolk County tax map 1001-5-4-3;
4 Scott Gonzalez on behalf of the
5 Townsen Manor Inn, for the property
6 located at 714 Main Street, Suffolk
7 County tax map 1001-2-3-10; and
8 finally, Portabella Restaurant Corp
9 for the property located at 1410
10 Manhasset Avenue, Suffolk County tax
11 map 1001-3-1-1.

12 I hereby move to accept and
13 approve the foregoing pending
14 findings and determinations relating
15 to the issuance of the foregoing
16 entertainment permits.

17 Do I have a second?

18 MEMBER WALTON: Second.

19 CHAIRWOMAN HAMMES: All those
20 in favor?

21 (All ayes.)

22 CHAIRWOMAN HAMMES: Motion
23 carries.

24 The next order of business is
25 a motion to schedule a work session

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2 public hearing regular meeting for
3 4:00 p.m. on August 23rd, 2024.

4 Do I have a second?

5 MEMBER TALERMAN: Second.

6 CHAIRWOMAN HAMMES: All those
7 in favor?

8 (All ayes.)

9 CHAIRWOMAN HAMMES: Motion
10 passes.

11 Any other matters anybody
12 would like to discuss?

13 MEMBER TALERMAN: Not at this
14 time.

15 CHAIRWOMAN HAMMES: Okay. I
16 make a motion to adjourn this
17 meeting.

18 Do I have a second?

19 MEMBER TALERMAN: Second.

20 CHAIRWOMAN HAMMES: All those
21 in favor?

22 (All ayes.)

23 CHAIRWOMAN HAMMES: We are
24 adjourned.

25 (Meeting adjourned at 5:10

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p.m.)

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3 STATE OF NEW YORK)
4 COUNTY OF SUFFOLK) : SS.:
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6 I, EILEEN MONTEAGUDO, a Notary Public for
7 and within the State of New York, do hereby
8 certify:

9 THAT, the above and foregoing contains a
10 true record and correct transcript of the
11 Videotaped Planning Board Work Session, Public
12 Hearing and Regular Meeting of July 12, 2024,
13 to the best of my ability.

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

18 IN WITNESS WHEREOF, I have hereunto set
19 my hand this 12th day of July 2024.
20

21 *Eileen Montaguado*

22 -----
23 EILEEN MONTEAGUDO
24
25