

1 VILLAGE OF GREENPORT  
2 COUNTY OF SUFFOLK : STATE OF NEW YORK  
3 -----x  
4 ZONING BOARD OF APPEALS  
5 REGULAR SESSION  
6 -----x  
7 Old Schoolhouse  
8 1st & Front Streets  
9 Greenport, NY, 11944  
10  
11 March 18, 2025  
12 6:00 p.m.  
13  
14 B E F O R E:  
15 JOHN SALADINO - CHAIRMAN  
16 DINNI GORDON - MEMBER  
17 SETH KAUFMAN - MEMBER  
18 DAVID NYCE - MEMBER  
19 \*\*\*\*\*  
20 ALSO IN ATTENDANCE:  
21 MICHAEL NOONE - CLERK TO THE BOARD  
22  
23  
24  
25

1           (Whereupon, the meeting was called  
2           to order at 6:01 p.m.)

3           CHAIRMAN SALADINO: Good evening,  
4           folks. This is the Village of  
5           Greenport Zoning Board of Appeals  
6           regular meeting.

7           Item Number 1 is a motion to  
8           accept the minutes of the January 21,  
9           2025 Zoning Board of Appeals meeting.  
10          So moved.

11          MEMBER NYCE: Second.

12          CHAIRMAN SALADINO: All in favor?

13          (Aye said in unison.)

14          CHAIRMAN SALADINO: And I'll vote  
15          aye.

16          Item Number 2 is a motion to  
17          schedule the next Zoning Board of  
18          Appeals meeting for April 15th, 2025 at  
19          6:00 p.m., Station One Firehouse, Third  
20          and South Street, Greenport, New York  
21          11944. So moved.

22          MEMBER GORDON: Second.

23          CHAIRMAN SALADINO: All in favor?

24          (Aye said in unison.)

25          CHAIRMAN SALADINO: And I'll vote

1           aye.

2           MEMBER NYCE: With a caveat that  
3           that may be moved to here because I  
4           think that may be the Wardens annual  
5           meeting on the same night, but I will  
6           double check that.

7           CLERK NOONE: It is. I was told  
8           by Anne, but sometimes the Warden  
9           meetings are held in the chalk bays.

10          MEMBER NYCE: Not this one. These  
11          are organizational.

12          CLERK NOONE: I was going to bring  
13          that up with John, but after discussing  
14          with you, yeah, it's going to be in the  
15          meeting room. We're going to have to  
16          move that one here, John.

17          MEMBER NYCE: Sorry.

18          CHAIRMAN SALADINO: Okay. For  
19          those that are interested and for those  
20          out there, that meeting might be moved  
21          to the schoolhouse. Somebody with more  
22          authority than me will let you know in  
23          the future.

24          Item Number 3 is 426 Clark Street.  
25          This is a motion to accept the findings

1 and determinations for Marc Rishe on  
2 behalf of 67 Sound Cheshire LP. This  
3 property is located in the R2 One and  
4 Two Family Residential District and is  
5 not located in the Historic District.  
6 The Suffolk County Tax Map Number is  
7 1001-7-3-7. So moved. We all read the  
8 findings and we're prepared to vote.  
9 So moved.

10 MEMBER NYCE: I'll second John's  
11 motion.

12 CHAIRMAN SALADINO: All in favor?

13 (Aye said in unison.)

14 CHAIRMAN SALADINO: And I'll vote  
15 aye.

16 Item Number 4 is 417 Clark Street.  
17 This is a motion to accept the  
18 application, schedule a public hearing,  
19 and arrange a site visit regarding the  
20 application of Joe Bocci on behalf of  
21 Nicole Murch. Applicant proposes a  
22 renovation and addition to an existing  
23 two-story one family residence,  
24 including general construction,  
25 mechanical, electrical, and plumbing.

1 For people in the audience that have  
2 the agenda, the relief that's requested  
3 is on the agenda, I'm not going to read  
4 it. The property is located in the R2  
5 One and Two Family Residential  
6 District, it's not located in the  
7 Historic District, and the Suffolk  
8 County Tax Map Number is 1001-7-5-14.

9 Is the applicant here?

10 MR. BOCCI: Just a representative.

11 CHAIRMAN SALADINO: You want to  
12 tell us your story?

13 MR. BOCCI: I'll --

14 MR. REYNIAC: This is Joe Bocci  
15 who submitted the application. My name  
16 is --

17 CHAIRMAN SALADINO: Name and  
18 address for the stenographer.

19 MR. BOCCI: 417 Clark Street.

20 CHAIRMAN SALADINO: Joe Bocci, 417  
21 Clark Street?

22 MR. BOCCI: Yes.

23 MR. REYNIAC: And my name is  
24 Andrew Reyniak, Box 134, Sagaponack  
25 11962. I'm the architect on this

1 project. Thank you for hearing our  
2 application.

3 Our client, Nicole Murch,  
4 purchased this existing building at 417  
5 Clark Street, which consists of, as  
6 noted, a two-story single family  
7 residence with an accessory barn. This  
8 is a historic structure that has been  
9 there for many decades. We don't have  
10 the original date on it, but we are  
11 proposing a renovation of this  
12 property. The renovation increases, as  
13 noted, the site footprint by 11 square  
14 feet, but otherwise does not do  
15 anything with the accessory structure,  
16 and all of the variances that are  
17 requested relate to the existing  
18 condition of the building on the site.  
19 That is to say we are not proposing  
20 anything that creates a new variance  
21 condition or exacerbates the existing  
22 variance conditions. For example, the  
23 barn is located in the corner of the  
24 property. We're not doing any work to  
25 the barn, we're not changing its

1 height, and yet those three aspects of  
2 it require variances. So the existing  
3 barn needs a variance to be close to  
4 the property line and for its existing  
5 height. So we feel that the work that  
6 we are proposing definitely is within  
7 the historic vocabulary of the  
8 neighborhood and of this building  
9 itself, and we feel that we would  
10 appreciate your consideration in  
11 granting us these variances to let us  
12 continue with a Building Department  
13 application to do the improvements at  
14 this site. And I can answer any  
15 questions that anyone has.

16 CHAIRMAN SALADINO: I'm just  
17 looking -- do you have a question?

18 MEMBER GORDON: Yes. I just  
19 wanted to know where the 11 feet were,  
20 and I thought it was this bump out, but  
21 I really wanted to know where are the  
22 11 feet?

23 MR. REYNIK: That's correct. The  
24 house currently has a front porch on  
25 the street, which is close to the

1 street. And although we propose  
2 replacing the porch, we're not altering  
3 the dimensions of that. And then there  
4 is a back porch on this house. The  
5 back porch currently contains a very  
6 small bathroom and a small sort of  
7 mudroom area. That is the area where  
8 we'd like to propose a slight  
9 enlargement of 11 square feet and  
10 replace the existing stairs at the back  
11 of the house.

12 MEMBER GORDON: It's that dotted  
13 line, the dotted line?

14 MR. REYNIAK: On the survey, it is  
15 the bump between the house and the  
16 barn.

17 MEMBER GORDON: Yeah, okay.  
18 That's what I wanted to know.

19 MR. REYNIAK: The reason why we'd  
20 like to make it a tiny bit wider is to  
21 be able to accommodate a bedroom above.  
22 Right now it's so narrow that if we  
23 just extrude that upward, it's very  
24 narrow, so we feel that by making the  
25 width a little bit larger but bringing



1           the depth in we feel that that  
2           hopefully is an appropriate  
3           modification.

4           MEMBER GORDON: I don't really see  
5           the relationship, but that's because --  
6           well, I would if I looked at the big --

7           MR. REYNIAC: I have a copy.

8           MEMBER GORDON: No, it's fine.  
9           I've looked at it, but I didn't relate  
10          it to this, but I did think that that  
11          must be where it is where the 11 feet  
12          are. That's all I wanted to know.  
13          Thank you.

14          MEMBER NYCE: Silly question, the  
15          lot coverage prior to the 11 square  
16          feet addition is what? Just as being a  
17          stickler, you're saying you're not  
18          asking for any variances that don't  
19          already exist.

20          MR. REYNIAC: The existing lot  
21          coverage is 1,504 square feet.

22          MEMBER NYCE: Which relates to 31  
23          percent?

24          MR. REYNIAC: Which I believe  
25          comes up as 30 percent, and the

1 proposed lot coverage is 1,515 square  
2 feet.

3 CHAIRMAN SALADINO: So you need  
4 three percent.

5 MR. REYNIAC: Is that really what  
6 it is?

7 CHAIRMAN SALADINO: That's what's  
8 on the notice of disapproval.

9 MEMBER NYCE: That's why I'm  
10 asking. I'm just being a stickler.

11 CLERK NOONE: It's actually 32.9  
12 percent, but you can double check that.

13 CHAIRMAN SALADINO: Now he's being  
14 a stickler.

15 MEMBER NYCE: Good. Takes it off  
16 my plate.

17 MR. REYNIAC: 11 square feet is .5  
18 percent, so it doesn't move the needle  
19 that much. If the final is 32.9, the  
20 current is 32.4, so it's already 2.4  
21 over.

22 MEMBER NYCE: Got you. Okay.

23 CHAIRMAN SALADINO: One of the  
24 questions I might have is you're  
25 talking about the proposed porch, does

1           that intrude on the linear distance  
2           between the rear of the house and the  
3           accessory structure?

4           MR. REYNIAK:   We've actually  
5           reduced that distance by proposing a  
6           smaller access stair.   So the house is  
7           farther from the barn now.   The  
8           proposed house is slightly farther from  
9           the barn.

10          MR. BOCCI:   It will just get a  
11          little wider.

12          MR. REYNIAK:   Wider but narrower.

13          CHAIRMAN SALADINO:   Okay.   And the  
14          other thing about the application that  
15          I have, the other question I have is  
16          the owner of the property is Murch and  
17          the contact person is Bocci, I don't  
18          have a notarized authorization for you  
19          to act as her agent.   Did you guys  
20          supply that to the Building Department?

21          CLERK NOONE:   I just have the one  
22          affidavit, but I do not have the -- the  
23          applicant was Joe.   I don't have a  
24          notarization for anyone.

25          CHAIRMAN SALADINO:   We're not

1 going to hold this application up.

2 MR. BOCCI: I can provide that.

3 No problem.

4 CHAIRMAN SALADINO: Is that okay  
5 with the members?

6 MEMBER NYCE: Yeah, absolutely.

7 MEMBER GORDON: Yes.

8 CHAIRMAN SALADINO: Okay. And  
9 there was something on the EAF that I  
10 had a question about, but to be honest  
11 with you, since this is a Type II  
12 action and you're not even really  
13 required to submit an EAF, I'm going to  
14 let it go.

15 CLERK NOONE: We just -- we  
16 request EAFs from all applicants for  
17 Zoning Board applications.

18 CHAIRMAN SALADINO: Okay.

19 MEMBER NYCE: Fair enough.

20 CHAIRMAN SALADINO: David, do you  
21 have anything else?

22 MEMBER NYCE: No.

23 CHAIRMAN SALADINO: Diana?

24 MEMBER GORDON: No.

25 CHAIRMAN SALADINO: Seth?

1 MEMBER KAUFMAN: No.

2 CHAIRMAN SALADINO: And we have --  
3 we're going to accept -- we're  
4 reasonably certain we're going to  
5 accept this application, we're going to  
6 schedule a public hearing and a site  
7 visit. But is there anything else you  
8 would like to share with us about this?  
9 You know, whenever we have accessory  
10 buildings that are preexisting and  
11 nonconforming, we always get a little  
12 suspicious about them. We're not  
13 saying that's happening here, we're not  
14 saying that that's your intention.  
15 We're not saying that anything is going  
16 to happen there. But this would be the  
17 time to share that with us if that's  
18 something that might happen.

19 MR. BOCCI: The only -- for  
20 future, there might be a renovation  
21 request to turn it into an art studio,  
22 but it's really just paint and some  
23 wall paneling.

24 MR. REYNIAM: And insulation.

25 MR. BOCCI: The existing

1 conditions are basically --

2 CHAIRMAN SALADINO: No kitchen, no  
3 sanitary?

4 MR. BOCCI: No, not at all.

5 MEMBER NYCE: And the structure is  
6 in good enough shape that it doesn't  
7 need any substantial renovations, just  
8 painting the inside. Insulation is  
9 important.

10 MR. REYNIAC: We'd like to bring  
11 it up to modern energy standards, but  
12 it's a beautiful barn, so we don't  
13 propose touching it on the outside.

14 CHAIRMAN SALADINO: I'm sure both  
15 of you guys have been around long  
16 enough to understand the questions. We  
17 just don't want it to turn into a  
18 second dwelling unit prior to the  
19 Village Board creating second dwelling  
20 units. Prior to that, you can't have  
21 it.

22 MR. BOCCI: The main house is our  
23 priority right now. We'll go through  
24 the same channels, if there were to be  
25 a renovation.

1 CHAIRMAN SALADINO: Go ahead.

2 MEMBER GORDON: I just -- do we  
3 need a site visit? Everything except  
4 the 11 feet is bringing it -- you know,  
5 fixing the previous --

6 CHAIRMAN SALADINO: Just for the  
7 applicants and for the television  
8 camera, Diana and I and Seth, we could  
9 throw a baseball and hit this house,  
10 that's how close we live to this house.  
11 So we kind of know the story with this  
12 house. But if we want a site visit --

13 MEMBER NYCE: If you all are  
14 comfortable, I can certainly go by.  
15 I've read the plans. If you don't mind  
16 me stopping by.

17 CHAIRMAN SALADINO: I mean, to  
18 widen the thing in the back and to  
19 cover the porch in the front, that's  
20 what we're talking about, right?

21 MR. BOCCI: Correct.

22 CHAIRMAN SALADINO: Cover the  
23 porch in the front and widen the --

24 MEMBER GORDON: 11 feet. And  
25 everything else is to essentially

1           legalize the old description.

2           CHAIRMAN SALADINO:   Okay.   A site  
3           visit is kind of a princess problem.  
4           I'm going to make a motion that we  
5           accept this application.   So moved.

6           MEMBER KAUFMAN:   Second.

7           CHAIRMAN SALADINO:   All in favor?  
8           (Aye said in unison.)

9           CHAIRMAN SALADINO:   We're going to  
10          schedule a public hearing.   I'll make a  
11          motion we schedule a public hearing for  
12          April 15th at 6:00 p.m.   We schedule  
13          them all at 6:00.   It will be at the  
14          firehouse -- well, the firehouse  
15          adjacent.   The chief of the fire  
16          department and the building clerk will  
17          let us know exactly where we meet, let  
18          you guys know exactly where we're going  
19          to meet.

20          And as far as the site visit, I  
21          personally don't need a site visit.  
22          The Members, if we want to, do you want  
23          a site visit?   So there will be no site  
24          visit.

25          MEMBER NYCE:   If you see me



1 snooping around, that's what I'm doing.

2 CHAIRMAN SALADINO: If it's okay  
3 for a member to trespass?

4 MR. BOCCI: Of course.

5 CHAIRMAN SALADINO: So you know  
6 what they're looking for, that would be  
7 okay.

8 MEMBER NYCE: If you want to share  
9 with me your cell phone number, I'll  
10 let you know prior to my stopping by.

11 MR. BOCCI: Perfect.

12 CHAIRMAN SALADINO: Other than  
13 that, I think -- so you're going to get  
14 us that --

15 MR. REYNIK: The notarized form  
16 regarding the authorization.

17 CHAIRMAN SALADINO: Designating  
18 Mr. Bocci, and I think we're done with  
19 that. Easy peasy.

20 MR. BOCCI: Thank you.

21 CHAIRMAN SALADINO: Moving on, we  
22 have -- I'm going to impose on the  
23 Members, and I apologize for keeping  
24 you guys two and two-thirds extra  
25 minutes.

1           Item Number 5 is any other Zoning  
2           Board of Appeals business that may  
3           properly come before this Board. I  
4           have a question for the members, and  
5           it's good that the Building Department  
6           is here also. I spoke to -- I spoke to  
7           -- this Board has a problem with a  
8           previous policy, and I'm not talking to  
9           you guys, and you're welcome to stick  
10          around, if you want. This Board has a  
11          previous policy about legitimizing  
12          preexisting nonconforming items on site  
13          plans and stuff. I had occasion to  
14          speak to the building inspector the  
15          other day, whatever day that was, and  
16          he kind of agrees with the Zoning Board  
17          that do we really need to do that? You  
18          don't have to answer, I know how you  
19          feel. What do you think, do we have to  
20          do that?

21               MEMBER KAUFMAN: Legitimizing ever  
22               preexisting condition?

23               CHAIRMAN SALADINO: Yeah. There's  
24               two other municipalities on Long Island  
25               that do it, Islip is one and I think

1 the Town of Hempstead is the other.  
2 The neighboring municipalities don't.

3 MEMBER KAUFMAN: I think when it  
4 comes up in the context of other issues  
5 that are not preexisting, yes.

6 CHAIRMAN SALADINO: Well, wouldn't  
7 that be different than what's  
8 preexisting or not? I don't have a  
9 problem either way.

10 MEMBER KAUFMAN: When there are  
11 issues that come up that are violations  
12 of current code that are preexisting,  
13 but there's also other issues that are  
14 not preexisting, I think we should take  
15 them into account. Because I don't see  
16 how you necessarily separate those out,  
17 I think we should continue to  
18 legitimize.

19 MEMBER GORDON: Yours is the  
20 holistic proposal.

21 MEMBER KAUFMAN: Yes. I think  
22 it's worth looking at these things  
23 again. I'm not super motivated to  
24 defend that if everyone else does not  
25 want to do that, I don't think it's a

1           hill to die on, but I think that -- in  
2           general, I think it's worthwhile to  
3           review these things.

4           CHAIRMAN SALADINO: Seth, I never  
5           had a problem with it. I never had a  
6           problem, I never had a problem before  
7           and I didn't have a problem afterwards.  
8           I'm only responding to some -- not  
9           these guys, I don't want to put a thumb  
10          on these guys. But on some applicants  
11          that, you know, this Board was accused  
12          of padding the payroll by adding  
13          additional violations.

14          MEMBER KAUFMAN: We get paid by  
15          the issue? I'm not aware of that.

16          CHAIRMAN SALADINO: No, no, the  
17          Village does, each ask for relief, the  
18          Village does; am I getting that right?

19          CLERK NOONE: Well, I mean, we  
20          have to pay a stenographer, we have to  
21          pay a videographer, and we have to pay  
22          an attorney for each meeting. If you  
23          added all those up per meeting, it  
24          probably -- it's probably -- might be  
25          in the loss column, to be honest,

1           because once you have -- you can't  
2           have -- every applicant has to have two  
3           meetings. For example, if Joe -- not  
4           to use you, you're not an example, I  
5           mean, we have to have two meetings for  
6           him, which means we have to have an  
7           attorney who gets paid X amount of  
8           dollars, we have to have a stenographer  
9           that gets paid X amount of dollars, we  
10          have a videographer that gets X amount  
11          of dollars. For his application, which  
12          was, I believe, \$900 in total, I don't  
13          think we may break even on that. It  
14          would be close, but I actually don't  
15          think we do break even. Plus it's the  
16          cost of I have to notice it in the  
17          newspaper, the Suffolk Times now is  
18          roughly, for Joe's application,  
19          probably around 150 bucks to put an ad  
20          in. I have to prepare a placard. It's  
21          a lot of --

22                 CHAIRMAN SALADINO: You're missing  
23          my point.

24                 CLERK NOONE: In other words,  
25          nobody is padding anything at the

1 Village.

2 CHAIRMAN SALADINO: No, no, and I  
3 didn't see say the Village was, I said  
4 some applicants accused us of that.

5 To respond for the example you  
6 just had for somebody to buy -- and  
7 again, this is not about you guys, this  
8 is a discussion about us. For somebody  
9 to buy a million dollar house in  
10 Greenport or a 1.2 million dollar house  
11 in Greenport and perhaps do a \$200,000  
12 renovation, I don't have a problem with  
13 him paying the Village \$900, you know,  
14 to be able to do that.

15 CLERK NOONE: And we did recently  
16 raise our --

17 CHAIRMAN SALADINO: No, the point  
18 I was trying to make is for each -- and  
19 I'm not even sure if this is true  
20 because we don't deal with fee -- we  
21 don't -- this Board doesn't know about  
22 fees. But from what I understand, each  
23 ask for relief is an additional dollar  
24 figure.

25 CLERK NOONE: Right.

1           CHAIRMAN SALADINO:  So if some of  
2           the asks for relief aren't on a notice  
3           of disapproval, the applicant doesn't  
4           have to pay for that, whether it's  
5           \$100, \$200, \$500, whatever it is.

6           CLERK NOONE:  Correct.

7           CHAIRMAN SALADINO:  Again, I don't  
8           have a problem with that.  I'm  
9           responding to a question that I had  
10          from the Building Department, a  
11          question that has come up more than a  
12          couple of times at these meetings.  I  
13          don't even know if we have the right to  
14          ask for a policy change.  I don't even  
15          know if we have the right to do that,  
16          but I just thought I would bring it to  
17          you guys, we'd voice our opinion, and  
18          whoever listens to this opinion after  
19          we leave here, maybe they'll consider  
20          it.  I don't know.  So what do you  
21          think?

22          MEMBER NYCE:  I think if the  
23          Building Department keeps accurate  
24          records, and we're assured that no  
25          nonconformity is going to be

1           increased -- any of those obviously  
2           would have to come to us for relief --  
3           I don't have an issue with them not  
4           coming before us to be legitimized.  
5           There are some that argue that  
6           legitimizing may or may not put us in  
7           weird spots anyhow. Not to go into  
8           that. I don't have an issue with that  
9           one way or the other. Again, as long  
10          as records are accurate and we're  
11          actually being asked for variances that  
12          would be increasing nonconformity.

13                 CHAIRMAN SALADINO: Well, that  
14           would be the threat, that would be the  
15           threat -- and again, not to use this  
16           example, not to use this particular  
17           application as an example, but we have  
18           -- we do have a couple of them that  
19           kind of mimic this application. I  
20           mean, for somebody to have a  
21           nonconforming accessory building and  
22           perhaps enlarge it or increase the  
23           height, you know, if it's not caught,  
24           the Zoning Board has the right to act  
25           as the Building Inspector by New York



1 State Village Law, but only if it's  
2 kind of made apparent to us and stuff.  
3 If we're -- I'm kind of content to  
4 leave it the way it is or I'm okay to  
5 change it. Again, I don't know if we  
6 have the right to change it. That  
7 would be -- who would even do that?

8 CLERK NOONE: I would have to  
9 consult the attorney, but I think it  
10 might be the Code Committee. Is it in  
11 the code, John?

12 CHAIRMAN SALADINO: Actually, you  
13 have two members of the Code Committee  
14 right here.

15 CLERK NOONE: Which is why I posed  
16 that question.

17 CHAIRMAN SALADINO: I don't know.  
18 It was never posed to us as -- that  
19 question was never posed to us.

20 CLERK NOONE: I've been told it's  
21 a code question, but I could be wrong.  
22 If you want, I'll consult the attorney  
23 on your request.

24 CHAIRMAN SALADINO: I don't know  
25 where in the code that would even be

1 addressed.

2 MEMBER GORDON: I don't remember  
3 any provision that has to do with this  
4 legitimizing. And for many years, I've  
5 been on this Board for a long time, and  
6 certainly the first half of the eight  
7 or nine years I've been on it, we  
8 didn't have that. But then I think we  
9 weren't looking at the records as  
10 carefully as we are now. I think it's  
11 in part an exercise of sort of cleaning  
12 up the old records. But if the records  
13 are being kept, you know --

14 CLERK NOONE: Well, one of the  
15 problems is if you have a home that  
16 hasn't had anything done to it for 100  
17 years, a lot of times there isn't even  
18 a building file because a building file  
19 is only established when something is  
20 done to it, or they get a violation, or  
21 something happens to it. So we get  
22 FOILs, people who want to see the  
23 building file for so many properties,  
24 there's nothing there. So how do you  
25 prove that, I mean, there's no way to

1           prove the building has even been there  
2           100 years. If they have no records of  
3           it, there's no building file.

4           MEMBER GORDON: So then the  
5           legitimizing, quote/unquote, is  
6           meaningless because there's nothing to  
7           legitimize.

8           CHAIRMAN SALADINO: Well, there  
9           is.

10          MEMBER NYCE: You're time stamping  
11          it.

12          MEMBER KAUFMAN: You're reviewing  
13          what's there. That's my point. It's  
14          an opportunity to review what's on the  
15          ground as part of a natural process,  
16          that's why I think it's worth doing. A  
17          lot of times it does look trivial, but  
18          you don't know until you get into it,  
19          and sometimes it's not.

20          CHAIRMAN SALADINO: And you're  
21          right, Seth, I think some of the  
22          obvious stuff, like, a front yard  
23          setback for a 100 year old house that  
24          has a front yard setback that's not  
25          code compliant, you know, it's obvious

1           that house wasn't moved forward in the  
2           last -- when was the code, 1949, 1975  
3           -- you know, moved forward since then.  
4           But I -- I don't want to sound like I'm  
5           advocating for the applicants or for  
6           the Village, I just thought it was a  
7           discussion only because I had a  
8           conversation with our current building  
9           inspector, and he seemed kind of  
10          befuddled by our policy.

11                 This Board -- for the people out  
12          there, this Board doesn't make policy,  
13          it's strictly what's in the code, we  
14          don't -- if there's a question about a  
15          code interpretation, we make that, but  
16          as far as policy, we don't make policy  
17          for the Village. I'm guessing this  
18          should be a question for --

19                 MEMBER NYCE: The Village Board  
20          sets policy.

21                 CHAIRMAN SALADINO: -- the higher  
22          ups. We had a village administrator  
23          that was the de facto head of the  
24          Building Department. He decided policy  
25          as far as it was concerned for the

1 Building Department. We followed that  
2 policy. So if we want to continue, if  
3 the Members are -- this would be --  
4 this would not be to change, this would  
5 just be to make a statement to somebody  
6 that does make policy.

7 MEMBER GORDON: We can just send  
8 it to the Building Department, and let  
9 them figure out who makes a decision  
10 about this.

11 CHAIRMAN SALADINO: The Building  
12 Department is sitting there.

13 MEMBER GORDON: Hey, Mike, I think  
14 you've just become a decision maker.

15 CLERK NOONE: Well, I actually  
16 become the de facto village. So I'll  
17 consult with the Village Attorney about  
18 this.

19 CHAIRMAN SALADINO: Let us know.

20 CLERK NOONE: Yeah, sure.

21 CHAIRMAN SALADINO: If we see it  
22 on the notice of disapproval, we know  
23 how that went. If we don't see it on  
24 the notice of disapproval --

25 MEMBER KAUFMAN: Well, it's a

1 policy decision because, you know, I  
2 think it's worthwhile, but they don't  
3 have to send us these things if they  
4 don't want to.

5 CHAIRMAN SALADINO: Well, the only  
6 way we would know --

7 CLERK NOONE: Is if the notice of  
8 disapproval --

9 CHAIRMAN SALADINO: If we see it  
10 reflected on the notice of disapproval.

11 MEMBER KAUFMAN: Yeah, but I mean,  
12 in other words, if they see value in us  
13 reviewing these things, great. If they  
14 don't, they don't have to send them to  
15 us and we won't review them. I don't  
16 think we really have a choice.

17 MEMBER NYCE: We don't.

18 CHAIRMAN SALADINO: Are you saying  
19 we're, like, on the pay me no mind  
20 list.

21 MEMBER NYCE: We don't get paid at  
22 all.

23 CHAIRMAN SALADINO: Wait a second,  
24 you guys don't get paid?

25 CLERK NOONE: Is there a consensus

1 on this Board about whether you would  
2 like to continue legitimizing  
3 nonconforming preexisting?

4 CHAIRMAN SALADINO: We could  
5 certainly offer an opinion. Jack is  
6 not here. I'm sure he's entitled to  
7 his opinion. Seth already expressed  
8 his. To me, I don't have a problem  
9 either way. I'm thinking we kind of  
10 know Diana's opinion.

11 MEMBER GORDON: Yeah, I think it  
12 takes our time, it takes your time, it  
13 uses a lot of resources to do this  
14 review, which is, you know, a kind of  
15 rubber stamp. And I guess, I think --  
16 those are the costs, and I think the  
17 benefit is only that we now have  
18 perhaps a cleaner record or something  
19 that somebody who wants to know about  
20 the 100 year old -- but you know, it's  
21 -- as you point out, it's what's on the  
22 ground, and that can be determined by  
23 going to the site. So I think --

24 MEMBER NYCE: Current survey. The  
25 Building Department could with a

1 current survey identify what exists.

2 MEMBER GORDON: Yeah. So I'm in  
3 favor of not using our precious time  
4 and the Village's resources for this.  
5 Although, I think Seth makes a good  
6 point, if we have another issue and  
7 it's in a building -- with respect to a  
8 building that also has nonconforming  
9 uses of which we approve, I mean, we're  
10 not rejecting them, maybe that is a  
11 part of the process.

12 CLERK NOONE: I guess, if I was to  
13 go to the Village Attorney, I would  
14 need some sort of consensus as to right  
15 now the policy is obviously to review  
16 NODs that are purely NODs that have  
17 variances due to preexisting  
18 nonconforming assets. So that's the  
19 policy. But there have to be some kind  
20 of consensus to say we don't feel  
21 there's any value, I mean --

22 CHAIRMAN SALADINO: We can't give  
23 you that right now.

24 CLERK NOONE: But I mean, what  
25 would happen --



1           CHAIRMAN SALADINO: Speaking for  
2 myself, speaking for Seth, to me, it's  
3 a nonissue. To Seth, he thinks it's  
4 important.

5           MEMBER KAUFMAN: Again, I don't  
6 think it's a critical issue. I think  
7 there's value there, that's all. I'm  
8 saying I do think there's value there,  
9 I think it's pointless until it's not.

10          CHAIRMAN SALADINO: And we don't  
11 have Jack's opinion. So I mean, at  
12 best, you know, we're having a  
13 discussion.

14          As far as the attorney is  
15 concerned, I have experience on the  
16 Conservation Advisory Council, when we  
17 were invited to a property for a  
18 specific application for a specific  
19 thing, whether it be height, width,  
20 side, closest linear distance to the  
21 water course, whatever it was, when you  
22 invited us to the property, we took an  
23 overall view of the property. And I  
24 kind of feel that the current Village  
25 policy with notices of disapproval for

1           Zoning is kind of like that also. You  
2           know, we look at -- the building  
3           inspector is looking at everything. Is  
4           that building close to a side yard? Is  
5           this building close to a rear yard? I  
6           didn't have a problem with that with  
7           the CAC because with the CAC most  
8           people were trying to cheat, so I  
9           didn't have a problem with looking at  
10          the entire property and how it related  
11          to the water course and Conservation as  
12          it related to the water course. With  
13          this, just looking at this notice of  
14          disapproval in front of me, there's an  
15          accessory building that exceeds the  
16          height. If we took exception to that,  
17          what would we do about it? You know,  
18          what would we -- what would even the  
19          conversation be about it?

20                 MEMBER GORDON: Create a skylight.  
21                 Require a skylight.

22                 CHAIRMAN SALADINO: That's HPC,  
23                 that's not us. That's for them to  
24                 decide what's pretty. But that's my  
25                 point. But right now, we have a member

1 missing. I apologize for bringing it  
2 up, taking a little extra time here,  
3 you know, we all want to go vote. But  
4 I brought it up because it does come  
5 up.

6 CLERK NOONE: No, I agree. My  
7 problem is I don't know what I'm asking  
8 the attorney now.

9 CHAIRMAN SALADINO: What are  
10 tomorrow's lotto numbers?

11 This guy has the lotto numbers.

12 MEMBER GORDON: You're asking the  
13 attorney if we decided to abandon this  
14 policy either completely or partially  
15 as Seth suggests, does he feel  
16 comfortable with the legality of that?  
17 My guess is he's going to say yes  
18 because if most of the villages don't  
19 do this --

20 CHAIRMAN SALADINO: That's not  
21 true.

22 MEMBER GORDON: You said there  
23 were two --

24 CHAIRMAN SALADINO: They're the  
25 two largest municipalities on Long

1           Island, Town of Hempstead and Town of  
2           Islip. They do it. The fact that  
3           Southold doesn't do it compared to  
4           those --

5           MEMBER GORDON: What about  
6           villages? We're under Village Law.

7           CHAIRMAN SALADINO: I don't know.  
8           I don't know about --

9           MEMBER GORDON: So I think I told  
10          you what I think it makes sense to ask.

11          CLERK NOONE: That's a fair  
12          question.

13          CHAIRMAN SALADINO: Do you want to  
14          write that down?

15          MEMBER GORDON: I think he can  
16          remember.

17          CHAIRMAN SALADINO: Okay. We  
18          wasted -- we didn't waste the time, we  
19          spent enough time.

20          MEMBER KAUFMAN: It's not two and  
21          three-quarter minutes. You said two  
22          and three-quarter minutes.

23          CHAIRMAN SALADINO: That's what my  
24          watch said.

25          Item Number 6, does anybody else

1           have anything that they have a question  
2           for the Zoning Board about, anything?  
3           They have a question about Zoning? All  
4           right. If not, Item Number 6 is a  
5           motion to adjourn. So moved.

6           MEMBER NYCE: Second.

7           CHAIRMAN SALADINO: All in favor?

8           (Aye said in unison.)

9           (Whereupon, the meeting was  
10          adjourned at 6:37 p.m.)

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## 1 C E R T I F I C A T E

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3 I, AMY THOMAS, a Court Reporter and Notary  
4 Public, for and within the State of New York,  
5 do hereby certify:

6 THAT the above and foregoing contains a  
7 true and correct transcription of the  
8 proceedings held on March 18, 2025, and were  
9 reported by me.

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

14 IN WITNESS WHEREOF, I have hereunto set my  
15 hand this 24th day of MARCH, 2025.

16

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AMY THOMAS

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