

1 VILLAGE OF GREENPORT  
2 COUNTY OF SUFFOLK : STATE OF NEW YORK  
3 -----x  
4 ZONING BOARD OF APPEALS  
5 REGULAR SESSION  
6 -----x  
7 Station One Firehouse  
8 3rd & South Streets  
9 Greenport, NY, 11944  
10  
11 May 20, 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 JACK REARDON - MEMBER  
19 \*\*\*\*\*  
20 ALSO IN ATTENDANCE:  
21 IAN CONNETT - ZONING BOARD ATTORNEY  
22 MICHAEL NOONE - CLERK TO THE BOARD  
23  
24  
25

1           CHAIRMAN SALADINO: Folks, it's  
2           approximately 6:05. This is the  
3           Village of Greenport Zoning Board of  
4           Appeals regular meeting.

5           Item Number 1 is a motion to  
6           accept the minutes of the April 15,  
7           2025 Zoning Board of Appeals meeting.  
8           So moved.

9           MEMBER KAUFMAN: Second.

10          CHAIRMAN SALADINO: All in favor?  
11          (Aye said in unison.)

12          CHAIRMAN SALADINO: And I'll vote  
13          aye.

14          Just as a -- for the public's  
15          interest, we have one member that's  
16          missing, he's in Europe, so you're  
17          going to have to muddle through with  
18          the four of us.

19          Item number 2 is a motion to  
20          schedule the next Zoning Board of  
21          Appeals for June 17, 2025 at 6:00 p.m.  
22          at the Station One Firehouse, Third and  
23          South Street, Greenport, New York  
24          11944. So moved.

25          MEMBER GORDON: Second.

1 CHAIRMAN SALADINO: All in favor?

2 (Aye said in unison.)

3 CHAIRMAN SALADINO: And I'll vote

4 aye.

5 Item number 3 is 417 Clark Street.

6 This is a motion to accept the findings

7 and determinations for Joe Bocci on

8 behalf of Nicole Murch. The property

9 is located in the R-2, One and Two

10 Family District and it is not located

11 in the Historic District. The Suffolk

12 County Tax Map Number number is

13 1001-7-5-14. I'll ask the Members,

14 everybody read the findings?

15 MEMBER GORDON: Yes.

16 CHAIRMAN SALADINO: So moved.

17 MEMBER REARDON: Second.

18 CHAIRMAN SALADINO: All in favor?

19 (Aye said in unison.)

20 CHAIRMAN SALADINO: And I'll vote

21 aye.

22 Item number 4 is 432 First Street.

23 This will be a public hearing regarding

24 the application of Brooke Epperson on

25 behalf of Magdalena Paragas. Applicant

1 proposes restoration/renovation of an  
2 existing one and a half story wood  
3 framed accessory structure. The  
4 variances, for those people that are  
5 interested, are on the agenda. The  
6 relief sought is on the agenda. The  
7 property is located in the R-2 One and  
8 Two Family Residential District. It's  
9 also located in the Historic District.  
10 The Suffolk County Tax Map Number is  
11 1001-4-7-2.1. I have the -- I'm going  
12 to ask Mike, this was posted in the  
13 newspaper?

14 CLERK NOONE: Posted in the  
15 newspaper and mailings went out that  
16 you have.

17 CHAIRMAN SALADINO: I'll ask the  
18 public, I have the mailings, I can read  
19 them, or if everyone's content, we can  
20 give a copy to the stenographer, she'll  
21 enter them into the record. Anybody  
22 want me to read these mailings? I  
23 will. No? Okay.

24 (*Mailings: First & Center LLC,*  
25 *P.O. Box 42, Bronx, New York 10464;*

1 Georgia Rudder, P.O. Box 403,  
2 Greenport, New York 11944; 449 Main  
3 Holdings LLC, P.O. Box 942, Mattituck,  
4 New York 11952; Jeffrey Rosa, 297  
5 Buckram Road, Locust Valley, New York  
6 11560; 430 First Street LLC, P.O. Box  
7 3163, Sag Harbor, New York 11963; Perry  
8 Angelson, P.O. Box 311, Greenport, New  
9 York 11944; Palmer Victoria LTD, 455  
10 Main Street, Greenport, New York 11944;  
11 Thomas Farmaker, 75 East End Avenue,  
12 Apartment 18A, New York, New York  
13 10028.)

14 We're going to open the public  
15 hearing. I just want to make sure that  
16 -- everything I'm supposed to do, and  
17 we'll open the public hearing.

18 Is the applicant here? Name and  
19 address for the stenographer, please.

20 MR. PORTILLO: Anthony Portillo,  
21 AMP Architecture, 10200 Main Road,  
22 Mattituck, New York 11952. I think I  
23 have just one more green card that came  
24 in, if I could hand that --

25 CHAIRMAN SALADINO: Okay.

1           MR. PORTILLO: This is the last  
2 one.

3           So a few of the variance requests  
4 or reliefs that we're asking for are on  
5 the main house. There's some existing  
6 noncomplying issues. There's also some  
7 existing noncomplying issues with the  
8 accessory structure -- I'm sorry, the  
9 barn in the rear. The scope of work is  
10 to elevate the barn in place. The  
11 elevation, the ridge height after  
12 elevation would be 21 feet, 11 inches.  
13 The first floor would be one foot, four  
14 inches off of grade. And that is one  
15 of the reliefs that is being created by  
16 the elevation of the building. We're  
17 also requesting or proposing to add a  
18 landing around the front of the barn  
19 and a small landing in the rear of the  
20 barn because we will need two risers  
21 off grade, so that allows us to access  
22 the building.

23           The other addition to the barn is  
24 a four by six outdoor shower that will  
25 be plumbed or sanitary will go into a

1           dry well, so there will be no  
2           connection from the barn to any  
3           sanitary system. That's basically the  
4           scope.

5           CHAIRMAN SALADINO: Anthony, when  
6           we were at the site for the inspection  
7           we kind of noticed that there's  
8           actually two buildings. I'm not sure  
9           if that -- I'm going to ask my  
10          colleagues, but for me personally I'm  
11          just not sure if we should be concerned  
12          if it's one building or two buildings  
13          because now you're kind of merging the  
14          building, you know.

15          MR. PORTILLO: Yeah, we are  
16          proposing to basically remove the  
17          devising wall between the two buildings  
18          and make it one larger building. But I  
19          think the sequence of construction  
20          would be in line where the two  
21          buildings would basically be elevated,  
22          and then the foundation, and then, you  
23          know, the framing from there. But no  
24          changes in the footprint.

25          CHAIRMAN SALADINO: I ask only

1           because I've never been confronted with  
2           that before.

3           MR. PORTILLO: Yeah, it's like --  
4           I don't know -- again, I don't -- it's  
5           hard to find any history on exactly  
6           what happened there, whether it was two  
7           buildings built at the same time that  
8           were just connected. It does seem like  
9           the roof of the lower building is  
10          framed into the larger building. So it  
11          does seem like there's some integration  
12          there, but I do agree that there's two  
13          exterior walls, so it's, I guess, two  
14          separate structures essentially.

15          MEMBER GORDON: The idea of  
16          accessory with accessory buildings is  
17          it has a relationship to the principal  
18          building.

19          MR. PORTILLO: Sure.

20          MEMBER GORDON: And the sort of  
21          second building doesn't have much  
22          relationship to the principal building,  
23          but if you're going to break the wall  
24          between those two, it becomes all of it  
25          accessory to the principal building.



1 Is that your position?

2 MR. PORTILLO: That is and I do  
3 think that the architecture of the  
4 building, it does sort of relate to  
5 each other. So it seems to me that  
6 it's not, like -- it seems like it was  
7 sort of drawn together essentially.

8 CHAIRMAN SALADINO: The only  
9 reason I ask is because your entire  
10 narrative revolves around one building,  
11 and it's kind of obvious that it's two  
12 buildings. I honestly don't know if  
13 that matters. What do you think?

14 MEMBER REARDON: It's a gray area  
15 certainly.

16 MEMBER GORDON: Has there been any  
17 independent use of that second building  
18 at any time that you know of?

19 MR. PORTILLO: No. The only thing  
20 I can see is both buildings were just  
21 storage and essentially that's it.  
22 Barn use.

23 MEMBER GORDON: Yeah.

24 CHAIRMAN SALADINO: I don't think  
25 it's a deal breaker, I mean, it's just

1 something we're not used to dealing  
2 with.

3 MEMBER GORDON: You could argue  
4 that, in fact, it reduces the  
5 noncompliance if he's going to turn it  
6 into one accessory structure.

7 MR. PORTILLO: I think that's a  
8 great argument.

9 CHAIRMAN SALADINO: You're going  
10 to have to explain to me.

11 MEMBER GORDON: Well, it's not  
12 important. I think it's not important  
13 as you were saying.

14 MEMBER KAUFMAN: To me, they look  
15 like two separate buildings, but the  
16 smaller building would incidentally  
17 lead to expansion of that larger  
18 building at some point after the large  
19 one was built. That's what it looked  
20 like to me based on how the siding was  
21 set up, they had different siding. And  
22 functionally, it's one building, and  
23 it's not a dwelling, so I don't think  
24 -- to me, it's splitting hairs to argue  
25 it's two buildings even though that's

1           technically correct.

2           CHAIRMAN SALADINO:   Okay.   And we  
3           changed -- we got a new EAF reflecting  
4           no sanitary.

5           MR. PORTILLO:   Yes, sir.   And the  
6           plans were revised, the sink was  
7           removed.

8           CHAIRMAN SALADINO:   Anybody got  
9           any questions?

10          MEMBER REARDON:   No.

11          CHAIRMAN SALADINO:   Diana?

12          MEMBER GORDON:   No.

13          CHAIRMAN SALADINO:   Seth?

14          MEMBER KAUFMAN:   No.

15          CHAIRMAN SALADINO:   Thank you.   Is  
16          there anyone from the public that would  
17          like to speak about this application?  
18          Name and address for the stenographer,  
19          please.

20          MR. BROKAW:   Bennett Brokaw, 449  
21          Main Street.   B-R-O-K-A-W.   I wasn't  
22          sure about the existing height of the  
23          building.   What is it now?   You're  
24          looking for an 11 foot variance.

25          CHAIRMAN SALADINO:   The existing

1 height is -- I have that here. The  
2 existing height is 25.9 feet and the  
3 proposed height is 26.9 feet.

4 MEMBER GORDON: It says 26.10 on  
5 the notes.

6 CHAIRMAN SALADINO: I'm looking at  
7 the site plan.

8 MR. BROKAW: So basically he's  
9 looking for just about a foot.

10 CHAIRMAN SALADINO: I'm sorry?

11 MR. BROKAW: He's looking for a  
12 variance of a foot?

13 CHAIRMAN SALADINO: The barn is  
14 preexisting nonconforming. They're  
15 going to raise it up off the ground the  
16 way it was explained to us according to  
17 the drawings that we received. To do  
18 that, the foundation would have to be  
19 six feet -- the poured concrete  
20 foundation would have to be six inches  
21 above ground level, and then they would  
22 raise the building accordingly,  
23 whatever, with counting sill plates and  
24 whatever construction.

25 MR. BROKAW: But it's already 25,

1 so I just wanted to clarify that.

2 What is the -- is there a new  
3 purpose to the building? What's it  
4 going to be used for?

5 CHAIRMAN SALADINO: You're going  
6 to have to talk to us, and you can ask  
7 these questions, and he can get up  
8 again and address them. From what we  
9 understand, it's going to be accessory  
10 use. Just --

11 MEMBER GORDON: It's going to  
12 be --

13 CHAIRMAN SALADINO: Non-habitable  
14 space.

15 MR. BROKAW: No pool house.

16 MEMBER GORDON: It's going to be a  
17 studio. No pool.

18 CHAIRMAN SALADINO: Studio.  
19 Whatever label that the owner wants to  
20 put on it.

21 MR. BROKAW: Okay. Permitted  
22 uses.

23 CHAIRMAN SALADINO: Any accessory  
24 use.

25 MR. BROKAW: All right. That's

1           it.   That's all I got.

2           CHAIRMAN SALADINO:   Thank you.   Is  
3           there anyone else from the public that  
4           would like to speak?   No?   Okay.  
5           What's the pleasure of the Board?   Do  
6           you want to close this public hearing?

7           MEMBER KAUFMAN:   Yeah.

8           MEMBER REARDON:   Seems  
9           appropriate.

10          CHAIRMAN SALADINO:   I'm going to  
11          make a motion that we close this public  
12          hearing.   So moved.

13          MEMBER REARDON:   Second.

14          CHAIRMAN SALADINO:   All in favor?  
15          (Aye said in unison.)

16          CHAIRMAN SALADINO:   And I'll vote  
17          aye.

18          MR. PORTILLO:   Thank you, Board.

19          CHAIRMAN SALADINO:   We're going to  
20          take this up -- okay.

21          Next up on the agenda is Item  
22          Number 5, I believe.   Item Number 5 is  
23          114 North Street.   This is a public  
24          hearing regarding the application of  
25          Jennifer Del Vaglio, East End Pool LLC

1           on behalf of Lauren and Michael Nagin.  
2           Applicant proposes the installation of  
3           a 14 by 22 foot in ground gunite  
4           swimming pool. The relief requested is  
5           on the agenda for the folks that have  
6           it. The property is located in the R-2  
7           One and Two Family Residential  
8           District, it's not located in the  
9           Historic District. The Suffolk County  
10          Tax Map Number is 1001-2-6-28.

11                 Mike, same thing, we noticed this?

12                 CLERK NOONE: Formally noticed.

13                 CHAIRMAN SALADINO: And for the  
14           folks that are interested, I have the  
15           mailings here. If anybody wants me to  
16           read them, I will. If not, the  
17           stenographer has them, they'll be made  
18           part of the public record.

19                 *(Mailings: Haley Katsh-Williams &*  
20           *Nicholas Brown, 150 Remsen Street,*  
21           *Apartment 31, Brooklyn, New York 11217;*  
22           *Keith Garrett, 1325 Parkview Lane,*  
23           *Orient, New York 11954; Stacey*  
24           *Tesseyman & Florence Roth, 512 2nd*  
25           *Street, Greenport, New York 11944;*

1           Elizabeth & John Regan, 611 1st Street,  
2           Greenport, New York 11944; Second  
3           Aegberg LLC, 215 Thompson Street,  
4           PMB245, New York, New York 10012; Floyd  
5           Memorial Library, 539 1st Street,  
6           Greenport, New York 11944; Anthony &  
7           Robin Mortillo, 689 1st Street,  
8           Greenport, New York 11944; Alexandra  
9           Simmonds, 4066 Mansion Dr, NW,  
10          Washington DC 20087; Willard Weathery,  
11          29 Cliff Street, Apartment 21C, New  
12          York, New York 10038.)

13                 And is the applicant here? Name  
14                 and address for the stenographer,  
15                 please.

16                 MS. DEL VAGLIO: Jennifer Del  
17                 Vaglio, D-E-L-V-A-G-L-I-O, East End  
18                 Pool King, address 4045 Bridge Lane in  
19                 Cutchogue, New York.

20                 So I'm here to answer any  
21                 questions. We did a site inspection.  
22                 There are two letters in favor of the  
23                 pool. We are asking for variance  
24                 relief. We also would like to discuss  
25                 moving the pool a little bit and asking



1           for a reduction on the relief. And  
2           also Lauren, the homeowner, is here  
3           with me tonight.

4           CHAIRMAN SALADINO: As we  
5           discussed, we received the revised site  
6           plan today, right, just to confirm,  
7           today we got this?

8           CLERK NOONE: Today, yes.

9           CHAIRMAN SALADINO: We got the  
10          revised site plan today, and it shows  
11          -- for the public, it shows that the  
12          pool is being requested that they --  
13          that they're requesting that they can  
14          move the pool. The problem that comes  
15          up is that the notice of disapproval  
16          reflected one thing, the placard in  
17          front of the property reflects that,  
18          the mailings that were sent out to the  
19          neighbors reflects the original notice  
20          of disapproval, and the public notice  
21          also reflects that. The problem that  
22          we have is if the relief you were  
23          looking for was less than the original  
24          relief requested, it might not be the  
25          problem that it is. But since the

1 relief requested on this new site plan  
2 is greater --

3 MS. DEL VAGLIO: So we're going  
4 from a three variance request to a two  
5 variance request.

6 CHAIRMAN SALADINO: It's not  
7 about -- it's about -- well, first of  
8 all, it's different, number one.  
9 Number two, the people that read the  
10 placard, that read the public notice  
11 think that -- I have the original one  
12 in front of me. Think that the pool is  
13 going to be whatever it is, 18 feet  
14 from one side, but in reality now it's  
15 going to be 10 feet. It's my belief --  
16 it's my belief -- it's my belief that a  
17 new notice of disapproval would have to  
18 be written and the public hearing would  
19 have to be noticed again with the new  
20 relief requested.

21 MS. DEL VAGLIO: If we reduced the  
22 size of the relief being requested,  
23 would that shed different light on the  
24 situation?

25 CHAIRMAN SALADINO: I think these

1           are your options: I think you can go  
2           with the original site plan or you can  
3           go with this one next month.

4           MS. DEL VAGLIO: Okay.

5           MEMBER GORDON: You know, I'm  
6           struck by the fact that the new survey  
7           we have has -- okay. What we would  
8           have liked to see is 20 feet on each  
9           side, we don't get 20 feet on each  
10          side.

11          MS. DEL VAGLIO: Correct.

12          MEMBER GORDON: The original  
13          proposal is for very close to 20 feet  
14          on both sides. 18 feet. Then the new  
15          one is -- gives us 26 feet on one side,  
16          in other words, more room than was  
17          needed, but significantly less on the  
18          -- what is it -- on the --

19          MS. DEL VAGLIO: East.

20          MEMBER GORDON: East side, yeah.  
21          So it seems to me that functionally we  
22          are really -- you're really asking us  
23          to agree to a greater variance -- a  
24          greater distance between what is  
25          proposed and what was -- right, because

1 18 on one side, 18 on the other side.

2 CHAIRMAN SALADINO: Before we get  
3 into agreeing to anything, at this  
4 point we're just talking, we're not --  
5 thinking we're agreeing to anything.

6 MEMBER GORDON: But we're asking  
7 her to justify --

8 CHAIRMAN SALADINO: No, that's not  
9 my question. My question is probably  
10 directed at the lawyer. If this  
11 process -- if she insists on going with  
12 the original site plan, we'll continue  
13 with the public hearing.

14 ATTORNEY CONNETT: That's correct.

15 CHAIRMAN SALADINO: If she's going  
16 with a revised site plan that changes  
17 the requested relief, we would have to,  
18 in my opinion -- and I only play a  
19 lawyer here, we'll ask the real lawyer  
20 -- go with a new public notice and --

21 ATTORNEY CONNETT: Yes, John, I  
22 agree with your suggestion, and if  
23 we're proceeding with new plan we would  
24 want to re-notice and re-have this  
25 public hearing in a month's time. So

1 we can have the public hearing now, and  
2 you can debate and take comments, but  
3 no determination would be made after  
4 this public hearing. We'd have to  
5 re-notice it if we're going with the  
6 new plan.

7 MS. DEL VAGLIO: We'll table it to  
8 next month.

9 CHAIRMAN SALADINO: I'm sorry?

10 MS. DEL VAGLIO: We'll table it to  
11 next month.

12 CHAIRMAN SALADINO: So just so you  
13 understand, you submitted this, the  
14 Building Department is going to need  
15 some additional information from you.

16 CLERK NOONE: You're going to have  
17 to -- Jennifer, you're going to have to  
18 talk to the Building Department and ask  
19 exactly what they need for a new  
20 application in order to get a new  
21 notice of disapproval. And then when  
22 they produce that notice of  
23 disapproval, it will get disseminated  
24 and if it's significantly different as  
25 far as the application goes, you're

1           going to have to submit a whole new  
2           application to the Building Department.  
3           And then as soon as I get the notice of  
4           disapproval and your new ZBA  
5           application, I'll notice it, and we'll  
6           take it from there. Hopefully we can  
7           get this all done before next month's  
8           meeting.

9           MS. DEL VAGLIO: Okay. Is that  
10          good for you?

11          CHAIRMAN SALADINO: What's the  
12          plan?

13          AUDIENCE MEMBER: Do we want --

14          CHAIRMAN SALADINO: Excuse me.  
15          One second.

16          MS. DEL VAGLIO: Can I talk to her  
17          for a minute?

18          CHAIRMAN SALADINO: Sure. This is  
19          America.

20          MS. DEL VAGLIO: Is it a good idea  
21          to talk about any concerns that are  
22          within the new application that will be  
23          coming up so that we can avoid a lot of  
24          back and forth?

25          CHAIRMAN SALADINO: The problem is

1           for me -- and again, we'll -- the  
2           Members will have something to say.  
3           The problem is for me if we open the  
4           public hearing, if we continue the  
5           public hearing, everything that's said  
6           will be on the record, but then we're  
7           going to do it again next month. If  
8           informally you want to ask a question,  
9           actually there's even an agenda item  
10          that says if you have any questions,  
11          Jack will be glad to answer them.

12                 MEMBER REARDON: Do my best.

13                 MS. DEL VAGLIO: Thanks, Jack.

14                 CHAIRMAN SALADINO: So are we --

15                 MS. DEL VAGLIO: We're going to  
16          resubmit with a new application for a  
17          new disapproval based on --

18                 CLERK NOONE: For a new building  
19          permit, which produces the new notice  
20          of disapproval, which will prompt you  
21          to reapply to the ZBA with a new  
22          application, which should be fairly  
23          easy, most of leg work is done. And  
24          once you get that notice of  
25          disapproval -- once I get the notice of

1           disapproval with the new ZBA  
2           application, I can submit it and -- but  
3           John, we can go right to public  
4           hearing, correct?

5           MEMBER GORDON:   Since we made a  
6           site visit.

7           CHAIRMAN SALADINO:   We absolutely  
8           don't need a site visit.

9           CLERK NOONE:   But you need a new  
10          application or just the new notice of  
11          disapproval?

12          CHAIRMAN SALADINO:   We would need  
13          a new public notice, a new notice of  
14          disapproval, and I'm thinking that's  
15          all we need.

16          CLERK NOONE:   All right.   So no  
17          ZBA application, just the notice of  
18          disapproval, so when you get that from  
19          the Building Department.

20          CHAIRMAN SALADINO:   Unless -- we  
21          have the application that you  
22          submitted.   If any place in this  
23          application you want to change your  
24          narrative or something, you know, that  
25          would be the time to do it.



1 MS. DEL VAGLIO: Right.

2 CHAIRMAN SALADINO: If there's  
3 going to be a change in the narrative,  
4 you should submit that also.

5 MS. DEL VAGLIO: Okay.

6 CHAIRMAN SALADINO: I'm assuming  
7 the EAF is going to remain the same  
8 and, you know, the majority of the  
9 application is going to remain the  
10 same.

11 MS. DEL VAGLIO: Oh, yeah,  
12 everything is going to be the same, So  
13 like I'm going to go back to George --

14 CLERK NOONE: You need to go to  
15 the Building Department, explain you  
16 changed your site plan. Explain what  
17 you did. They have to produce a new  
18 notice of disapproval. They probably  
19 won't even make you put out a new  
20 building permit application. You tell  
21 them you changed the site plan, I need  
22 you to produce a new notice of  
23 disapproval. As soon as they produce  
24 that new notice of disapproval, you can  
25 bring it to me, I disseminate it, and

1 we'll get you on the agenda.

2 MS. DEL VAGLIO: Okay.

3 CLERK NOONE: Hopefully we'll get  
4 that done maybe even this week.

5 MS. DEL VAGLIO: Terrific. Thank  
6 you.

7 AUDIENCE MEMBER: I just have a  
8 general question.

9 MEMBER GORDON: You have to come  
10 to the --

11 MS. SIMMONDS: My name is  
12 Alexandra Simmonds, and we live at the  
13 corner of North and First Street in the  
14 red brick house that used to be the old  
15 Tasker house. And so we've been here  
16 since 2003, and with this application  
17 we now have a pool going in two doors  
18 down from us on North Street, and we  
19 have a pool that's just gone in two  
20 doors down from us on First Street.  
21 And we like all those neighbors, so  
22 this is not a complaint about the  
23 neighbors, but in the summer the noise  
24 from the harbor is really quite loud  
25 and it goes on for a long time. And I

1 know that, you know, people like to  
2 have pool parties, and so I just  
3 wondered if there was a time that the  
4 Village designates that that kind of  
5 loud noise or music has to stop or end?

6 CHAIRMAN SALADINO: Actually there  
7 is, the Village just passed a new noise  
8 code.

9 CLERK NOONE: Chapter 88 is the  
10 noise code.

11 CHAIRMAN SALADINO: Chapter 88.

12 CLERK NOONE: If you check Village  
13 Code, it's Chapter 88 that will outline  
14 all the noise.

15 MS. SIMMONDS: Okay.

16 CHAIRMAN SALADINO: This Board --  
17 just so you understand, this Board has  
18 no authority.

19 MS. SIMMONDS: I just thought --  
20 that's where I can get my answers, so I  
21 appreciate that. So Chapter 88, I will  
22 look for it. Thank you very much.

23 CLERK NOONE: And if you have a  
24 complaint, there is a place on the  
25 Village website where you can put your

1 complaint in about the property  
2 that's -- or you could call Village  
3 Hall if it's during the week.

4 MS. SIMMONDS: Thank you.  
5 Hopefully that won't happen.

6 CHAIRMAN SALADINO: Mike is very  
7 chatty today.

8 All right. So we put a pin in  
9 this until next month.

10 And next up is Item Number 6, 630  
11 Third Street. This is a public hearing  
12 regarding the application of Jennifer  
13 Del Vaglio, East End Pool LLC on behalf  
14 of Rebecca Sharon. Applicant proposes  
15 the installation of a 16 by 32 in  
16 ground swimming pool. This requires  
17 the following variances, the variances  
18 are listed on the agenda for the folks  
19 that have it. Property is located in  
20 the R-2 One and Two Family Residential  
21 District, it's not located in the  
22 Historic District. And the Suffolk  
23 County Tax Map Number is 1001-2-5-3.  
24 This is not in the Historic District,  
25 Third Street?

1           Mike, same questions, this was  
2 properly noticed?

3           CLERK NOONE: Yes.

4           CHAIRMAN SALADINO: Again, the  
5 same story, I have the mailings here.  
6 If the neighbors are interested, I'll  
7 be glad to read them. If not, our  
8 stenographer has them, they'll be  
9 included in the public record.

10          AUDIENCE MEMBER: If you're a  
11 neighbor.

12          CHAIRMAN SALADINO: I'm sorry?

13          AUDIENCE MEMBER: You're asking if  
14 you should read what?

15          CHAIRMAN SALADINO: The mailings  
16 that were sent to the neighbors to let  
17 them know of this public hearing.

18          AUDIENCE MEMBER: Don't worry, I  
19 got it.

20               *(Mailings: 626 3rd St. Greenport,*  
21 *Inc., P.O. Box 591, Shelter Island*  
22 *Heights, New York 11965; 622 3rd St.*  
23 *Greenport, Inc., P.O. Box 591, Shelter*  
24 *Island Heights, New York 11965; Jeremy*  
25 *& Caroline Skehan, 4315 Webster Avenue,*

1           *Apartment 5J, Bronx, New York 10470;*  
2           *Erika & Alexa Davis, 600 5th Street,*  
3           *Brooklyn, New York 11215; Corinne*  
4           *Vidulich, 37 Front Street, #5,*  
5           *Greenport, New York 111944; Hector*  
6           *Velasquez, 4 Gerald Lane, Hampton Bays,*  
7           *New York 11946; Ellen J. Neff Trt, 629*  
8           *2nd Street, Greenport, New York 11944;*  
9           *Keith Garret, 1325 Parkview, Orient,*  
10           *New York 11957; Rafael & Francoise*  
11           *Ferrer, 631 2nd Street, Greenport, New*  
12           *York 11944; Lu Weizhi/Robert Harrist,*  
13           *601 W 115th Street, #116, New York, New*  
14           *York 10025; Gregory Kirkhan, 213 Webb*  
15           *Street, Greenport, New York 11944.)*

16           CHAIRMAN SALADINO: Is the  
17           applicant here?

18           MS. DEL VAGLIO: Yes.

19           CHAIRMAN SALADINO: Name and  
20           address for the stenographer.

21           MS. DEL VAGLIO: Jennifer Del  
22           Vaglio, D-E-L-V-A-G-L-I-O, 4045 Bridge  
23           Lane, Cutchogue, New York. I'm  
24           Jennifer representing Rebecca Sharon  
25           and Joe for a pool build at their home.

1 We did a site inspection. We walked  
2 through the property and the setbacks  
3 that we're asking for relief on, and  
4 we're here to answer any questions and  
5 talk through the application.

6 CHAIRMAN SALADINO: I don't have  
7 any questions. Do the Members?

8 MEMBER GORDON: No.

9 MEMBER KAUFMAN: No.

10 CHAIRMAN SALADINO: Jack,  
11 anything?

12 MEMBER REARDON: Nothing new, no.

13 CHAIRMAN SALADINO: Anything old?  
14 Seth?

15 MEMBER KAUFMAN: No.

16 MEMBER GORDON: No pool house  
17 anticipated.

18 CHAIRMAN SALADINO: Actually they  
19 are.

20 MS. DEL VAGLIO: She shed.

21 MEMBER GORDON: Is it a pool  
22 house, I mean --

23 MS. DEL VAGLIO: No, we went over  
24 it last time. It's just a she shed,  
25 it's for all of Rebecca's tools for her

1           gardening and landscaping, and then a  
2           workout space.

3           CHAIRMAN SALADINO:   And it's code  
4           compliant, right?

5           MS. DEL VAGLIO:   It is.

6           CHAIRMAN SALADINO:   We don't need  
7           anymore work.   We're overworked as it  
8           is.

9           None of the member have a  
10          question?   Jennifer, thank you.

11          MS. DEL VAGLIO:   We did make a  
12          couple of changes last hearing.   We  
13          were going to make it so that the  
14          variance relief, I just wanted it to be  
15          noted that that pool equipment is going  
16          to be moved within the proper setback.

17          CHAIRMAN SALADINO:   We discussed  
18          that, right?

19          MS. DEL VAGLIO:   Yes.

20          MEMBER GORDON:   It does say pool  
21          house on the environmental assessment  
22          form.

23          MS. DEL VAGLIO:   It does.   I asked  
24          the surveyor to change it to she shed.

25          MEMBER GORDON:   Okay.



1           CHAIRMAN SALADINO:  We'll -- in  
2           our discussion, we'll change it.

3           MS. DEL VAGLIO:  Also I did want  
4           to highlight that there have been a  
5           number of variance reliefs granted in  
6           the past for pools, and the importance  
7           of the size of this pool is great for  
8           this family because this is where they  
9           do a lot of gatherings for holidays and  
10          to unify both sides of the family.  
11          Sharon and Joe like to host and bring  
12          everybody together, and it's nice for  
13          the community to have that kind of  
14          family environment and support.  So we  
15          have plenty of examples for reliefs, if  
16          need be.

17          CHAIRMAN SALADINO:  Do you want me  
18          to address that now or in our  
19          discussion?

20          MS. DEL VAGLIO:  Whenever you  
21          would like to.

22          CHAIRMAN SALADINO:  We all  
23          understand -- we all understand -- the  
24          fact that you brought up many pools --  
25          actually I thought I asked you for the

1 addresses, if they were double lots or  
2 single lots. The fact that you brought  
3 them up, you know, I guess you wanted  
4 to bring our attention that perhaps  
5 Zoning Boards in the past had granted  
6 these variances, some of them might  
7 have been code compliant. All you did  
8 was give us tax map numbers. No  
9 addresses.

10 But just as an explanation, we all  
11 know that in Zoning, the  
12 interpretations have the weight of  
13 precedent, so we're almost obligated to  
14 follow that. Variances are -- should  
15 be consistent. But every application  
16 is different. So the fact that  
17 somebody down the block got a pool  
18 doesn't necessarily mean that someone a  
19 block away -- you know, applications  
20 are different, distances are different.  
21 Every Member has in their mind what  
22 they consider moderately tailored  
23 relief, which is what we do, you know,  
24 we grant moderately tailored relief.  
25 So that's how in the past some pools

1           were approved and some were not.

2           Something that I think about is  
3           that our code was from 1949. In 1949,  
4           pools weren't addressed. In '75 and  
5           '79, they were, and the legislators  
6           then decided that 20 feet was the  
7           appropriate distance to be from --

8           AUDIENCE MEMBER: Could you speak  
9           into the microphone? I do want to hear  
10          you.

11          CHAIRMAN SALADINO: And I have two  
12          microphones.

13          AUDIENCE MEMBER: You're talking  
14          about history of what's been allowed,  
15          so I'm curious.

16          CHAIRMAN SALADINO: So did you get  
17          it, do you want me to repeat it?

18          AUDIENCE MEMBER: You can just  
19          continue.

20          CHAIRMAN SALADINO: So they  
21          decided that 20 feet was appropriate.  
22          And in 1975 or 1979, perhaps it was.  
23          What happens now is in 2023 the  
24          legislators passed a new Zoning Code,  
25          and in that Zoning Code they reaffirmed

1           20 feet as being the distance from a  
2           property line. So when someone says,  
3           well, it's always been okay, you know,  
4           or they always do that, some Members  
5           now a year and a half after the new  
6           code was written might think different  
7           about a law that was passed in 2023 as  
8           opposed to a law that was passed in  
9           1975. So I just wanted to -- since you  
10          mentioned other pools were built, I  
11          just wanted to give you that.

12                 MS. DEL VAGLIO: Thank you.

13                 CHAIRMAN SALADINO: Thank you. Do  
14          you have more for us?

15                 MS. DEL VAGLIO: No.

16                 CHAIRMAN SALADINO: Is there  
17          anyone else from the public that would  
18          like to speak on this application?  
19          Sure. Name and address for the  
20          stenographer, please.

21                 MS. FERRER: My name is Bunny  
22          Ferrer, and I live behind this property  
23          631 2nd Street. I think something was  
24          said about the pool equipment, but I  
25          couldn't hear it because obviously the

1           only real concern -- direct concern is  
2           noise. And I don't see any mention of  
3           enclosing the pump, which is something  
4           that has to continually circulate. You  
5           know, I mean, we all own property and  
6           we all want to feel that we have a  
7           right to do what we want to do and  
8           because we live in a civilized  
9           supposedly country. You know, we  
10          understand, and it is healthier to have  
11          Zoning issues and Zoning rules. In an  
12          environment -- I just want to speak my  
13          mind in this other issue, which is just  
14          simply that people keep talking about  
15          the environment and all of that. I  
16          know we're not there with Greenport  
17          Village, but for example, in Orient,  
18          the aquifer is shrinking, and there's  
19          this new idea of a kind of American  
20          lifestyle where everybody wants a  
21          swimming pool, and I feel it's  
22          problematic, especially in a village.  
23          We have the ocean, thank goodness. I  
24          wish we had a wonderful rec center with  
25          a good olympic pool because I would

1           really love it. But I know everybody  
2           can do what they want to do. I do feel  
3           this pool is too big for a village lot.  
4           The pool house, if one has lived there  
5           and you know how, you know, someone is  
6           doing construction or mowing a lawn,  
7           how the echoes off buildings really are  
8           quite substantial in a village. And  
9           you know, I love that people want to  
10          have families and everything, but you  
11          can imagine our fantasies of a big pool  
12          and lots of people. I think everyone  
13          should have a big party once a year,  
14          but, you know, we don't want to have it  
15          every weekend. And so I'm just saying  
16          that. But my big concern is the  
17          enclosure and the distance of the  
18          equipment. If it could be incorporated  
19          in this pool house so it maybe doesn't  
20          look, you know, maybe they just extend  
21          it, but is it going to be enclosed?

22               CHAIRMAN SALADINO: Just to answer  
23          your first question where it's going to  
24          be, I believe --

25               MS. FERRER: I printed out the

1 plans, I went -- so I see it says a  
2 pad, but it doesn't mention anything at  
3 all about the enclosure of the -- I  
4 guess it's the pump, is it not?

5 CHAIRMAN SALADINO: The pool  
6 equipment usually is the filter and  
7 pump. I don't have a pool, so I don't  
8 know a lot about pool equipment.

9 MS. FERRER: Right, but --

10 CHAIRMAN SALADINO: But we look at  
11 it first and foremost as an accessory  
12 -- the pad, as an accessory structure,  
13 and it wasn't code compliant in the  
14 beginning, but now the applicant  
15 decided to make it code compliant.

16 MS. FERRER: Which is? Is it  
17 enclosed?

18 CHAIRMAN SALADINO: Five feet from  
19 the property line.

20 MS. FERRER: Okay, because on the  
21 plan --

22 CHAIRMAN SALADINO: It says 3 and  
23 a half.

24 MS. FERRER: They changed it?

25 CHAIRMAN SALADINO: Yes. So it's

1           now 5 feet and it's off our plate as  
2           far as a variance for the pad.

3           As far as the noise, we can bring  
4           a representative back and she can give  
5           us the decibel levels of the equipment  
6           and stuff.

7           MS. FERRER: Is it enclosed in a  
8           little --

9           CHAIRMAN SALADINO: I don't have  
10          that information.

11          MS. FERRER: It's not enclosed.

12          MS. DEL VAGLIO: It's not enclosed  
13          currently. It's better for the  
14          equipment to not be enclosed.

15          CHAIRMAN SALADINO: I'm sorry?

16          MS. DEL VAGLIO: It's better for  
17          the equipment to not be enclosed.

18          CHAIRMAN SALADINO: The pool  
19          company's contention is it's better for  
20          the equipment not to be enclosed. If  
21          there's enough concern, we can have a  
22          discussion and perhaps --

23          MS. FERRER: I mean, I don't know  
24          how big it is, but it's not much to --  
25          with exterior plywood to enclose it, is



1           it? I mean, it's not a great expense,  
2           is it?

3           CHAIRMAN SALADINO: I don't know  
4           to be honest with you. But also --  
5           also if the Zoning Board is reasonably  
6           certain that it's not a health,  
7           welfare, or safety hazard, I don't even  
8           know if we have the authority to  
9           mandate that it be enclosed. If we  
10          had -- I don't have that information.

11          MS. FERRER: You don't have the  
12          answer to that.

13          CHAIRMAN SALADINO: No.

14          MS. FERRER: Maybe we could just  
15          get it, find out what people say,  
16          especially in a village.

17          CHAIRMAN SALADINO: We can ask.

18          MS. FERRER: I think if you have  
19          an acre lot, you know, it's not an  
20          issue. But in a village where we're 50  
21          by 150 general standard lots, and you  
22          know, long and narrow, it's just I  
23          think something to consider.

24          CHAIRMAN SALADINO: I certainly  
25          hear you and it is a concern, and I

1           certainly understand your position.  
2           I'm just not sure what kind of latitude  
3           we have. We can certainly -- the  
4           Members are going to weigh in here.

5           MS. FERRER: And then the other  
6           thing, as I understand in the big  
7           presentation, that they're trucking in  
8           water to fill the pools, I guess  
9           everybody does that these days. I  
10          would encourage people to have salt  
11          water pools so they don't have to use  
12          chlorine. You know, anything we can  
13          think about for the environment, but  
14          that's another issue. Thank you very  
15          much.

16          CHAIRMAN SALADINO: Sure. Thank  
17          you.

18          Is there anyone else from the  
19          public that would like to speak on  
20          this? No. What do we think, do you  
21          want to close this public hearing?

22          MEMBER KAUFMAN: Sure.

23          CHAIRMAN SALADINO: Jack, what do  
24          you think, ready to close the public  
25          hearing?

1           MEMBER REARDON: I'm ready to move  
2           on.

3           CHAIRMAN SALADINO: Jack is ready  
4           to move on. Diana, what about you?

5           MEMBER GORDON: Yeah.

6           CHAIRMAN SALADINO: I'll make a  
7           motion that we close this public  
8           hearing. So moved.

9           MEMBER KAUFMAN: Second.

10          CHAIRMAN SALADINO: All in favor?  
11          (Aye said in unison.)

12          CHAIRMAN SALADINO: And I'll vote  
13          aye.

14          Moving on. Item Number 7, Item  
15          Number 7 is a public hearing regarding  
16          the application of Jennifer Del Vaglio,  
17          East End Pool King LLC on behalf of  
18          Mark Carroll and Tara Maitra.  
19          Applicant proposes the renovation of  
20          the existing garage and the  
21          installation of a 16 by 32 in ground  
22          gunite pool. The relief requested is  
23          on the agenda. This property is  
24          located in the R-2 One and Two Family  
25          Residential Districts. It's not

1 located in the Historic District. And  
2 the Suffolk County Tax Map Number is  
3 1001-7-1-8. Mike, same questions.

4 CLERK NOONE: It was properly  
5 noticed.

6 CHAIRMAN SALADINO: It was  
7 properly noticed. For anyone that's  
8 interested, I have the mailings here,  
9 I'll be glad to read them if anybody  
10 wants. If not, like I said before, the  
11 stenographer has them, they'll be made  
12 part of the public record. No? Last  
13 chance. Okay.

14 *(Mailings: Anthony Onizio, 611*  
15 *Brown Street, Greenport, New York*  
16 *11944; Mary Pinizio, 530 Cove Circle,*  
17 *Greenport, New York 11944; Philip &*  
18 *Kara Letts, P.O. Box 323, Shelter*  
19 *Island Heights, New York 11955; Emil &*  
20 *Ruth Lanne, 46 Dubois Avenue, Sea*  
21 *Cliff, New York 11579; Fredrick &*  
22 *Susanne Hulse, 214 6th Street,*  
23 *Greenport, New York 11944; Myrna Hanff,*  
24 *210 6th Street, Greenport, New York*  
25 *11944; James Ratliff, 420 Cove Circle,*

1           Greenport, New York 11944; Elizabeth  
2           Gertz, 345 W 58th Street, Apartment  
3           14X, New York, New York 10019; Mark  
4           Murray, P.O. Box 120, Greenport, New  
5           York 11944; Della Marshall, 310 E 46th  
6           Street, Apartment 10J, New York, New  
7           York 10017; Gail Chmela, 217 6th  
8           Street, Greenport, New York 11944.)

9           CHAIRMAN SALADINO: Is the  
10          applicant here? Name and address for  
11          the stenographer, please.

12          MS. DEL VAGLIO: Jennifer Del  
13          Vaglio, D-E-L-V-A-G-L-I-O, address 4045  
14          Bridge Lane in Cutchogue, New York.  
15          I'm Jennifer from East End Pool King  
16          representing Tara Maitra and Mark  
17          Carroll.

18          CHAIRMAN SALADINO: Is there  
19          anything -- obviously the applicant is  
20          content with her narrative. Is there  
21          anything we would like to know from the  
22          applicant? Seth?

23          MEMBER KAUFMAN: No.

24          CHAIRMAN SALADINO: Dinni?

25          MEMBER GORDON: The setback

1 distances are longer than some of the  
2 other proposals we've seen. Has the  
3 owner thought at all about a smaller  
4 pool?

5 MS. DEL VAGLIO: They thought  
6 about a smaller pool, but shrinking the  
7 pool makes it not as inviting for  
8 children and for them to be able to get  
9 a hot tub in the pool.

10 MEMBER GORDON: The pergola is not  
11 a structure that counts, right?

12 CHAIRMAN SALADINO: It is, and  
13 they eliminated it on the new -- right,  
14 on the new drawings that we have?

15 MS. DEL VAGLIO: Correct.

16 CHAIRMAN SALADINO: For the  
17 benefit of the public, the applicant  
18 submitted a new site plan that  
19 eliminated a few of the things that  
20 would contribute towards lot coverage  
21 and where the pool was located to make  
22 it a little more code compliant.

23 AUDIENCE MEMBER: Can we see a  
24 copy of that?

25 CHAIRMAN SALADINO: I have it

1 right here, if you would like.

2 AUDIENCE MEMBER: Yeah, I didn't  
3 see the updated.

4 CHAIRMAN SALADINO: When did we --  
5 well, in all fairness, we only got this  
6 April 24th. Is this online?

7 CLERK NOONE: It is not online.  
8 It was mentioned at a meeting, both in  
9 the live meeting and on the minutes of  
10 the meeting.

11 CHAIRMAN SALADINO: We did discuss  
12 it at the meeting.

13 CLERK NOONE: It was duly noted.

14 AUDIENCE MEMBER: When I was told  
15 that I could get the information, it  
16 was all online when I called the  
17 office, I was told, yeah, it's all  
18 there and evidently there is an update,  
19 which could effect --

20 CHAIRMAN SALADINO: And I  
21 understand that, and I apologize for  
22 that. I have a copy here, if you would  
23 like it.

24 AUDIENCE MEMBER: If I could take  
25 a quick look.

1           CHAIRMAN SALADINO:  You can have  
2           it.

3           MEMBER GORDON:  This is a proposal  
4           -- an application where we had some  
5           correspondence that was opposed and --

6           MS. DEL VAGLIO:  One.

7           MEMBER GORDON:  I'm just wondering  
8           have you considered that as your -- I  
9           think it's a combination of the noise  
10          issue but also sort of the character of  
11          the community.  And I'm just wondering  
12          if there's been any discussion of that,  
13          whether you've thought at all about  
14          making the pool smaller so that the  
15          variances required on each -- on the  
16          south and north side are less?

17          MS. DEL VAGLIO:  So we've taken it  
18          into consideration.  On Sixth Street  
19          actually there are -- I may be off on  
20          the numbers, but there are I think at  
21          least eight pools on that street, so it  
22          would be very in kind with what's  
23          happening in that community on that  
24          street.  Also a pool isn't much louder  
25          than setting up a bounce house and



1           having children playing outside on the  
2           weekends. So I understand noise is a  
3           consideration, but I also think that  
4           you can be noisy with or without a  
5           swimming pool.

6           MEMBER GORDON: Of course.

7           CHAIRMAN SALADINO: We have -- do  
8           you have anything else for us because  
9           I'm going to ask the Building Clerk, we  
10          have some letters?

11          CLERK NOONE: We've got five  
12          letters.

13          CHAIRMAN SALADINO: How many?

14          CLERK NOONE: Five.

15          CHAIRMAN SALADINO: Have we ever  
16          had five letters?

17          CLERK NOONE: Do you want me to  
18          read them? One is quite long.

19          CHAIRMAN SALADINO: Do we need  
20          the -- to read the letters? We  
21          normally hesitate to read them because  
22          they take up time, but it's also a way  
23          for the public that might want to speak  
24          or may not want to speak or -- for the  
25          public to hear another side of the

1 story, you know, so some of the letters  
2 I'm sure are positive, some maybe not,  
3 but it's kind of fair to the public to  
4 let them hear them and --

5 MEMBER GORDON: All but one are  
6 pretty short, right?

7 CLERK NOONE: All but one, yes.  
8 One is four pages.

9 MS. DEL VAGLIO: Four are in favor  
10 of the pool and one has a few questions  
11 about the pool.

12 CLERK NOONE: Right. I mean,  
13 there are several that are pro. I  
14 didn't do a thumbs up, thumbs down.

15 AUDIENCE MEMBER: How about this,  
16 I think the long letter is mine, and I  
17 think it might be good for me to just  
18 speak to it, you know.

19 CHAIRMAN SALADINO: If you're  
20 comfortable doing that, that kind of  
21 works for us also.

22 AUDIENCE MEMBER: Of course.

23 CHAIRMAN SALADINO: Could you  
24 just --

25 CLERK NOONE: You're Emil?

1 AUDIENCE MEMBER: Yes.

2 CLERK NOONE: So he's got the long  
3 letter.

4 CHAIRMAN SALADINO: He's going to  
5 speak and voice his concerns. You have  
6 four other letters?

7 CLERK NOONE: Four other letters.

8 CHAIRMAN SALADINO: From  
9 neighbors?

10 CLERK NOONE: From neighbors.

11 CHAIRMAN SALADINO: Do we want  
12 Mike to read these letters?

13 MEMBER KAUFMAN: Yes. Sorry.

14 MEMBER GORDON: The short ones.  
15 And then we'll hear from you with the  
16 longer one.

17 CLERK NOONE: Dear Members of the  
18 Greenport ZBA, we are writing on behalf  
19 of our neighbors, Tara Maitra and Mark  
20 Carroll who recently bought a home on  
21 217 Sixth Street in Greenport Village  
22 across the street from us. We are  
23 delighted to welcome them to the  
24 neighborhood.

25 We understand they would like to

1           install built-in pool in their  
2           backyard, and we received the Village  
3           notice that they have applied for a  
4           variance. We fully support their  
5           application for a pool and ask the ZBA  
6           to approve their variance -- to approve  
7           their variance for this project.

8           Please do not hesitate to contact  
9           us if you have any questions. Thank  
10          you.

11          Their e-mail and mobile number.  
12          Sandra Benedetto and Elizabeth Gertz.

13          Village of Greenport Zoning Board,  
14          Maitra pool application, 217 Sixth  
15          Street.

16          We are writing in support of the  
17          application for a pool installation at  
18          the above-referenced address.

19          As neighbors and pool owners, we  
20          introduced our friends, the applicants,  
21          to Greenport ten years ago. They  
22          finally purchased a home on Sixth  
23          Street, and we firmly believe the pool  
24          will be enjoyed by their family,  
25          friends, and children within the

1 neighborhood.

2 The Maitra family is committed to  
3 the Greenport community and would love  
4 to have their two wonderful children  
5 create childhood memories in their  
6 backyard throughout the year.

7 Jessica and Dave, they didn't sign  
8 their last name, but it's  
9 Z-A-R-Z-Y-C-K-I.

10 CHAIRMAN SALADINO: What's the  
11 address, I'm sorry?

12 MEMBER GORDON: They're two doors  
13 north.

14 CLERK NOONE: I'm sorry, 229 Sixth  
15 Street.

16 Village of Greenport Zoning Board,  
17 I'm writing in support of an  
18 application for a pool installation. I  
19 purchased our home in 1997, which had  
20 an in ground pool. Never would I have  
21 thought it would be such a joy for the  
22 family. As it stands now, four  
23 generations have bonded while splashing  
24 around. My late parents, myself, and  
25 my children, and now as my kids are

1 grown adults, my grandchildren. Our  
2 pool quickly stimulated our senses of  
3 community within the Village with  
4 neighborhood children and adult  
5 visitors making lifelong bonds. We  
6 introduced many of our friends to the  
7 Village while enjoying pool time, which  
8 resulted in some purchasing homes.  
9 Greenport has grown in many ways since  
10 1997, and yet the pool seems to be the  
11 one constant that continues to bind our  
12 generations together. Our love of  
13 Greenport was augmented around the pool  
14 as we proudly call ourselves  
15 Greenporters. Simply put, a pool  
16 enhances the joys of living here,  
17 therefore I would hope that another  
18 family can enjoy a similar experience.  
19 East End Pool King has unfailingly  
20 serviced our pool, and I have been  
21 impressed not only by with their  
22 professionalism, but their adherence to  
23 ecological considerations.

24 Lisette Coly, owner and resident,  
25 138 Sixth Street, Greenport.

1           To Whom It May Concern, we are  
2 residents and owners of 302 Sixth  
3 Street in Greenport, and we write in  
4 support of the application for 217  
5 Sixth Street by Mark Carroll and Tara  
6 Maitra for adjustments to their  
7 property, including the installation of  
8 a pool. We believe that families are a  
9 big part of this warm community, and  
10 that pools in the neighborhood are a  
11 positive for that welcoming and  
12 important ethos. They support  
13 gatherings of neighbors, families, and  
14 friends, and the creation of  
15 everlasting memories of happy summer  
16 afternoons around a multi-generation  
17 barbecue that carry the future of the  
18 community.

19           Kind regards, Alex and Ju-Lie  
20 Bell, owners and residents of 302 Sixth  
21 Street.

22           And then there's --

23           CHAIRMAN SALADINO: We're going to  
24 ask if there's any member of the public  
25 that would like to speak at this public

1           hearing. Name and address for the  
2           stenographer, please.

3           MR. LANE: My name is Emil Lanne,  
4           that's E-M-I-L, L-A-N-N-E. Our address  
5           is 46 Dubois, D-U-B-O-I-S, Avenue in  
6           Seacliff, New York 11579.

7           Good evening. So my name is Emil.  
8           I bet you're sick of talking about  
9           pools right now. We are the owners of  
10          219 Sixth Street, when is the property  
11          right next door to 217. We have owned  
12          this house since 2011. Me and my wife  
13          got married in Greenport, and we fell  
14          in love with that street in particular,  
15          and we managed to find a house there,  
16          and we've been enjoying that house  
17          immensely over the years and our kids  
18          have grown up there and had great  
19          times, and we go on weekends and in the  
20          summers. Obviously we fell in love  
21          with the house for the character of the  
22          neighborhood and the character of the  
23          street, and so we're very precious  
24          about how this neighborhood is  
25          developing, right? And full



1 disclosure, we are planning to move to  
2 this house full-time in probably three,  
3 four years time when my kids are  
4 leaving home. And so obviously because  
5 of that reason, I'm very concerned  
6 about the character of the neighborhood  
7 and how our house is impacted by any  
8 developments that happens next door.

9 So I'm not here to speak in  
10 opposition necessarily. I think people  
11 should be able to do things to their  
12 houses, to their backyards and make  
13 them as good as they possibly can be,  
14 but I want to be here and speak on my  
15 behalf and make sure that any of the  
16 developments that are done are done in  
17 such a way that they don't impact us  
18 too much, right? That's a concern.  
19 Because I think at the end of the day,  
20 the variances that they're asking for  
21 are quite great. They're asking to put  
22 the pool quite close to our property.  
23 These are very small Village lots, and  
24 so obviously the concern is that this  
25 could be impact our enjoyment of our

1 home significantly, right? So I just  
2 want to be able to speak on our behalf.

3 And compounded with that, I think,  
4 if you look at the house next door to  
5 us, 223 Sixth Street is a house that is  
6 in, you know, not the best shape. It's  
7 a house that's been rented for 20  
8 years. I think it's -- personally,  
9 this is speculation, but I think it's a  
10 matter of time until that house is  
11 going to be flipped as well and  
12 renovated, and that's on a double lot,  
13 so the possibility of quite a large  
14 structure or a large development going  
15 in there is quite high, right? So  
16 we're looking now in the future  
17 thinking about ourselves living in our  
18 house and being surrounded by two quite  
19 developed lots, right, for these small  
20 Village lots.

21 So I'm just really here to speak  
22 about my concerns and making sure that  
23 whatever goes forward is done in a way  
24 that, you know, it minimizes the impact  
25 to us. And obviously with the

1 renovation that's been done to 217  
2 already, there's a number of things  
3 outlined in my letter that we feel has  
4 negatively impacted our enjoyment of  
5 our house already, such as  
6 air-conditioners being installed right  
7 next to our property, balconies that  
8 overlook our private garden, shrubbery  
9 that was taken away from our property  
10 without consent from us, et cetera. So  
11 we want to ensure that whatever goes  
12 forward is done in a way that, you  
13 know, there's a consensus behind it.

14 Furthermore, when we look at our  
15 survey, and I think that this is almost  
16 the most important point. Our survey  
17 puts the property line at a slightly  
18 different point than the survey that we  
19 received in the mailing. So we have  
20 our southern property line one and a  
21 half foot from the side of our garage,  
22 and it seems like their property line  
23 puts that much closer. So if you think  
24 about a variance for a pool and the  
25 setbacks from that, according to our

1 survey, there's some discrepancy. I  
2 think that that needs to be taken into  
3 account as well, and there has to be a  
4 proper agreement of where the actual  
5 boundary between the properties lie so  
6 that we can move forward with that in  
7 mind.

8 I think the other concern that we  
9 have is obviously with such big  
10 development on such a small lot and the  
11 coverage area that would be there that  
12 water runoff would be an issue. That  
13 obviously we have a garage structure  
14 that's right next to this proposed  
15 patio area and pool area, and that that  
16 could effect negatively, right? So I  
17 know there's tons of ways that that  
18 could be mitigated, so we just want to  
19 ensure that it's taken into account and  
20 made part of the plans for the  
21 development.

22 Once again, I'm not inherently  
23 opposed to this, I think everyone  
24 should be able to do things to their  
25 properties to make them as best as they

1           can.  However, I do also feel that  
2           there are codes in the Village that are  
3           there for a reason, and they are asking  
4           to break these rules.  And so when  
5           those rules are broken and how much  
6           they are being allowed to be broken, I  
7           think that needs to be done in  
8           proportion to what's there in context  
9           of the neighborhood already.  And as  
10          you can see in my letter, there is all  
11          precedence for this Board being quite  
12          opposed to overdevelopment of the lots  
13          in our immediate neighborhood.  So I  
14          just want to ensure that this is done  
15          in a way that's fair for everyone.

16                 CHAIRMAN SALADINO:  Could we see  
17          your survey?

18                 MR. LANNE:  I sent that in as part  
19          of the mailing as well (handing).

20                 As you can see here, the garage  
21          here it states one and a half foot from  
22          the garage entrance.  So what happened  
23          really is before -- when we bought the  
24          house, the fence was already in place  
25          and the fence, as you can see in their

1 survey, actually veers off a little bit  
2 into our property, right? And that was  
3 an existing fence that was there. We  
4 replaced the actual fence panels, but  
5 the stakes were already there, the  
6 original ones. And so I think what  
7 happened was there was a group of  
8 shrubbery and bushes that was in  
9 actuality kind of like the borderline  
10 between the two properties back when.  
11 And when the previous owner put in the  
12 fence, they put it on sort of the wrong  
13 side of the bushes, and then whoever  
14 flipped the house cleared the whole  
15 yard, all of those bushes were taken  
16 away, even though they were technically  
17 on our property.

18 CHAIRMAN SALADINO: Their survey  
19 indicates that the fence is on your  
20 property.

21 MR. LANE: Exactly. But it's  
22 veering off into our property at the  
23 western end. So it's not going in a  
24 straight line essentially along the  
25 property boundary. But even so, the

1 fence itself is aligned with the edge  
2 of the garage, right? So the fence is  
3 actually a foot and a half into our  
4 property according to our survey.

5 CHAIRMAN SALADINO: Okay. Jack,  
6 you want to see the survey?

7 MEMBER REARDON: No, I don't think  
8 it has any bearing on any decision  
9 here.

10 CLERK NOONE: If you want to see,  
11 I made a copy.

12 CHAIRMAN SALADINO: Let's give  
13 this guy his survey back.

14 MEMBER REARDON: (Handing).

15 CHAIRMAN SALADINO: Okay. Do any  
16 members have any questions?

17 MEMBER REARDON: No. Thank you  
18 for your input.

19 MEMBER GORDON: My question would  
20 be for Jennifer.

21 AUDIENCE MEMBER: Excuse me, I  
22 still want to speak too. I just wanted  
23 to let you know.

24 CHAIRMAN SALADINO: Good point.  
25 Is there anybody else from the public

1           that would like to speak?

2           AUDIENCE MEMBER:   That's me.

3           CHAIRMAN SALADINO:   Name and  
4           address for the stenographer.

5           MR. RATLIFF:   James Ratliff,  
6           R-A-T-L-I-F-F, live at 420 Cove Circle,  
7           which is behind this property, not  
8           totally behind, partially behind.  And  
9           you know, like, I am concerned about  
10          some similar things that we've heard  
11          here today, but I -- you know, the  
12          relief that's requested is not  
13          moderate.  It appears to me that the  
14          variances are large.  The property was  
15          just recently bought.  I mean,  
16          obviously from what we heard in the  
17          letters, they have friends in the  
18          community.  It seems clear that they  
19          knew that this wouldn't and shouldn't  
20          be allowed, so I'm surprised that it's  
21          even being requested.  You know, and my  
22          concern on a personal level, of course,  
23          noise, I was more concerned with, like,  
24          pool filter noise than I was with  
25          people laughing and having fun in the



1 backyard. I mean, I think it's great  
2 that they have a lot of friends who can  
3 come over and use the pool and all that  
4 kind of thing, but it just seems like  
5 it's like the whole lot is covered.  
6 And I have issues also with the garage.  
7 I mean, I don't know, it looks more  
8 like a pool house to me, and according  
9 to the drawings that I've seen, right  
10 now I assume you guys have been to the  
11 site, you know, it's a flat roof,  
12 fairly low, and the drawing shows it  
13 going up pretty high with windows on  
14 the top. I don't know if there's going  
15 to be a loft up there or something like  
16 that. But it just takes up the whole  
17 yard, and then the pool equipment is,  
18 like, right where I like to sit.  
19 That's on a personal level, but you  
20 know, we have these rules and  
21 regulations and there's got to be a  
22 reason. And this just -- it's like --  
23 it's just, I don't know, it just takes  
24 up the whole yard between the pool and  
25 the -- well, the pergola is gone now,

1 but -- and that just created shade, but  
2 the higher garage is going to block  
3 space and air and light from my yard.  
4 You know, it's going to be -- it's  
5 sitting right there. Right now it's  
6 just, like, a low thing.

7 So and you know, but primarily  
8 also just I don't understand why we  
9 have -- I can understand, you know, two  
10 feet, we're trying to put in a pool, we  
11 need a little bit more space, but when  
12 you're asking for these large variances  
13 on every side and every place for  
14 everything, it seems obvious that it's  
15 just too big and too much for this lot.  
16 That's just my opinion. You know, I  
17 don't even really understand why it's  
18 been applied for except, I guess, you  
19 give it a shot and hope for the best.

20 CHAIRMAN SALADINO: Well,  
21 everybody has the right to appeal.  
22 They went to the Building Department.

23 MR. RATLIFF: Yeah, I don't mean  
24 you.

25 CHAIRMAN SALADINO: What they want

1 to do is not code compliant.

2 MR. RATLIFF: I'm surprised why  
3 the applicant would submit plans asking  
4 for such large variances. I'm not  
5 saying why you, you guys are doing your  
6 job.

7 CHAIRMAN SALADINO: The heart  
8 wants what the heart wants.

9 MR. RATLIFF: So that's basically  
10 it. I think for the integrity of the  
11 community and the law, you know, Zoning  
12 and laws should be followed as closely  
13 as they can with understanding, like  
14 you said before, possibly moderate  
15 alterations to fit the situation.

16 CHAIRMAN SALADINO: Well, and  
17 you're right. Don't get me wrong, it's  
18 not -- what I was going to say is  
19 you're right that our job is to give  
20 moderately tailored relief. The other  
21 side of that is every member is a free  
22 thinker, and they have what they  
23 consider moderate in their mind. So  
24 we're going to ask if anybody else  
25 would like to speak. We're probably

1 going to close the public hearing. The  
2 Zoning Board will have a discussion  
3 about this. And thank you, thanks for  
4 your comments.

5 I don't see on these drawings --  
6 where on the drawing is the height of  
7 this accessory building?

8 MR. RATLIFF: I couldn't find the  
9 height either.

10 CHAIRMAN SALADINO: While we get  
11 that -- or maybe the applicant can  
12 answer that, Dinni has a --

13 MEMBER GORDON: I wanted to ask  
14 about on the plans, the garage  
15 alteration plan, we haven't heard  
16 anything about that, and there's plans  
17 that pool and pool house, and we  
18 haven't heard that this is an accessory  
19 structure that will be a pool house.

20 MS. DEL VAGLIO: This was all  
21 submitted to the Building Department,  
22 and the Building Department put forward  
23 what we were having a non-disapproval  
24 on, and it didn't appear in the  
25 non-disapproval, so I didn't address it

1 in the Zoning Board.

2 CHAIRMAN SALADINO: Well, since  
3 it's part of the application -- since  
4 it's part of the application and the  
5 Zoning Board has the right to act as  
6 the Building Inspector when something  
7 is part of the application, I guess we  
8 could raise it now.

9 MS. DEL VAGLIO: Okay. Let's have  
10 a talk about it then.

11 CHAIRMAN SALADINO: Sounds good to  
12 me.

13 MS. DEL VAGLIO: Okay. So the  
14 proposed height would be 15 feet.

15 CHAIRMAN SALADINO: Where do we  
16 have that? Is it on this plan? I have  
17 that drawing.

18 CLERK NOONE: In the center.

19 CHAIRMAN SALADINO: And the other  
20 question I had was the size of the  
21 retractable awning.

22 MS. DEL VAGLIO: I don't have a  
23 size on the retractable awning. We can  
24 get rid of it. If it holds weight, we  
25 can get rid of it.

1           CHAIRMAN SALADINO: Well, it's  
2           kind of, like, an important issue  
3           because the pool is going to be six  
4           feet from this building, if I'm reading  
5           that right.

6           MS. DEL VAGLIO: You are.

7           CHAIRMAN SALADINO: So if the  
8           awning is six feet, it's going to be  
9           over the pool.

10          MS. DEL VAGLIO: Well, it was just  
11          for some coverage. We can get rid of  
12          it.

13          CHAIRMAN SALADINO: Okay. And the  
14          other question I have, the only wall  
15          that's not going to have windows is the  
16          west, right, the rear of the building?

17          MS. DEL VAGLIO: Correct, correct.

18          CHAIRMAN SALADINO: Okay.

19          MS. DEL VAGLIO: And there is no  
20          second story in there, it's just open  
21          space. There's no loft.

22          CHAIRMAN SALADINO: Dinni?

23          MEMBER GORDON: The lot coverage  
24          is fairly substantial here, the request  
25          for lot coverage, and I presume that

1           that's really based on the supposition  
2           that the pool house will be the same  
3           structure as exists as a garage or it's  
4           called the garage.

5           MS. DEL VAGLIO:   Correct.   The lot  
6           coverage is 29.9, which is under the  
7           required lot coverage.   And yes, the  
8           structure is to be the same size and  
9           the same footprint.

10          MEMBER GORDON:   35.2 percent where  
11          30 percent is required.

12          MS. DEL VAGLIO:   No, that's the  
13          old one.   That's before we removed the  
14          pergola.

15          MEMBER GORDON:   Okay.

16          MS. DEL VAGLIO:   Dinni, do you  
17          want a new one?

18          MEMBER GORDON:   Yes, just for a  
19          minute.   Thank you.

20          MS. DEL VAGLIO:   And it did look  
21          like a long list of variances, however,  
22          the first three were noted for the  
23          house and the garage, and those were to  
24          bring us into compliance, those are not  
25          variances that we're asking for, those

1           are variances that are already existing  
2           and that were not part of anything that  
3           my client did.

4           And then we subsequently moved  
5           another two variances from the list.

6           CHAIRMAN SALADINO: The two being  
7           the pergola and --

8           MS. DEL VAGLIO: Removing the  
9           pergola to reduce the lot coverage, and  
10          then also the east side yard variance  
11          where it's required ten feet because we  
12          did a measurement from the stairs  
13          coming off of the house to the pool,  
14          which got us to 20 feet. When we  
15          removed the pergola, that variance  
16          changed.

17          CHAIRMAN SALADINO: I don't have  
18          that. But not the dimension, not the  
19          linear distance the pool is from the  
20          property line, only the preexisting  
21          nonconforming.

22          MS. DEL VAGLIO: In the NOD it  
23          said that the proposed east side yard  
24          setback is 5.1 where it's required to  
25          be ten, and my understanding was that



1           it is in relation to where the pool is  
2           positioned from the house. And when it  
3           was a pergola, you were counting from  
4           the pergola to the pool, which was too  
5           close. Now because the pergola is  
6           gone, I have a 20-foot setback from the  
7           house steps to the pool. So that  
8           variance was relieved, gone.

9           CHAIRMAN SALADINO: I see. Do you  
10          understand?

11          MEMBER GORDON: Mmhmm.

12          CHAIRMAN SALADINO: Just so it's  
13          clear in my mind, the pergola was less  
14          than ten feet from the pool where ten  
15          feet was required, so you removed the  
16          pergola and you gained the reduced lot  
17          coverage and --

18          MEMBER GORDON: And the reduction  
19          of the east side.

20          CHAIRMAN SALADINO: Variance from  
21          the pool to the house.

22          MS. DEL VAGLIO: Correct.

23          CHAIRMAN SALADINO: Okay.

24          MS. DEL VAGLIO: Yes.

25          CHAIRMAN SALADINO: Did I get that

1 right?

2 MEMBER REARDON: Yeah.

3 MS. DEL VAGLIO: You sure did.

4 CHAIRMAN SALADINO: Any other  
5 questions?

6 AUDIENCE MEMBER: Can I just have  
7 another comment?

8 CHAIRMAN SALADINO: When she's  
9 done, sure. I was talking to the  
10 members.

11 MEMBER KAUFMAN: No.

12 MS. DEL VAGLIO: The only thing  
13 that I wanted to make mention of is  
14 that everything that's going to be at  
15 the pool equipment because the noise  
16 seems to be a really big factor here,  
17 and I don't know if any of you have  
18 pools, but all of the pools now by  
19 mandate for the United States and I  
20 think universal, they all have to be  
21 energy efficient. So now you can only  
22 put variable speed motors on pools, and  
23 those variable speed motors can run at  
24 a very low decibel level, so noise is  
25 really no longer a factor. The only

1           time that pool equipment is ever noisy  
2           is if your motor is about to die, and  
3           then all of the sudden the variants get  
4           very loud, and nobody wants to hear  
5           that, so then we have to replace it.  
6           So I just want to be clear that the  
7           equipment is very up to date and it's  
8           actually very quiet.

9           MEMBER GORDON: It's always good  
10          to teach the Zoning Board something.

11          CHAIRMAN SALADINO: The Zoning  
12          Board also knows that perception  
13          changes, like, when you're sitting next  
14          to it, you know, as opposed to ten feet  
15          away. But we have a noise code. If  
16          something gets too noisy, there's -- is  
17          there anyone else from the public that  
18          would like to speak?

19          MR. LANNE: Emil Lanne, E-M-I-L,  
20          L-A-N-N-E. So I just want to point out  
21          that it seems like the plans have  
22          changed quite dramatically from the  
23          ones that we received in our mailing,  
24          right? And that I have not been able  
25          to see these news plans. They were not

1 up on the website, so it seems unfair  
2 for me to go into a hearing here  
3 without actually knowing the latest  
4 information. I think that seems a  
5 little strange to me. So it would be  
6 great if someone could share the plans  
7 with me so I could understand what the  
8 actual proposal is.

9 CHAIRMAN SALADINO: I think that's  
10 a valid concern, I think you have a  
11 valid argument that whoever wants to  
12 comment should have the latest  
13 information.

14 MS. DEL VAGLIO: Do you want me to  
15 share the copy?

16 CHAIRMAN SALADINO: Well --

17 MS. DEL VAGLIO: I mean, all of  
18 the things have reduced the variances.

19 CHAIRMAN SALADINO: He deserves  
20 the right to look at it at his leisure.  
21 The Village got this on April 24th, the  
22 revised?

23 CLERK NOONE: Yes.

24 CHAIRMAN SALADINO: The Village  
25 got it on April 24th, and the pool

1           company said they would give it and  
2           they did. It was discussed at the  
3           meeting what they agreed to as far as  
4           becoming code compliant with certain  
5           things. Unfortunately it didn't get to  
6           the website. The Members had access to  
7           it, the Members had access to it,  
8           unfortunately the public didn't.

9           What are we thinking here? I  
10          think the applicant did what they were  
11          required to do. The public is entitled  
12          to the information, but it wasn't  
13          readily made available to them. They  
14          don't have time to consider it. What  
15          do we think is fair here?

16          MEMBER GORDON: It's a lot to ask  
17          for the -- would we --

18          CHAIRMAN SALADINO: Our options  
19          are to -- our options are to close the  
20          public hearing tonight and have our  
21          discussion.

22          The other option is to keep the  
23          public hearing open. We can make a  
24          request from -- to the Building  
25          Department to put it on -- the revised

1 site plan, put it on the website, or we  
2 can suggest that anyone that's  
3 interested to go to the Village Hall  
4 and get a copy of these revised  
5 documents. Is there a third option?

6 MEMBER KAUFMAN: No.

7 MEMBER GORDON: Well --

8 CHAIRMAN SALADINO: Did you want  
9 to think about it first?

10 MEMBER KAUFMAN: Well, I don't  
11 think the pergola is so substantial.  
12 The pool house size, the pool location  
13 size are not changed. I don't think it  
14 requires delay. That's my vote.

15 MEMBER GORDON: I have a question  
16 though. Does the fact that there have  
17 been changes in the setbacks, I mean,  
18 do we need a new notice of disapproval  
19 if we kept this open?

20 CHAIRMAN SALADINO: You mean, the  
21 setback from the pergola to the pool,  
22 the pergola that they removed from the  
23 pool?

24 MEMBER KAUFMAN: None of the  
25 setbacks have changed except for the --

1           CHAIRMAN SALADINO: The removal of  
2 the pergola.

3           MEMBER KAUFMAN: Just removes one  
4 variance from --

5           CHAIRMAN SALADINO: Two.

6           MEMBER KAUFMAN: Two. It's not  
7 increasing -- none of this is --

8           MEMBER GORDON: Increasing the --

9           CLERK NOONE: Generally it's the  
10 policy is if changes in the plans, if  
11 amendments to the plans happen at a  
12 meeting, there is -- it's not necessary  
13 to make --

14          MEMBER GORDON: To start all over.

15          CHAIRMAN SALADINO: I wasn't  
16 suggesting that.

17          CLERK NOONE: No, no, I'm just  
18 saying.

19          MEMBER KAUFMAN: I think we need  
20 to do better in getting these plans up  
21 so people can find them on the website,  
22 absolutely. In this case, I just don't  
23 believe this is a substantial enough  
24 change to require us to delay this. I  
25 mean, you can kind of understand just

1 by looking at it what's going on in my  
2 opinion.

3 CHAIRMAN SALADINO: Well, he  
4 didn't have a chance to look at it.

5 MEMBER KAUFMAN: You can look at  
6 it and see it's not increasing any of  
7 the nonconformity here at all. It's  
8 simplifying the plan, it's not  
9 increasing.

10 CLERK NOONE: We generally don't  
11 post improvements to the site plan.

12 MEMBER KAUFMAN: Also, it's a  
13 pergola, it's not --

14 CHAIRMAN SALADINO: Unless  
15 somebody wants one. Unless somebody  
16 raises the issue.

17 MEMBER KAUFMAN: It's a pergola,  
18 it's not making noise, it doesn't  
19 require plumbing. It's a simple thing.

20 CHAIRMAN SALADINO: I agree with  
21 you. And there's actually a reduction  
22 in --

23 MEMBER KAUFMAN: Exactly.

24 CHAIRMAN SALADINO: If we have  
25 another copy, we can --



1 MS. DEL VAGLIO: I have one.

2 CHAIRMAN SALADINO: -- let you  
3 look at it.

4 MR. RATLIFF: I have one more  
5 question that doesn't have anything to  
6 do with the pergola.

7 MEMBER GORDON: Go ahead.

8 MR. RATLIFF: I keep hearing --

9 CHAIRMAN SALADINO: Name just one  
10 more time for the stenographer.

11 MR. RATLIFF: I keep hearing --

12 CHAIRMAN SALADINO: Name and  
13 address for the stenographer.

14 MR. RATLIFF: James Ratliff, 420  
15 Cove Circle, Greenport, New York. Pool  
16 house. What's the difference between a  
17 renovated garage and a pool house? I  
18 mean, is there plumbing, is there  
19 electricity, is it -- I don't know.

20 CHAIRMAN SALADINO: We're going to  
21 explain. There can be no plumbing,  
22 there can be no sanitary system because  
23 that would make it a second dwelling  
24 unit. When the code was revised 18  
25 months ago, the Code Committee took up

1 the discussion of swimming pools and  
2 pool houses. Pool houses normally  
3 morph into something other than a place  
4 to change your bathing suit. You know,  
5 we want someplace to cook, we want  
6 someplace to take a shower, we want  
7 someplace to relieve ourselves, other  
8 than the house. So the Code Committee  
9 at that time drafted what they thought  
10 was -- they expressly left pool house  
11 out of the definition of accessory  
12 structure; am I kind of getting that  
13 right?

14 MEMBER GORDON: Yes.

15 CHAIRMAN SALADINO: Dinni and I  
16 were both on the Code Committee, so we  
17 refer to each other. So if it's -- our  
18 code is permissive, so if it's not  
19 mentioned in the code, it's not  
20 permitted. So if somebody was to say  
21 we want an accessory structure and it's  
22 code compliant, that's fine, you know,  
23 five feet, five feet. When they say  
24 pool house, we would rather not hear  
25 that.

1           MR. RATLIFF: But it's a hard  
2           thing to stop saying, right? But so  
3           then if this was approved, there could  
4           be no plumbing in there?

5           CHAIRMAN SALADINO: It would be  
6           non-habitable.

7           MR. RATLIFF: And there would be  
8           no plumbing.

9           CHAIRMAN SALADINO: Well, if there  
10          was plumbing, then it would become a  
11          second dwelling unit, and that's not  
12          permitted.

13          MR. RATLIFF: Okay. Thank you.

14          CHAIRMAN SALADINO: I'm not sure  
15          if we would condition that or the  
16          Building Department would just know  
17          that, you know.

18          MEMBER REARDON: You did ask about  
19          electricity though and my guess is that  
20          there will be electricity to the  
21          structure.

22          CHAIRMAN SALADINO: Electricity is  
23          -- you know, every garage has electric.

24          MR. RATLIFF: And you got to run  
25          the pool equipment.

1           CHAIRMAN SALADINO: Is there  
2           anything else that we -- is there  
3           anyone else from the public that would  
4           like to speak? Name and address for  
5           the stenographer, please.

6           MS. MAITRA: Hi, I'm Tara Maitra,  
7           217 Sixth Street. Sorry, I'm a little  
8           nervous. I just wanted to say that  
9           we've been coming to Greenport for ten  
10          years. Every year we rent a house with  
11          a pool, and our kids are 6 and 10 --  
12          and I don't know why I'm crying -- we  
13          always rent a house with a pool and we  
14          have always wanted to buy one. This  
15          one finally became available. We  
16          should have checked harder, I guess,  
17          but our real estate agent made it sound  
18          like the neighbors on one side were  
19          never there and the neighbors on the  
20          other side we still have never seen.  
21          And so we --

22          CHAIRMAN SALADINO: Do you need a  
23          minute?

24          MS. MAITRA: No, I don't. I  
25          don't. We didn't get it in contract

1           with the sellers, everybody kept  
2           assuring us we'd be able to put in a  
3           pool, and really we don't care about  
4           the structure. We don't want to put a  
5           pool house, and we don't want to rent  
6           anything out to anybody else, and our  
7           kids will make more noise if we put a  
8           bouncy house in the backyard than they  
9           ever will with a pool. And we haven't  
10          even put furniture in the house yet  
11          because we're so afraid that we can't  
12          get the pool that we're going to have  
13          to sell the house.

14                 So all I'm saying is it's our  
15          fault for not doing our research. We  
16          thought we had a better understanding  
17          of what it was than what it really is.  
18          We rented a house last summer, 426  
19          Second Street. The pool covered the  
20          whole yard. The fence. There was no  
21          room for the kids to even play on  
22          either side of the pool. The only  
23          reason we have a pergola in there is  
24          their backyard was so beautiful, they  
25          had this deck and this roof, and we

1           thought, oh, if we can do that, we'll  
2           buy that house on Sixth Street because  
3           it's so nice and that pool, you know,  
4           seemed big enough, and that pergola  
5           seemed awesome, and so that's the only  
6           reason we even asked for those things  
7           because we stayed at a house that had  
8           that. So when we started meeting with  
9           Jen about the yard, that's why I put  
10          the request for these things because --  
11          not because we were trying to violate  
12          or we didn't buy it thinking we're  
13          going to break the law, we bought it  
14          because we thought that we were going  
15          to get approval.

16                So all I'm trying to say if is for  
17          the people who are upset, I understand,  
18          and it was really our intention to just  
19          put a pool in the yard, which, frankly,  
20          to me, doesn't even feel big because  
21          even though it may not have quite  
22          enough room on either side, if you were  
23          to look from the deck to the backyard,  
24          you would see that it's quite small.  
25          And that garage was there when we

1           bought it, those trees were not there  
2           when we bought it. That fence, however  
3           it was, could have been there for 20  
4           years, I don't know, but we have not  
5           done one thing to the house except cut  
6           the grass so far. So all we want to do  
7           is put in a pool and I appreciate you  
8           listening.

9           CHAIRMAN SALADINO: Thank you. Is  
10          there anyone else from the public that  
11          would like to speak? No?

12          What are we thinking here, folks?

13          MEMBER KAUFMAN: I already said  
14          it.

15          CHAIRMAN SALADINO: Close the  
16          public hearing?

17          MEMBER KAUFMAN: Yeah.

18          CHAIRMAN SALADINO: Dinni, you  
19          want to close the public hearing?

20          MEMBER GORDON: Yes.

21          CHAIRMAN SALADINO: Jack?

22          MEMBER REARDON: Agree.

23          CHAIRMAN SALADINO: I make a  
24          motion to close this public hearing.

25          MEMBER KAUFMAN: Second.

1 CHAIRMAN SALADINO: All in favor?

2 (Aye said in unison.)

3 CHAIRMAN SALADINO: And I'll vote  
4 aye.

5 Next up is Item Number 8 is 616  
6 Main Street. This is a motion to  
7 accept -- motion to accept the  
8 application, schedule a public hearing,  
9 and arrange a site visit regarding the  
10 application of Andrew McCulloch; am I  
11 getting that right?

12 AUDIENCE MEMBER: Yes, sir.

13 CHAIRMAN SALADINO: Applicant  
14 proposes renovation to the home to  
15 reconfigure apartments on each floor to  
16 be three bedrooms, two baths, add a 162  
17 square foot front porch, replace and  
18 relocate some windows, remove and  
19 replace exterior rear staircase leading  
20 to the second floor, and extend the  
21 connected second floor landing into a  
22 deck.

23 The property is located in the R-2  
24 One and Two Family Residential District  
25 and is also located in the Historic



1 District. The Suffolk County Tax Map  
2 Number is 1001-3-4-4. Is the applicant  
3 here?

4 MR. McCULLOCH: Yes, sir.

5 CHAIRMAN SALADINO: Name and  
6 address for the stenographer, please.

7 MR. McCULLOCH: Andrew McCulloch,  
8 owner of 616 Main Street, Greenport,  
9 New York 11944.

10 CHAIRMAN SALADINO: Do you want to  
11 tell us your story?

12 MR. McCULLOCH: Yeah, sure, I  
13 bought the house in 2022. I rented it  
14 for a couple of years. There's a --  
15 it's a two family home with one  
16 apartment above each other, one over  
17 the other. The second floor is having  
18 a lot of issues leaking on the first  
19 floor. So I decided, you know, the  
20 tenant leases were up, decided to  
21 renovate the house back in October.  
22 Started the process, we went through  
23 the Historical Division, got approval  
24 for that. The variances, a lot -- most  
25 of the variances, all except for one

1           are existing, so the house -- I haven't  
2           done any changes to the house as far as  
3           the footprint goes. The only one  
4           that's a variance that would be a  
5           change to the house would be the front  
6           porch. And the front porch is set to  
7           match the neighboring house, I believe  
8           it's 618 Main Street. Like, almost  
9           just to match the length of the porch  
10          of the neighboring house.

11                 CHAIRMAN SALADINO: So the only  
12           thing that's not preexisting and  
13           nonconforming is the proposed front --

14                 MR. McCULLOCH: Correct. Just the  
15           front porch, everything else --

16                 CHAIRMAN SALADINO: So the front  
17           yard setback --

18                 MEMBER GORDON: So I was puzzled.  
19           So what is it now?

20                 MR. McCULLOCH: Right now it's a  
21           two family home.

22                 MEMBER GORDON: No, I mean the  
23           setback.

24                 CHAIRMAN SALADINO: 11 and a half  
25           feet.

1           MEMBER GORDON: Oh, I see. So  
2           it's a six -- it increases. At the  
3           moment, the front yard setback is 11  
4           and a half feet, right?

5           MR. McCULLOCH: Yes.

6           MEMBER GORDON: And it will now be  
7           five and a half feet. So it's a six  
8           foot front porch.

9           MR. McCULLOCH: I believe so. I  
10          need to check the plans on my phone. I  
11          don't have it in front of me.

12          MEMBER GORDON: That was my only  
13          question just to understand.

14          CHAIRMAN SALADINO: My question  
15          would be for the building --

16          CLERK NOONE: Yeah, I was going to  
17          say, I'm not sure this was -- this  
18          variance was written correctly because  
19          if you know that section of Main Street  
20          by North Street, if you look at the  
21          houses on either side, they're almost  
22          identical setbacks.

23          CHAIRMAN SALADINO: Our code says  
24          that the average front yard -- the  
25          setback -- the front yard setback would

1           have to be the average of the houses  
2           within two hundred feet on the same  
3           side of the street. So normally when  
4           there's construction proposed in a  
5           front yard, new construction proposed  
6           that's not preexisting, new  
7           construction, the Building Inspector  
8           would go and take the average distance  
9           of the houses within two hundred feet  
10          on either side on the same side of the  
11          street. And if they're all -- you  
12          know, if they're all, like, five feet,  
13          you wouldn't need a variance for this,  
14          but we have no way of knowing.

15               CLERK NOONE: I think it was just  
16               a misstep by the Building Inspector  
17               because I know Andrew's house and I  
18               know the houses on either side, one of  
19               which has a porch which comes right to  
20               the side wall. So I'm almost positive  
21               his setback would be nearly identical  
22               to both the left and the right.

23               CHAIRMAN SALADINO: How about  
24               this --

25               CLERK NOONE: We can have the

1 Building Inspector check.

2 CHAIRMAN SALADINO: How about this  
3 because we all know that probably is  
4 not really a great plan, you know, it's  
5 not the best basis for --

6 CLERK NOONE: I could guarantee it  
7 wouldn't be this.

8 CHAIRMAN SALADINO: Okay. How  
9 about we -- I don't want to speak for  
10 the Members, I always get in trouble  
11 when I talk for the Members. How about  
12 I suggest to the Members that we accept  
13 this application and we get the  
14 Building Inspector to revisit the  
15 property and get the correct dimensions  
16 and this way we can find out exactly.

17 CLERK NOONE: We could get -- I'm  
18 sure in this case we could get a new  
19 notice of disapproval hopefully this  
20 week.

21 CHAIRMAN SALADINO: Well, an  
22 accurate one.

23 CLERK NOONE: Yes, of course.

24 CHAIRMAN SALADINO: What do we  
25 think, folks?

1 MEMBER KAUFMAN: Yes.

2 MEMBER GORDON: Yes. Also once we  
3 have that, it's very easy to -- we're  
4 going to be doing a site visit and  
5 we're going to see.

6 CLERK NOONE: Correct. I think  
7 you'll probably agree, Dinni.

8 MR. McCULLOCH: The point of the  
9 whole renovation of the front porch is  
10 to make it more aesthetically pleasing  
11 to match the other houses because right  
12 now the front is very just a flat  
13 facade, it doesn't give that much  
14 character to it.

15 CHAIRMAN SALADINO: And the code  
16 kind of reflects that notion. You  
17 know, it gives us that latitude that,  
18 you know, you don't want something  
19 that --

20 MR. McCULLOCH: Stands out. Yeah,  
21 I'm trying to make something -- nothing  
22 out of the ordinary, just more  
23 aesthetically pleasing in line with the  
24 houses around me.

25 CHAIRMAN SALADINO: So do you have

1 another question?

2 MEMBER GORDON: I thought I had  
3 some questions about -- oh, the  
4 environmental assessment form has a  
5 couple of little things that aren't  
6 filled in, but it's very minor, you  
7 might want to just look at it again.

8 CHAIRMAN SALADINO: Well, bring it  
9 to his attention. What are they?

10 MEMBER GORDON: Number two, does  
11 the proposed action require a permit,  
12 approval, or funding from any other  
13 government agency?

14 MR. McCULLOCH: No. I'll fill  
15 that in, I'll fix that.

16 MEMBER GORDON: I would have said  
17 yes. I mean --

18 CHAIRMAN SALADINO: Well, it's  
19 good to think that --

20 MEMBER GORDON: And then identify  
21 the typical (inaudible) that occur on  
22 or likely to be found on the project  
23 site. Check all that apply. And  
24 nothing is checked.

25 Does the -- oh, this is just for

1 my information. Does the site contain  
2 a structure that is listed on either  
3 the State Or National Register of  
4 Historic Places, and you checked yes.

5 MR. McCULLOCH: Correct.

6 MEMBER GORDON: Is it historic?

7 MR. McCULLOCH: Yes.

8 CHAIRMAN SALADINO: It's in the  
9 Historic District.

10 MR. McCULLOCH: And it's got a --  
11 some listing from -- on the Historic  
12 Committee someone was nice enough to  
13 give me a pamphlet showing the house in  
14 1977 listed in the Historic part.

15 MEMBER GORDON: The question,  
16 John, is about State Or National  
17 Registry, not about our --

18 CHAIRMAN SALADINO: But ours is  
19 State and National Registry.

20 MR. McCULLOCH: I submitted a plan  
21 to the --

22 MEMBER GORDON: The question is  
23 for the structure, not the area. Never  
24 mind.

25 CHAIRMAN SALADINO: Okay. No, no,



1           you're right. We talk about this --  
2           this is a Type II action, there's --

3           MR. McCULLOCH: Sir, I submitted a  
4           historical application, the State and  
5           the National District, and the first  
6           part is to justify that it is  
7           historical and they accepted it.

8           MEMBER GORDON: Okay. Good to  
9           know.

10          CHAIRMAN SALADINO: The other part  
11          is that since this is a Type II action,  
12          there shouldn't even be an EAF  
13          attached. But the Village gives the  
14          form, the applicant fills it out, we  
15          get to read it. Some of the stuff  
16          we're concerned about, some of the  
17          stuff we're not. Okay.

18          MEMBER GORDON: So if it's only  
19          the addition of the front porch and  
20          it's six feet, is that what is meant by  
21          .004 acres?

22          MR. McCULLOCH: I did the math on  
23          the -- yes, ma'am. I did the math on  
24          whatever the dimensions, 2 feet divided  
25          by 5,000 feet that's a square acre.

1           MEMBER GORDON:   Okay.   It's a very  
2           tiny amount of -- a very tiny volume.

3           MR. McCULLOCH:   It asks the  
4           question, so I gave an answer.

5           MEMBER GORDON:   Thank you.

6           CHAIRMAN SALADINO:   Anything else?  
7           Jack, anything?   Seth?

8           MEMBER KAUFMAN:   No.

9           MEMBER REARDON:   No.

10          CHAIRMAN SALADINO:   Dinni, you  
11          done?

12          MEMBER GORDON:   You don't indicate  
13          the Zoning District, but we all know  
14          it.

15          CHAIRMAN SALADINO:   How about  
16          this, I'm almost positive we're going  
17          to accept this application not having  
18          spoke to the Members, I'm almost  
19          positive we're going to accept this.  
20          How about that you go over the EAF  
21          again and you fill in any blanks and  
22          answer it to the best of your ability.  
23          And we're going to get the Building  
24          Inspector out there to measure the  
25          houses to the north and to the south of

1           you. And -- north and south, right,  
2           Main Street?

3           CLERK NOONE: Yes, it would be  
4           north and south. He's on the east side  
5           of Main Street.

6           CHAIRMAN SALADINO: So we're going  
7           to get the Building Inspector to come  
8           out and measure the front yard setbacks  
9           within 200 feet on either side.

10          CLERK NOONE: John, just -- Andrew  
11          did ask questions about the EAF, I  
12          thought it was going to be a Type II,  
13          which means the EAF wasn't required, so  
14          I didn't think anybody would be  
15          drilling down on it. So the applicant  
16          isn't -- he wasn't shirking his --

17          CHAIRMAN SALADINO: Nobody  
18          suggested that.

19          MEMBER GORDON: We're just dotting  
20          I's here.

21          CHAIRMAN SALADINO: So but since  
22          you submitted the form, just go over it  
23          again and fill in any blanks that you  
24          need to be filled in. And because we  
25          have it and if we have it, we'll look

1 at it. If we didn't have it, we  
2 wouldn't look at it. So I'll ask the  
3 Members, we're going to accept this  
4 application?

5 MEMBER KAUFMAN: Yes.

6 MEMBER GORDON: Yes.

7 CHAIRMAN SALADINO: I'm going to  
8 make a motion that we accept this  
9 application.

10 MEMBER GORDON: Second.

11 CHAIRMAN SALADINO: All in favor?

12 (Aye said in unison.)

13 CHAIRMAN SALADINO: And I'll vote  
14 aye. We're going to set the public  
15 hearing for --

16 CLERK NOONE: June 17th.

17 CHAIRMAN SALADINO: June 17th at  
18 6:00. We set them all at 6:00, it will  
19 be here at the firehouse. Do we need a  
20 site inspection for this?

21 MEMBER REARDON: I would like to  
22 see it.

23 CHAIRMAN SALADINO: Okay. How  
24 about the rest?

25 MEMBER KAUFMAN: Yes.

1           CHAIRMAN SALADINO:   So we're going  
2           to come to your property at 5:30 the  
3           day of the public hearing.  If you  
4           could, just stake out whatever you  
5           think the Zoning Board should see with  
6           this application, whether it's front,  
7           back, side, whatever.

8           MR. McCULLOCH:   Can I meet you  
9           there, can I meet you at the house?

10          CHAIRMAN SALADINO:   Of course.  
11          Yeah, we'll meet you at your house at  
12          5:30 on June 17th.

13          MR. McCULLOCH:   Perfect.

14          CHAIRMAN SALADINO:   Everybody good  
15          with that?

16          MEMBER KAUFMAN:   Yes.

17          CHAIRMAN SALADINO:   See you then.

18          MR. McCULLOCH:   Thank you very  
19          much.

20          CHAIRMAN SALADINO:   All right.  
21          Item Number 9 is 432 Front Street --  
22          First Street.  This is a discussion and  
23          possible motion on the area variances  
24          applied for by Brooke Epperson on  
25          behalf of Magdalena Paragas for the

1 property located at 432 First Street,  
2 Greenport, New York 11944. The Suffolk  
3 County Tax Map Number remains the same  
4 at 1001-4-7-2.1.

5 What are we thinking with this,  
6 guys? Do you want to do this tonight,  
7 do we want to think about this? We  
8 have 62 days to make a decision. What  
9 are we thinking?

10 MEMBER KAUFMAN: I don't have a  
11 problem with it. I think it's pretty  
12 straightforward. It's rehabilitating a  
13 dilapidated structure, they're not  
14 adding. The setbacks are what they are  
15 and I think it's -- I don't really have  
16 anything flagging.

17 MEMBER GORDON: The only thing I'm  
18 uncomfortable about is the very close  
19 -- now I can't think of -- the -- it's  
20 only -- there's a two foot, but it  
21 can't be changed.

22 CHAIRMAN SALADINO: Two foot  
23 where?

24 MEMBER GORDON: Setback of the --  
25 I'm trying to think now, is it the east

1 setback is only two feet and but it  
2 can't be otherwise. I mean, they're  
3 not going to change -- they're going to  
4 pick up the building, but they're not  
5 going to change its location, so I  
6 don't see how even though we're  
7 uncomfortable with it, I don't see how  
8 we can hold anything up because of  
9 that.

10 CHAIRMAN SALADINO: So you kind of  
11 answered your own question.

12 MEMBER GORDON: Yes.

13 CHAIRMAN SALADINO: Okay. No,  
14 we're not going to make them move the  
15 barn, and we're certainly not going to  
16 make them move the barn behind them.  
17 And the footprint is preexisting, so as  
18 long as he doesn't -- he's not here.  
19 As long as he doesn't go outside the  
20 footprint, we're good with it, right?

21 So I'm going to make a motion that  
22 the Zoning Board of Appeals declare  
23 itself lead agency for the purposes of  
24 SEQRA. So moved.

25 MEMBER REARDON: Second.

1 CHAIRMAN SALADINO: All in favor?

2 (Aye said in unison.)

3 CHAIRMAN SALADINO: I'm going to  
4 make a motion that this is a Type II  
5 action and that no further review is  
6 necessary. So moved.

7 MEMBER KAUFMAN: Second.

8 CHAIRMAN SALADINO: All in favor?

9 (Aye said in unison.)

10 CHAIRMAN SALADINO: And I'll vote  
11 aye. All right. I'm going to go  
12 through these five questions. We have  
13 this balance -- for the public, we have  
14 this balancing test. We go through the  
15 five questions, then we'll vote on the  
16 variances en masse. So the variances  
17 would be preexisting nonconforming  
18 setbacks for the house, preexisting  
19 nonconforming setbacks for the  
20 accessory structure with the exception  
21 to a 1.5 inch, 1.4 inch increase in  
22 height. Preexisting nonconforming lot  
23 coverage and pre -- oh, and there will  
24 be -- for a shower pad, which we can  
25 discuss or not. It would seem that the



1           only thing that might be something that  
2           they could correct is the shower pad.  
3           Are we willing to give them this 1.2  
4           foot variance for the shower pad?

5           MEMBER KAUFMAN:   I am.

6           MEMBER GORDON:   Yes.

7           MEMBER REARDON:   I'll think about  
8           it.

9           CHAIRMAN SALADINO:   Okay.   So I  
10          have these five questions here, we'll  
11          go through them, the Members will vote,  
12          and then we'll vote on the variances as  
13          they're listed en masse on the notice  
14          of disapproval.   The only thing I would  
15          ask, and I'll put it -- again, I'll put  
16          it to the Members is that somewhere in  
17          our findings that this barn be termed  
18          -- be conditioned as non-habitable  
19          space, as an accessory structure and  
20          non-habitable space.   Do we agree?

21          MEMBER KAUFMAN:   Yes.

22          MEMBER GORDON:   Yes.

23          MEMBER REARDON:   Yes.

24          CHAIRMAN SALADINO:   So whether an  
25          undesirable change will be produced in

1           the character of the neighborhood or a  
2           detriment to nearby properties will be  
3           created by the granting of these area  
4           variances? Jack?

5           MEMBER REARDON: No.

6           CHAIRMAN SALADINO: Dinni?

7           MEMBER GORDON: No.

8           CHAIRMAN SALADINO: Seth?

9           MEMBER KAUFMAN: No.

10          CHAIRMAN SALADINO: And I'll vote  
11          no.

12          Whether the benefit sought by the  
13          applicant can be achieved by some  
14          method feasible for the applicant to  
15          pursue, other than an area variance?  
16          Jack?

17          MEMBER REARDON: No.

18          CHAIRMAN SALADINO: Diana?

19          MEMBER GORDON: No.

20          CHAIRMAN SALADINO: Seth?

21          MEMBER KAUFMAN: No.

22          CHAIRMAN SALADINO: And I'll vote  
23          no.

24          Whether the requested area  
25          variance is substantial? Jack?

1 MEMBER REARDON: No.

2 CHAIRMAN SALADINO: Dinni?

3 MEMBER GORDON: No.

4 CHAIRMAN SALADINO: Seth?

5 MEMBER KAUFMAN: No.

6 CHAIRMAN SALADINO: And I'll vote

7 no.

8 Whether the proposed variance will  
9 have an adverse effect or impact on the  
10 physical or environmental conditions in  
11 the neighborhood or district? Jack?

12 MEMBER REARDON: No.

13 MEMBER GORDON: No.

14 MEMBER KAUFMAN: No.

15 CHAIRMAN SALADINO: And I'll vote

16 no.

17 Whether the alleged difficulty was  
18 self-created, which consideration shall  
19 be relevant to the decision of the  
20 Board of Appeals but shall not  
21 necessarily preclude the granting of an  
22 area variance.

23 MEMBER REARDON: No.

24 CHAIRMAN SALADINO: Dinni?

25 MEMBER GORDON: No.

1 CHAIRMAN SALADINO: Seth?

2 MEMBER KAUFMAN: No.

3 CHAIRMAN SALADINO: And I'll vote  
4 no.

5 I'm going to make a motion that we  
6 grant the area variances en masse  
7 listed on the notice of disapproval.  
8 Does that cover it?

9 ATTORNEY CONNETT: With the  
10 condition that you had mentioned.

11 CHAIRMAN SALADINO: With the --  
12 I'll make that part of the motion. I  
13 make a motion that we grant the area  
14 variances listed on the notice of  
15 disapproval en masse with the condition  
16 that the space continue to be  
17 considered non-habitable space. So  
18 moved.

19 MEMBER REARDON: Second.

20 CHAIRMAN SALADINO: Jack?

21 MEMBER REARDON: Aye.

22 CHAIRMAN SALADINO: Dinni?

23 MEMBER GORDON: Yes.

24 CHAIRMAN SALADINO: Seth?

25 MEMBER KAUFMAN: Yes.

1           CHAIRMAN SALADINO: And I'll vote  
2           yes. Easy peasy. He should be happy.  
3           If he's watching, you got your answer  
4           here tonight. A more formal answer  
5           will be at the Clerk's Office within  
6           whatever is required by law, and you'll  
7           get your -- apply for your building  
8           permit then, right, when he gets the --

9           CLERK NOONE: When he gets the --  
10          yeah. Or shortly thereafter.

11          CHAIRMAN SALADINO: Or shortly  
12          thereafter. Okay. That becomes scrap  
13          paper.

14          Next, we have -- how many trees  
15          did we kill here?

16          MEMBER GORDON: 114 North.

17          CHAIRMAN SALADINO: Item 10 is 114  
18          North Street. This is a discussion and  
19          possible motion on the area variances  
20          applied for by Jennifer Del Vaglio,  
21          East End Pool King LLC on behalf of  
22          Lauren and Michael Nagin for the  
23          property located at 114 North Street,  
24          Greenport, New York 11944. The Suffolk  
25          County Tax Map Number is 1001-2-6-28.

1 This is --

2 CLERK NOONE: This is the one  
3 we're going to re-notice.

4 MEMBER GORDON: We're going to  
5 have a different --

6 MEMBER KAUFMAN: We can't vote on  
7 this.

8 CHAIRMAN SALADINO: Oh, wait a  
9 second.

10 CLERK NOONE: This is the one  
11 we're going to get a new notice of  
12 disapproval.

13 CHAIRMAN SALADINO: Why didn't  
14 someone remind me?

15 MEMBER KAUFMAN: I thought you  
16 knew what you were doing.

17 CLERK NOONE: You're the chairman.

18 CHAIRMAN SALADINO: What ever gave  
19 you the idea I knew what I was doing?  
20 I read that for nothing. This is in  
21 abeyance until next month. We're going  
22 to do that next month.

23 I'm guessing 630 Third Street is  
24 still on our plate? Okay. Item Number  
25 11 is 630 Third Street. This is a

1 discussion and possible motion on the  
2 area variances applied for by Jennifer  
3 Del Vaglio, East End Pool King LLC on  
4 behalf of Rebecca Sharon for the  
5 property located at 630 Third Street,  
6 Greenport, New York 11944. The Suffolk  
7 County Tax Map Number is 1001-2-5-3.  
8 Does the Zoning Board of Appeals have  
9 an opinion about this application?  
10 Anyone? I'll start.

11 So what we're considering is the  
12 north side and south side setback of  
13 3.9 feet. The pool equipment pad is by  
14 the owner's admitted is going to be  
15 made compliant, so --

16 MS. DEL VAGLIO: Correct.

17 CHAIRMAN SALADINO: So we're not  
18 going to consider that. The front yard  
19 and north side setbacks are preexisting  
20 nonconforming. We're not going to make  
21 them move the house. So do we want to  
22 talk about the pool?

23 MEMBER GORDON: We have a lot of  
24 these proposals, and I'm wondering if  
25 at some point we need to say a certain

1 percentage of nonconformity makes a  
2 variance unreachable. This is  
3 essentially a 20 percent -- right, 4  
4 feet out of 20, it's 16 -- they want 16  
5 feet on each side instead of 20, so  
6 it's a 4 foot, 20 percent change from  
7 the requirement. Are we comfortable  
8 with that?

9 CHAIRMAN SALADINO: I think that's  
10 an individual Member's decision to  
11 make. We don't have -- we don't have  
12 anything that --

13 MEMBER GORDON: We don't have a  
14 standard.

15 MEMBER KAUFMAN: Well, we do have  
16 a standard, which is 20 feet. In other  
17 words, these (inaudible) lots, so  
18 that's kind of the problem we have.

19 CHAIRMAN SALADINO: Well, like I  
20 said before, and I'm going to say it  
21 again so it's part of the record for  
22 when we vote, when we do the balancing  
23 test, there's no -- there's nothing in  
24 the Zoning Code -- there's nothing in  
25 the Zoning Board handbook that says,



1 well, you know, 2 feet is okay, 4 feet  
2 is not. 20 feet is the rule and every  
3 Member has to -- not to repeat myself,  
4 but when we had a code that was 50  
5 years old, the legislators then decided  
6 that 20 feet was the number and  
7 subsequent Zoning Boards -- Zoning  
8 Boards that came later on kind of says,  
9 well, you know, 50 years ago this is  
10 what they thought. But now, if that  
11 code was still in effect, I might think  
12 differently. But we have a new code,  
13 the code just came into effect 18  
14 months ago. Swimming pools were part  
15 of the discussion and were part of the  
16 draft that the Code Committee sent to  
17 the legislators that the attorney wrote  
18 the law for and that was incorporated  
19 into the new code. So what I'm saying  
20 is is that the legislators of the  
21 Incorporated Village decided, again,  
22 that 20 feet should be the distance  
23 from a property line. They took a lot  
24 of things into consideration, health,  
25 welfare, benefit, those are buzzwords,

1           we know that, but now we have to take  
2           into consideration the neighbors. Some  
3           neighbors don't care, some neighbors  
4           are in favor, some neighbors are  
5           opposed. I think -- me personally,  
6           like I said, I have a number in my  
7           mind. We do linear distance all the  
8           time. Sometimes you put a number in  
9           your mind that you think is reasonable,  
10          you know, a guy wants to build a new  
11          kitchen, is two feet, four feet, seven  
12          feet, nine feet -- that's an individual  
13          Member's decision.

14                 In my mind, this was reaffirmed by  
15          the people that make the law in  
16          Greenport. The Zoning Board is here to  
17          give relief, but we're not talking  
18          about something that's been there for a  
19          long time, we're talking about  
20          something new that was just reaffirmed  
21          by the Village Board to be a certain  
22          distance. Me personally, I think we  
23          should adhere to that. And unless my  
24          colleagues come up with something that  
25          changes my mind, I'm thinking that

1 opinion will be expressed in my vote.

2 MEMBER KAUFMAN: I happen to agree  
3 with that. I think that relief for  
4 this kind of thing would be a foot or  
5 two in one dimension because otherwise  
6 the project can't go forward, but if  
7 it's every dimension or nearly every  
8 dimension of the pool, it kind of  
9 indicates to me that it's just too big  
10 for the lot. And I agree with you that  
11 this is a law that's been passed very  
12 recently, so it presumably reflects  
13 what the Village wants now, not what  
14 the Village wanted when Jimmy Carter  
15 was president. '75?

16 MEMBER GORDON: '76.

17 MEMBER KAUFMAN: Ford. Okay. But  
18 you're right.

19 CHAIRMAN SALADINO: Dinni, what do  
20 you think?

21 MEMBER GORDON: I agree with Seth.  
22 I think we just reenforced it with  
23 recent code changes, we've reenforced  
24 that. And maybe the fact that there  
25 are more pools all the time suggests

1           that, you know, we are trying to set a  
2           serious standard. So a very slight  
3           deviation seems okay to me, but this is  
4           20 percent of the amount that we think  
5           -- that we've decided as a Village  
6           should be the distance, and that seems  
7           to me quite a lot.

8           MEMBER KAUFMAN: It's also a lot  
9           as the percentage of the width of the  
10          lot. Just in terms of the actual size  
11          of theses lots, it's significant.

12          ATTORNEY CONNETT: I'd also just  
13          add for clarification that when you're  
14          measuring the setback, the code calls  
15          for a measurement to the water's edge.  
16          So just for your analysis, on these  
17          plans it's probably less than a foot,  
18          but that's how to interpret --

19          CHAIRMAN SALADINO: And we know  
20          that. And part of the consideration  
21          is -- part of what we consider -- what  
22          I think about is, yeah, the code says  
23          to the water's edge. Then we know  
24          there's going to be coping around the  
25          pool, we know there's going to be

1           perhaps a walkway around the pool.  
2           Then we know that the beach chairs are  
3           going to go next to the pool, and that  
4           it's a bigger intrusion on whatever is  
5           next door. So we do take that into  
6           consideration, and, you know, it's part  
7           of something -- and again, I speak for  
8           these guys all the time and I get in  
9           trouble all the time. It's how I look  
10          at it.

11           ATTORNEY CONNETT: Just pointing  
12          that out because the plans it doesn't  
13          appear that the line on these plans  
14          points to the water's edge, so just  
15          pointing it out based on the plans  
16          here.

17           CHAIRMAN SALADINO: It doesn't go  
18          to the --

19           ATTORNEY CONNETT: It doesn't  
20          appear.

21           MEMBER REARDON: The dimensions  
22          refer to the outside of the coping is  
23          what he's saying.

24           MEMBER KAUFMAN: So you're saying  
25          the variance --

1           MEMBER GORDON: I see what you  
2           mean. The little arrow stops at the  
3           coping rather than --

4           ATTORNEY CONNETT: Correct. It  
5           would be further in.

6           MEMBER KAUFMAN: Another foot on  
7           each side.

8           CHAIRMAN SALADINO: Is it?

9           MS. DEL VAGLIO: It is, it's 12  
10          inch coping.

11          CHAIRMAN SALADINO: Whose is this?  
12          That doesn't effect my opinion. Jack,  
13          what about you? Do you have something  
14          to say?

15          MEMBER REARDON: I don't have  
16          anything new to say that hasn't already  
17          been iterated by my colleagues here. I  
18          don't want to duplicate it. I feel as  
19          strongly about the setbacks, even  
20          though we've just discovered an  
21          additional foot on each side. That's  
22          how I feel.

23          CHAIRMAN SALADINO: Okay. Do you  
24          want to go through this balancing test,  
25          then we can do the SEQRA, and then we

1 can go through the balancing test, and  
2 we can vote.

3 MEMBER KAUFMAN: I think so.

4 MEMBER GORDON: Yes.

5 CHAIRMAN SALADINO: I'm going to  
6 make a motion that the Zoning Board of  
7 Appeals declares itself lead agency for  
8 the purposes of SEQRA. So moved.

9 MEMBER REARDON: Second.

10 CHAIRMAN SALADINO: All in favor?  
11 (Aye said in unison.)

12 CHAIRMAN SALADINO: And I'll vote  
13 aye. I'm going to make a motion that  
14 this is Type II action and no further  
15 review is necessary. So moved.

16 MEMBER GORDON: Second.

17 CHAIRMAN SALADINO: No further  
18 environmental review is necessary. All  
19 in favor?

20 (Aye said in unison.)

21 CHAIRMAN SALADINO: And I'll vote  
22 aye.

23 All right. We have the same  
24 questions, I think we kind of went  
25 through them, but we'll do it again.

1           If we did it in our discussion, we  
2           really don't have to do it, but we'll  
3           do it again anyway.

4           How could it be possible that I  
5           lost that piece of paper? I have it.

6           Whether an undesirable change will  
7           be produced in the character of the  
8           neighborhood or a detriment to nearby  
9           properties will be created by the  
10          granting of the area variance? Seth?

11          MEMBER KAUFMAN: Yes.

12          CHAIRMAN SALADINO: Dinni?

13          MEMBER GORDON: Yes.

14          CHAIRMAN SALADINO: Jack?

15          MEMBER REARDON: Yes.

16          CHAIRMAN SALADINO: And I'll vote  
17          yes.

18          Whether the benefit sought by the  
19          applicant can be achieved by some  
20          method feasible for the applicant to  
21          pursue, other than an area variance?  
22          Seth?

23          MEMBER KAUFMAN: No.

24          MEMBER GORDON: No.

25          CHAIRMAN SALADINO: Jack?



1 MEMBER REARDON: Yeah.

2 CHAIRMAN SALADINO: I'm going to  
3 vote yes. I think you can --

4 MEMBER GORDON: You mean making  
5 the pool smaller?

6 CHAIRMAN SALADINO: That's one  
7 way.

8 Whether the requested area  
9 variance is substantial? Seth?

10 MEMBER KAUFMAN: Yes.

11 CHAIRMAN SALADINO: Dinni?

12 MEMBER GORDON: Yes.

13 CHAIRMAN SALADINO: Jack?

14 MEMBER REARDON: Yes.

15 CHAIRMAN SALADINO: And I'll vote  
16 yes.

17 Whether the proposed variance will  
18 have an adverse effect or impact on the  
19 physical or environmental conditions in  
20 the neighborhood or district? Seth?

21 MEMBER KAUFMAN: Yes.

22 CHAIRMAN SALADINO: Dinni?

23 MEMBER GORDON: No.

24 CHAIRMAN SALADINO: Jack?

25 MEMBER REARDON: No.

1           CHAIRMAN SALADINO:  You know, a  
2           member of the Zoning Board in the past  
3           had told me -- previous chairman had  
4           told me, you know, you can always say I  
5           don't know instead of an answer, but --

6           MEMBER GORDON:  We've never done  
7           that.

8           MEMBER KAUFMAN:  I'll just go on  
9           record as saying I say yes to that  
10          simply because of noise pollution.  And  
11          I have no problem with pool noise, I  
12          live next to a pool, but I hear a whole  
13          lot of people complaining about it, and  
14          not all of them are hypochondriacs.  
15          That's why.

16          CHAIRMAN SALADINO:  No, this is  
17          for me to answer and --

18          MEMBER KAUFMAN:  I'm just saying  
19          so you know my logic here.

20          CHAIRMAN SALADINO:  You know, if  
21          we take the applicant for their word  
22          that they're going to get the water  
23          from Shelter Island or God knows where,  
24          and we're not going to put chlorinated  
25          water into the septic system, the

1           municipal wastewater system, you know.

2           I'm going to vote yes also.

3           MEMBER KAUFMAN:   Environment is  
4           also noise pollution.

5           CHAIRMAN SALADINO:   I agree.   And  
6           I was the last to vote.

7           And number five is whether the  
8           alleged difficulty is self-created,  
9           which consideration shall be relevant  
10          to the decision of Board of Appeals but  
11          shall not necessarily preclude the  
12          granting of the area variance.   Seth?

13          MEMBER KAUFMAN:   Yes.

14          CHAIRMAN SALADINO:   Dinni?

15          MEMBER GORDON:   Yes.

16          CHAIRMAN SALADINO:   Jack?

17          MEMBER REARDON:   Yes.

18          CHAIRMAN SALADINO:   And I'll vote  
19          yes.

20          We're going to vote on the  
21          variance and the balancing test kind  
22          of -- I'm going to make a motion that  
23          the Zoning Board of Appeals -- our  
24          attorney likes us to phrase it in the  
25          negative, but it's not what I'm used

1 to, so maybe -- I'm going to make a  
2 motion that we deny the area variances  
3 as they relate to the pool.

4 ATTORNEY CONNETT: So you're  
5 bifurcating the --

6 CHAIRMAN SALADINO: Well, we have  
7 to, no, because depending on how the  
8 vote goes because part of the notice of  
9 disapproval addresses preexisting  
10 nonconforming setbacks. If we vote to  
11 deny them, they're going to have move  
12 the house; am I getting that right?

13 ATTORNEY CONNETT: I would just be  
14 specific in the motion.

15 CHAIRMAN SALADINO: I thought I  
16 was.

17 ATTORNEY CONNETT: Just for the  
18 record, I wanted to be sure.

19 CHAIRMAN SALADINO: So how about  
20 this, the Zoning Board of Appeals  
21 grants the area variances that exclude  
22 the pool. So moved.

23 MEMBER REARDON: Second.

24 CHAIRMAN SALADINO: You don't  
25 think that --

1           MEMBER KAUFMAN: I don't know if  
2           it's an improvement over the first  
3           formulation, but I'll go with whatever.

4           MEMBER GORDON: There has to be  
5           another one.

6           CHAIRMAN SALADINO: Yeah.

7           MEMBER KAUFMAN: Oh, okay, okay.

8           ATTORNEY CONNETT: Two motions.

9           CHAIRMAN SALADINO: Two motions.  
10          So I moved it.

11          MEMBER KAUFMAN: It's got a  
12          second. Aye.

13          CHAIRMAN SALADINO: All in favor?  
14          (Aye said in unison.)

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

17          The second motion will be the  
18          Zoning Board of Appeals denies the area  
19          variances relating to the pool, 3.9  
20          setback for the north side and the 3.9  
21          foot -- 3.9 feet variance for the south  
22          side side yard setback. So moved.

23          MEMBER GORDON: Second.

24          CHAIRMAN SALADINO: I was just  
25          looking to maybe add something to it,

1 but it seems that's fine. So we'll  
2 vote.

3 MEMBER KAUFMAN: Yes.

4 MEMBER GORDON: Aye.

5 MEMBER REARDON: Okay.

6 CHAIRMAN SALADINO: Is that a yes?

7 MEMBER REARDON: Yes.

8 CHAIRMAN SALADINO: And I'll vote  
9 yes. So it's clear to the public, the  
10 pool equipment pad is a nonissue. The  
11 house, the relief for the setbacks is  
12 granted, and the pool is denied.

13 Next is 217 Sixth Street. This is  
14 a discussion and possible motion on the  
15 area variances applied for by Jennifer  
16 Del Vaglio, East End Pool King LLC on  
17 behalf of Mark Carroll and Tara Maitra  
18 for the property located at 217 Sixth  
19 Street, Greenport, New York 11944. The  
20 Suffolk County Tax Map Number remains  
21 the same at 1001-7-1-8.

22 And deja vu all over again. Guys,  
23 do we have something to say about this?  
24 Dinni, Seth?

25 MEMBER KAUFMAN: It's largely the

1 same discussion we had on the last one  
2 I think.

3 MEMBER REARDON: Everything is the  
4 same. Wish it was narrower.

5 MEMBER GORDON: It's even more --  
6 there's even more of a departure from  
7 the requirement.

8 MEMBER KAUFMAN: And there's a lot  
9 coverage issue as well.

10 MS. DEL VAGLIO: It's under lot  
11 coverage.

12 MEMBER KAUFMAN: I'm sorry, that's  
13 right, that was changed. Strike that.  
14 But we still have the issue with the  
15 setbacks being very narrow.

16 CHAIRMAN SALADINO: So what we're  
17 deciding is, again, we're going to --  
18 again, if we're thinking we're going to  
19 do the same thing, we're going to split  
20 this into two motions, right, one for  
21 the preexisting nonconforming house,  
22 and one for the pool, and the garage is  
23 not an issue, the garage is not on our  
24 plate, right?

25 MEMBER KAUFMAN: Right.

1           CHAIRMAN SALADINO: All right.  
2           I'm going to make a motion that the  
3           Zoning Board of Appeals declares itself  
4           lead agency for the purposes of SEQRA.  
5           So moved.

6           MEMBER KAUFMAN: Second.

7           THE COURT: All in favor?

8           (Aye said in unison.)

9           CHAIRMAN SALADINO: I'm going to  
10          make a motion this is a Type II action,  
11          no further environmental review is  
12          needed. So moved.

13          MEMBER REARDON: Second.

14          CHAIRMAN SALADINO: All in favor?

15          (Aye said in unison.)

16          CHAIRMAN SALADINO: And I'll vote  
17          aye.

18          We kind of had our discussion. I  
19          thought we covered the five questions  
20          in the balancing test with the last  
21          application, but --

22          MEMBER GORDON: We should probably  
23          do it again because it's a different  
24          part of town.

25          CHAIRMAN SALADINO: I'm more than



1 willing to read this.

2 ATTORNEY CONNETT: I'd advise  
3 doing the balancing test for the  
4 record.

5 CHAIRMAN SALADINO: We're going to  
6 do -- for the public, we're going to do  
7 this balancing test.

8 MEMBER GORDON: You're all very  
9 patient to sit through this.

10 CHAIRMAN SALADINO: Whether an  
11 undesirable change will be produced in  
12 the character of the neighborhood or  
13 detriment to nearby properties will be  
14 created by the granting of an area  
15 variance? Seth?

16 MEMBER KAUFMAN: Yes.

17 CHAIRMAN SALADINO: Dinni?

18 MEMBER GORDON: Yes.

19 CHAIRMAN SALADINO: Jack?

20 MEMBER REARDON: Yes.

21 CHAIRMAN SALADINO: And I'll vote  
22 yes.

23 Whether the benefit sought by the  
24 applicant can be achieved by some  
25 method feasible for the applicant to

1 pursue, other than an area variance?

2 Seth?

3 MEMBER KAUFMAN: No.

4 CHAIRMAN SALADINO: Dinni?

5 MEMBER GORDON: No.

6 CHAIRMAN SALADINO: Jack?

7 MEMBER REARDON: Yes.

8 CHAIRMAN SALADINO: And I'll vote

9 yes.

10 Whether the requested area

11 variance is substantial?

12 MEMBER KAUFMAN: Yes.

13 CHAIRMAN SALADINO: Dinni?

14 MEMBER GORDON: Yes.

15 MEMBER REARDON: Yes.

16 CHAIRMAN SALADINO: And I'll vote

17 yes.

18 Whether the proposed variance will

19 have an adverse effect or impact on the

20 physical or environmental conditions of

21 the neighborhood or district?

22 MEMBER KAUFMAN: Yes.

23 MEMBER GORDON: No.

24 MEMBER REARDON: No.

25 CHAIRMAN SALADINO: I'm going to

1 vote yes.

2 Whether the alleged difficulty was  
3 self-created, which consideration shall  
4 be relevant to the decision of the  
5 Board of Appeals, but shall not  
6 necessarily preclude the granting of an  
7 area variance? Seth?

8 MEMBER KAUFMAN: Yes.

9 MEMBER GORDON: Yes.

10 MEMBER REARDON: Yes.

11 CHAIRMAN SALADINO: And I'll vote  
12 yes.

13 I'm going to make a motion that  
14 the Zoning Board of Appeals grants the  
15 area variances for listed on the notice  
16 of disapproval excluding the pool. So  
17 moved.

18 MEMBER GORDON: Second.

19 Does it matter that we don't need  
20 to be doing that, that we have on the  
21 notice of disapproval the garage, but  
22 that's not really on our plate, right?

23 CHAIRMAN SALADINO: Well, it is  
24 because it's preexisting nonconforming.  
25 If we do -- if we legitimize --

1 MS. MAITRA: It's okay. We're  
2 selling the house. You don't have to  
3 worry about it.

4 (Whereupon, Ms. Maitra exited the  
5 meeting room.)

6 CHAIRMAN SALADINO: You looking  
7 for a house?

8 If we -- I know you don't like the  
9 word legitimize. If we legitimize the  
10 setbacks for house, the preexisting  
11 nonconforming stuff, the garage --

12 MEMBER KAUFMAN: The garage as it  
13 is, it's not moving, so yeah, I think  
14 you're right.

15 MEMBER GORDON: Okay.

16 CHAIRMAN SALADINO: I lost my  
17 place.

18 MEMBER GORDON: My fault. You  
19 had --

20 CHAIRMAN SALADINO: Did we make  
21 the motion to grant the area variances?

22 ATTORNEY CONNETT: Excluding the  
23 pool.

24 CHAIRMAN SALADINO: So moved.

25 MEMBER KAUFMAN: Second.

1 MEMBER GORDON: Aye.

2 MEMBER KAUFMAN: Yes.

3 MEMBER REARDON: Aye.

4 CHAIRMAN SALADINO: And I'll vote  
5 aye.

6 I'm going to make the second  
7 motion that we deny the area variance  
8 for the proposed pool setback, north  
9 side, south side, east side, and west  
10 side setbacks for the pool. So moved.

11 MEMBER GORDON: Second.

12 CHAIRMAN SALADINO: Seth?

13 MEMBER KAUFMAN: Yes.

14 CHAIRMAN SALADINO: Dinni?

15 MEMBER GORDON: Yes.

16 CHAIRMAN SALADINO: Jack?

17 MEMBER REARDON: Yes.

18 CHAIRMAN SALADINO: And I'll vote  
19 yes. You have the answer tonight, the  
20 official answer will be in the -- as  
21 described by law -- in the Village  
22 Clerk's office within five days,  
23 whatever.

24 Item Number 13 is any other Zoning  
25 Board of Appeals business that might

1 properly come before the Board.  
2 Anybody have a question? Anybody? No?  
3 Got a question?  
4 Item Number 14 is a motion to  
5 adjourn. So moved.  
6 MEMBER REARDON: Second.  
7 CHAIRMAN SALADINO: All in favor?  
8 (Aye said in unison.)

9  
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## 1 C E R T I F I C A T E

2

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 MAY 20, 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 1st day of JUNE, 2025.

16

17

-----  
*Amy Thomas*

18

AMY THOMAS

19

20


21

22

23

24

25

 Outlook

**A letter of support for the upcoming zoning board of appeals meeting (5/20/25)**

From Halley Williams <halleyrwilliams@gmail.com>

Date Fri 5/16/2025 12:30 PM

To Michael Noone <mnoone@greenportvillage.org>

Hi Mr. Noone,

My name is Halley Katsh-Williams and I was given your name by the village front desk in regards to an upcoming permit meeting on Tuesday, May 20th, 2025. My next door neighbors Michael and Lauren Nagin of 114 North Street have a permit before the board for a proposed swimming pool project and my husband, Nick Brown and I, have no objection to their proposed project and would like to voice our full and enthusiastic support.

Thank you,

Halley Katsh-Williams and Nick Brown  
110 North Street  
Greenport, NY 11944  
347-277-2530



Board Clerk: Michael Noone

From: Stacey Tesseyman & Florence Patsy Roth  
512 Second Street, Gpt, NY 11944

**To: Village of Greenport / Zoning Board & Village Clerk**

Re: 114 North Street, Gpt, NY 11944 1001-2-6-28  
Lauren Nagin // POOL Application

5/19/25

We received Certified Mail notice of our neighbor's (Nagin's) application for a swimming pool, which requires your approval for setback variances.

A pool would be a joy for the Nagin family, particularly because they have young children who would benefit from the outdoor enjoyment of it.

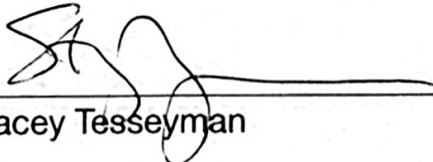
We, ourselves, came before the Zoning Board in 2019 to request approval for a 12'x24' pool, which was granted. We were approved for a variance of 5' on both the north and south sides of the pool (none was needed on the other two sides). Our pool is located 15' from their rear yard, which is our south side yard.

At the time of our application, we were advised that a variance greater than 5' would not be considered because of the noisy nature of activity at a pool. After having the pool for several years now, we understand the distance concern in a way we did not at the time. Pool fun can be unintentionally loud.

If there is a way for the pool in this current application to be moved/rotated to result in a 5' variance from their back yard (our south side yard), rather than the 10' variance listed on their application, we would appreciate it. We do not want our request to hinder the possibility of them getting a pool, so we ask that it be considered without it being detrimental to the project.

The Nagin's have been lovely neighbors, quiet and respectful. So our request is not intended as a reflection on them, but in light of any future sale of their property whereby the new owners might not be as considerate as they are.

Thank you for your time.

  
\_\_\_\_\_  
Stacey Tesseyman

**Greenport Village Zoning Board of Appeals**

236 Third Street

Greenport, NY 11944

**RE: Variance Application for 217 6th Street**

Dear Members of the Zoning Board,

We are writing as the owners of 219 6th Street, directly adjacent to 217 6th Street. While we support responsible and thoughtful improvements that align with village zoning and preserve the character of our neighborhood, we believe the current application for multiple variances at 217 6th Street merits careful and thorough review.

Over the past few years, 217 6th Street has undergone significant renovation, which has already affected the character of our block and the quiet enjoyment of our home. These renovations included the installation of large air conditioning units just feet from our home, a raised balcony that directly overlooks our private garden, the removal of mature plantings from our property without permission and the mysterious disappearance of a village street tree—all of which have impacted our privacy and the quiet enjoyment of our property in negative ways. While these changes were done by a house flipper who intended to create a blank slate, their cumulative effect has already altered the residential rhythm of our block and lessened the appeal of our property in some ways.

The new variance request includes the addition of a 16' x 32' in-ground pool, the complete demolition and replacement of the existing garage, and the construction of new accessory structures, including a pergola. Taken together with the prior alterations, this application represents a significant intensification of use and physical footprint on what is a relatively modest village lot.

We are particularly concerned about several key aspects of the proposal:

- **Lot Coverage and Overdevelopment:** The combined changes appear to push the property's development well beyond the intent of the Village Code. As referenced in recent decisions—such as the ZBA's denial of a subdivision at 238 Fifth Avenue (where a ~4,000 sq ft lot was deemed too small for added development despite meeting some technical setbacks)—there is a clear precedent for limiting over-intensification of small residential lots in order to preserve open space, drainage capacity, and neighborhood scale.
- **Proximity of Pool to Property Line:** The proposed pool appears to be located just 12 feet from our property line—well below the 20-foot setback required under Greenport Village Code §150-7(C)(3)(a). In a similar case at 424 Second Street, the ZBA approved a pool setback variance only after significant modifications were made to increase the distance from neighboring properties and include evergreen screening. Without such adjustments, that proposal likely would not have been approved.
- **Environmental and Drainage Concerns:** The addition of impervious surfaces—particularly a pool and new paved areas—could worsen runoff conditions in an area already prone to stormwater challenges. At 625 First Street, the ZBA required a reduction in proposed lot

coverage and implementation of dry wells before granting approval, specifically citing environmental impact.

- **Garage Function and Use:** While the proposed replacement garage is labeled as such, its design clearly suggests its function as a second dwelling. The ZBA has recently upheld a strict interpretation of §150-8(A)(1), which prohibits multiple dwellings on a single residential lot. In the 2022 case at 440 First Street, a similar conversion request for a carriage house was denied outright for this reason.
- **Accuracy of Survey:** There appear to be discrepancies between the applicant's submitted survey and the survey we received when purchasing the house, particularly concerning the southern property line. We have attached our survey from 1995, which shows the boundary as 1.5 feet from the south-west corner of our garage. The submitted documents appear to shift that line in favor of the applicant significantly, which may affect both setback compliance and accurate placement of new structures.

Lastly, while we do not expect consultation as a requirement, we were surprised that the applicant has not made any effort to speak with us about these significant changes. Given the potential impact on neighboring homes, a simple conversation would have gone a long way toward establishing a spirit of cooperation.

We are not inherently opposed to improvements—on the contrary, we believe every homeowner should have the opportunity to make their home the best it can be. But we feel compelled to speak up when changes of this scale and nature begin to affect the balance of privacy, proportion, and compatibility that define this neighborhood. Our concern is not with progress, but with ensuring that the rights of adjacent homeowners are respected and that development proceeds in a way that fits the context. We are also adamant that any proposed development and associated variances be based on a verified and accurate understanding of the property boundary, so that there is no room for future misunderstandings. We ask the Zoning Board to consider this application not in isolation, but in light of the cumulative changes already made at 217 6th Street and in comparison to recent, similar cases across the Village. There is clear precedent for careful scrutiny in situations like this, and we trust the same thoughtful standard will be applied here.

Thank you for your time and thoughtful consideration.

Sincerely,

Two handwritten signatures in black ink. The first signature is cursive and appears to be 'Emil'. The second signature is also cursive and appears to be 'Ruth'.

**Emil & Ruth Lanne**  
219 6th Street  
Greenport, NY

## **Addendum: Relevant Greenport ZBA Precedents Supporting Our Concerns**

We respectfully submit the following case summaries and references to demonstrate how our objections are grounded in precedent and reflect the Village's zoning principles:

---

### **1. 625 First Street**

- **Summary:** Owners proposed a pool and house expansion on a small lot, which exceeded the 30% maximum lot coverage and encroached on side and accessory structure setbacks.
  - **Outcome:** The ZBA approved the project **only after substantial modifications**, including downsizing the addition and repositioning the pool farther from property lines.
  - **Relevance:** Highlights ZBA's commitment to minimizing overdevelopment and ensuring open yard space.
  - **Code Cited:** Greenport Code §150-12 (lot coverage), §150-13 (accessory setbacks), §150-7(C)(3)(a) (pool setbacks).
- 

### **2. 440 First Street**

- **Summary:** Owners sought to convert an accessory garage structure into a second dwelling unit.
  - **Outcome:** ZBA denied the request, citing strict limits on one principal dwelling per lot and privacy concerns.
  - **Relevance:** Reinforces the importance of accurately designating accessory structures and adhering to §150-8(A)(1).
- 

### **3. 424 Second Street**

- **Summary:** Application for a new house and pool with pool setback variances as low as 11 ft.

- **Outcome:** ZBA approved only after the applicant reduced the pool size and increased setbacks, and agreed to install screening and drainage mitigation.
  - **Relevance:** Demonstrates that pool setbacks below 20 ft are not routinely granted and must be justified with mitigating design.
- 

#### 4. 238 Fifth Avenue (Subdivision Request)

- **Summary:** A developer proposed to subdivide a lot into two smaller parcels, one under 4,100 sq ft.
  - **Outcome:** ZBA denied the variances, citing neighborhood character, overdevelopment, and cumulative environmental burden.
  - **Relevance:** Shows Village opposition to increasing density or creating lots that exceed zoning thresholds.
- 

#### 5. Harbor Knoll B&B (424 Fourth Street)

- **Summary:** Owner sought to expand from 3 to 5 guest rooms in an existing B&B.
  - **Outcome:** ZBA denied the variance, noting the importance of adhering to Village-specific limits even when State law would allow more.
  - **Relevance:** Reflects the ZBA's principle of respecting local intent over convenience or precedent elsewhere.
- 

#### Conclusion:

Each of these cases underscores the ZBA's clear pattern of ensuring that variances are granted only when strictly necessary, minimally impactful, and in alignment with Greenport's character and zoning code. We hope the same care is taken in reviewing the proposal at 217 6th Street.



SURVEY FOR  
EVE HESS & SUSAN BEATTY  
AT GREENPORT  
TOWN OF SOUTHDOLD  
SUFFOLK COUNTY, N.Y.  
1001 - 07 - 01 - 07  
Scale: 1" = 30'  
July 24, 1995

LINNET STREET

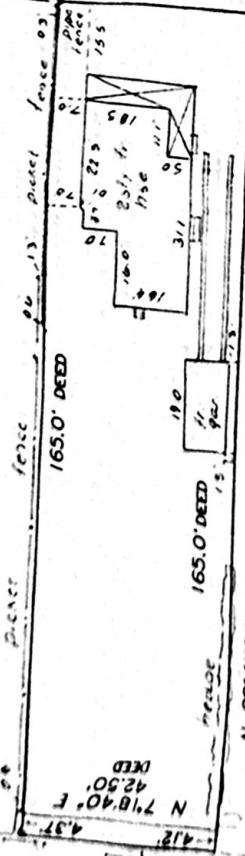
N/O/F VIRGINIA GODDARD

S. 82°41'20" E.

SIXTH STREET

409.70'

S. 71°8'40" W. 42.50'



N. 82°41'20" W.

N/O/F SHELDON T. & VIRGINIA SAGE

"GREENPORT DRIVING  
PARK"  
SUFF. CO. FILE NO. 369

N/O/F LAND OF  
BRAUN  
N. 65°38'35" E. 42.50'

CERTIFIED TO:  
EVE HESS  
SUSAN BEATTY  
FIDELITY NATIONAL TITLE INSURANCE  
COMPANY OF NEW YORK

ANY ALTERATION OR ADDITION TO THIS SURVEY IS A VIOLATION  
OF SECTION 1709 OF THE NEW YORK STATE EDUCATION LAW,  
EXCEPT AS PER SECTION 1709-SUBDIVISION 2. ALL CERTIFICATIONS  
HEREON ARE VALID FOR THIS MAP AND COPIES THEREOF ONLY IF  
SAID MAP OR COPIES BEAR THE IMPRESSED SEAL OF THE SURVEYOR  
WHOSE SIGNATURE APPEARS HEREON.

ADDITIONALLY TO COMPLY WITH SAID LAW THE TERM "ALTERED BY"  
MUST BE USED BY ANY AND ALL SURVEYORS UTILIZING A COPY  
OF ANOTHER SURVEYOR'S MAP. TERMS SUCH AS "INSPECTED" AND  
"BROUGHT-TO-DATE" ARE NOT IN COMPLIANCE WITH THE LAW.



JOHN T. ANTEGER  
STATE OF NEW YORK  
LICENSE NO. 49618  
PECONIC SURVEYORS, P.C.

15161 765 - 5020  
P. O. BOX 909  
1230 TRAVELER STREET  
SOUTHDOLD, N.Y. 11971