

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 November 18, 2025  
12 6:00 p.m.  
13  
14 B E F O R E:  
15 JOHN SALADINO - CHAIRMAN  
16 DINNI GORDON - MEMBER  
17 JACK REARDON - MEMBER  
18 DAVID NYCE - MEMBER  
19 \*\*\*\*\*  
20 ALSO IN ATTENDANCE:  
21 BRIAN STOLAR - ZONING BOARD ATTORNEY  
22 MICHAEL NOONE - CLERK TO THE BOARD  
23  
24  
25

1                   (Whereupon, the meeting was called  
2                   to order at 6:03 p.m.)

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

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

11                  MEMBER GORDON: Second.

12                  CHAIRMAN SALADINO: All in favor?

13                  (Aye said in unison.)

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

16                  For the public, just as a matter  
17                  of transparency, one of the members is  
18                  out of town, so it will be just the  
19                  four of us this evening.

20                  Item Number 2 is a motion to  
21                  schedule the next Zoning Board of  
22                  Appeals meeting for December 18, 2025  
23                  at 6:00 p.m. at the Station One  
24                  Firehouse, Third and South Street,  
25                  Greenport, New York 11944. So moved.

1 MEMBER GORDON: Second.

2 CHAIRMAN SALADINO: All in favor?

3 (Aye said in unison.)

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

6 Item Number 3 is 412 West Street.  
7 This is a motion to accept the findings  
8 and determinations for Francisco Azama  
9 Lopez. The property is located in the  
10 R-2 One and Two Family Residential  
11 District and is not located in the  
12 Historic District. The Suffolk County  
13 Tax Map Number is 1001-4-1-26.

14 The members read the findings?

15 MEMBER GORDON: Yes.

16 CHAIRMAN SALADINO: So moved.

17 MEMBER NYCE: Second.

18 CHAIRMAN SALADINO: All in favor?

19 (Aye said in unison.)

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

22 Moving along. Item Number 4 is  
23 518 First Street. This is a motion to  
24 accept the findings and determination  
25 for David Murray on behalf of Donald

1           Wiss. The property is located in the  
2           R-2 One and Two Family Residential  
3           District and is also located in the  
4           Historic District. The Suffolk County  
5           Tax Map Number is 1001-4-3-6.

6           Again, the members have read the  
7           findings?

8           MEMBER GORDON: Yes.

9           CHAIRMAN SALADINO: So moved.

10          MEMBER NYCE: Second.

11          CHAIRMAN SALADINO: All in favor?

12          (Aye said in unison.)

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

15          Item Number 5 is 229 Sixth Street.  
16          This is a motion to accept the  
17          application, schedule a public hearing,  
18          and arrange a site visit regarding the  
19          application of Jessica Zarzychi and  
20          Scott D. Buschman.

21          Applicants propose to construct a  
22          200 square foot addition to an existing  
23          house. This requires the following  
24          variance: Permit a side yard setback  
25          of 7.9 feet where a minimum of 10 is

1 required. The property is located in  
2 the R-2 One and Two Family Residential  
3 District and is not located in the  
4 Historic District. The Suffolk County  
5 Tax Map Number is 1001-7-1-5.

6 Is the applicant here?

7 MR. BUSCHMAN: I am.

8 CHAIRMAN SALADINO: Do you want to  
9 give us your story or no?

10 CLERK NOONE: Scott, you have to  
11 go to the podium.

12 MR. BUSCHMAN: I have to defend  
13 the request?

14 CHAIRMAN SALADINO: You don't have  
15 to say anything.

16 MR. BUSCHMAN: I'm happy to say  
17 something.

18 CHAIRMAN SALADINO: Okay. Then  
19 tell us --

20 MR. BUSCHMAN: Hi, I'm Dave  
21 Buschman, I live at 229 Sixth Street.  
22 My boyfriend and I are interested in  
23 adding onto the back of the house along  
24 the same exact line that has been there  
25 since we bought the house ten years ago

1           and extend it out. Our contractor is  
2           here as well. It's certainly not  
3           anything that's going to be intrusive  
4           to any of our neighbors. And my direct  
5           neighbor, Inga, is all for it, doesn't  
6           care. So you won't even be able to see  
7           it from the street.

8           CHAIRMAN SALADINO: Okay.

9           MR. BUSCHMAN: Anything else?

10          CHAIRMAN SALADINO: I'm going to  
11          ask these guys if they have something  
12          else.

13          Do any of the members have any  
14          questions?

15          MEMBER GORDON: I do. I have  
16          questions. It's about the survey. I  
17          don't see any indication of whether the  
18          new addition is ten feet from the  
19          swimming pool. Do you have --

20          MR. BUSCHMAN: It definitely is.  
21          I can tell you that.

22          You know, I'm interested in this  
23          process, to be honest with you, just  
24          because, you know, this is the kind of  
25          thing that had somebody had a question

1           about -- you know, and this has -- to  
2           be honest with you, this has been going  
3           on for well over a year for me just  
4           trying to do what I think is not that  
5           huge of an addition or really  
6           technically, like, interesting. So the  
7           idea of what the process is to get  
8           questions answered to move forward has  
9           been --

10           CHAIRMAN SALADINO: You've had  
11           this application in front of the Zoning  
12           Board for a year?

13           MR. BUSCHMAN: In front the Town  
14           for a year since last August.

15           CHAIRMAN SALADINO: Well, just --

16           MR. BUSCHMAN: Mike knows.

17           CLERK NOONE: Yes. But in  
18           fairness, that would be a situation  
19           with the Village, not with the Zoning  
20           Board.

21           CHAIRMAN SALADINO: We got this  
22           application --

23           MR. BUSCHMAN: I'm just telling  
24           you my whole story. You guys said I  
25           was allowed to come up and talk, so I'm

1 going to take the time. Sure. So if  
2 there's an issue, I'm willing to take  
3 pictures, I'll go out there right now.

4 MEMBER GORDON: No, no. I was  
5 just asking --

6 CHAIRMAN SALADINO: You got to  
7 relax.

8 MEMBER GORDON: -- a question  
9 about this survey. You know, sometimes  
10 you have line between the pool and the  
11 house or the extension that shows how  
12 many feet it is, and I can't read --

13 MR. BUSCHMAN: Yeah, so we had to  
14 go back and get it done twice. I'm not  
15 sure why it's not compliant.

16 CHAIRMAN SALADINO: The pool is an  
17 accessory structure. It can't be  
18 closer than ten feet to the house.

19 MR. BUSCHMAN: I'm getting that  
20 now.

21 MEMBER REARDON: I just scaled it  
22 as, like, 13 feet.

23 MEMBER GORDON: Okay, fine.

24 CHAIRMAN SALADINO: We're not  
25 going to hold up the application, but

1           if you could, when you come next month  
2           to the public hearing give us some kind  
3           of dimension from the pool to the --

4           MR. BUSCHMAN:   And it's  
5           interesting too, I will say this, I  
6           thought this was the public hearing.  
7           So that's another interesting part of  
8           the process.   You know, I'm not a  
9           builder.   I've got Jared here who has  
10          done a great job.   I'm a retired  
11          attorney, and I'm kind of, like, this  
12          is wild how this has been laid out.  
13          There's no information about sort of  
14          exactly how it works.   I mean, the code  
15          is the code.   There's no sort of help  
16          as far as what the steps are.   I  
17          actually was, like, wait a minute, I  
18          think I'm supposed to put up a little  
19          yellow sign, right, at some point.

20          CHAIRMAN SALADINO:   Well, after we  
21          accept the application.

22          MR. BUSCHMAN:   Right.

23          CHAIRMAN SALADINO:   You'll see  
24          him, and he'll give you a little yellow  
25          sign to put up.

1           CLERK NOONE: I'll send you  
2 instructions, full instructions on the  
3 public hearing.

4           CHAIRMAN SALADINO: If you have  
5 any questions as far as this process,  
6 it's kind of pretty straightforward.  
7 Some of the stuff we get into -- well,  
8 you can believe that or not. Some of  
9 the stuff you can get into the weeds  
10 with, everything that we do is in the  
11 book, is in this code book. Everything  
12 we do, the reason you're here is  
13 because of this code book. We're not  
14 the Planning Board where we deal in  
15 concepts. We're not the HPC where we  
16 deal in opinions. We deal with the  
17 code. So if it says it in the code,  
18 and you're not complying with the code,  
19 you come here and ask for relief. It's  
20 pretty straightforward. Maybe because  
21 of, like, a dynamic at Village Hall,  
22 there was a little vacuum there, your  
23 application was held up for a little  
24 while. As far as the Zoning Board, we  
25 try to get things off our plate as soon

1 as we can.

2 MR. BUSCHMAN: I appreciate that.  
3 Again, I'm not -- I'm trying to, you  
4 know, walk through the jungle and  
5 figure out exactly what we're supposed  
6 to do next and not be frustrated with  
7 the system and how it's been presented.  
8 You guys just tell us what we need to  
9 do, I'll provide anything you need  
10 going forward. It's just, like,  
11 helpful not to show up and then not  
12 have what you need. That's all I'm  
13 saying.

14 CHAIRMAN SALADINO: All right. As  
15 far as we're concerned, you applied for  
16 a building permit. I'm sure your  
17 contractor told you this, you applied  
18 for a building permit, the building  
19 inspector looks at it. If it doesn't  
20 conform to code, he denies it. You get  
21 a notice of disapproval. You bring  
22 that and you apply for relief from the  
23 Zoning Board, you bring it to us, and  
24 it's either we grant the relief or we  
25 don't.

1           MR. BUSCHMAN: Can I ask why would  
2           you not grant relief in a situation  
3           like this? Just for my own edification  
4           just because it's --

5           CHAIRMAN SALADINO: I'm not going  
6           to give you my opinion about this  
7           application right now because we  
8           haven't opened the public hearing yet  
9           next month, but different applications  
10          have different problems. Perhaps  
11          there's an environmental issue, perhaps  
12          the side yard is too close to a  
13          neighbor's.

14          MR. BUSCHMAN: Got it. So hear me  
15          out, okay? How about if I bring all  
16          the of the people that are around me  
17          who don't care and they could say --

18          CHAIRMAN SALADINO: You don't have  
19          to.

20          MR. BUSCHMAN: Are you sure? I  
21          want to make sure.

22          CHAIRMAN SALADINO: The public  
23          hearing is your time and the public's  
24          time. Next month there will be a  
25          public hearing. We're going to accept

1           this application. Next month we'll  
2           give you a time for the public hearing.  
3           We'll give you -- we're going to  
4           probably make a site visit.

5           MR. BUSCHMAN: Great. You got to  
6           let us know.

7           CHAIRMAN SALADINO: I'm going to  
8           let you know tonight.

9           MR. BUSCHMAN: Beautiful. I drive  
10          out there, so that's good.

11          CHAIRMAN SALADINO: In a few  
12          minutes anyway. And that's the time  
13          there will be a notice in the newspaper  
14          about the public hearing, and then any  
15          of your neighbors that would like to  
16          show up would have that opportunity to  
17          speak then. Actually anybody has the  
18          right to show up and voice their  
19          opinion. So if you have a friend in  
20          Babylon that wants to come and --

21          MR. BUSCHMAN: I don't really  
22          think that's what I'm trying to say.

23          CHAIRMAN SALADINO: Or if you have  
24          an enemy in Babylon that wants to come  
25          and tell you, no, we don't like this

1           guy.

2           MR. BUSCHMAN: I don't know  
3 anybody in Babylon.

4           CHAIRMAN SALADINO: We listen to  
5 everybody.

6           MR. LOVELESS: Can I just make  
7 a comment?

8           CHAIRMAN SALADINO: If you come to  
9 the podium and state your name and  
10 address.

11          MR. LOVELESS: Jared Loveless, 9  
12 Sutton Place, Greenport. I think what  
13 Dave is trying to allude to a little  
14 bit is that this is a house with an  
15 existing nonconforming condition. It's  
16 been granted variances after it was  
17 built, so as an owner that just is  
18 doing something that doesn't further  
19 that --

20          CHAIRMAN SALADINO: But it is.

21          MR. LOVELESS: But it's not  
22 because --

23          CHAIRMAN SALADINO: But it is.

24          MR. LOVELESS: The problem is the  
25 house is existing nonconforming, and

1 he's just trying to square it off.

2 He's not going any further than any  
3 other variance.

4 CHAIRMAN SALADINO: I don't want  
5 to get into it. Our code also says  
6 preexisting nonconforming house, you  
7 really don't have to worry about unless  
8 you add to the nonconformity.

9 MR. LOVELESS: But he's not  
10 though.

11 CHAIRMAN SALADINO: You're adding  
12 200 square feet to the nonconformity.  
13 Right now that's fallow land. You're  
14 adding an addition to it. So you're  
15 adding 200 square feet to the  
16 nonconformity. According to our code,  
17 you have to get relief for the side  
18 yard.

19 MR. LOVELESS: Right. But I  
20 believe there's been a variance granted  
21 after the house was built.

22 CHAIRMAN SALADINO: For that  
23 portion of the property?

24 MR. LOVELESS: It went back, it  
25 went towards the back of the house on

1           the other side, but I believe that it  
2           would address both sides of -- if there  
3           was a nonconforming condition. That's  
4           -- but it just seems like, I think,  
5           again, to the whole point from a user's  
6           end, it seems like there should be,  
7           like, a lot more boxes you could tick  
8           to get to a yes or no, do we need to go  
9           any further with this. And when it's  
10          such a modest thing, like a ranch house  
11          and I'm just going out the back and  
12          just squaring off a building that's  
13          there, it does seem like this process  
14          could be way streamlined rather than  
15          have to go through the whole rigmarole  
16          to get to the point where you could  
17          say, do we really need to discuss this,  
18          you know, back portion of this house.  
19          It's just, I don't know, I think for  
20          everybody's time.

21                 CHAIRMAN SALADINO: Just so -- and  
22           you're from Greenport, so you know  
23           this. But for the benefit of your  
24           client, we don't write the code.  
25           That's a legislative act. If we want

1 to change the code, we can't. But the  
2 legislature can, the Village Board can.

3 MR. LOVELESS: You do get a  
4 glimpse sitting back there, it's  
5 actually -- you get a glimpse of it,  
6 like, to watch you guys go through the  
7 first part of your meeting, and it's,  
8 like, hey, you guys, do we agree to  
9 meet again next week? And you're all  
10 like -- you go through this whole thing  
11 saying, you know -- so I know the whole  
12 thing is very, like, you have a  
13 protocol, you have to adhere to it.  
14 But it just seems like just because  
15 everybody is so frustrated, there is --  
16 like, the ill will that goes out there  
17 in the building trade just from having  
18 to, like, go against this, go against  
19 that. Like, when you go to the  
20 Historic Committee and you're, like,  
21 can I have the same color roof as the  
22 neighbor? And they're, like, we need  
23 to think about that. But it's, like,  
24 on the neighbor's house already. Like,  
25 why are we thinking about this? And so

1           for a house like that where you're  
2           cheek to jowl already, you're existing  
3           nonconforming, you just want to go a  
4           little further back, it does feel a  
5           little oppressive and like maybe it  
6           doesn't need all this effort to just  
7           say as long as you're not furthering  
8           that existing condition then what's  
9           really to say.

10           CHAIRMAN SALADINO: Like I said to  
11           Mr. Buschman, we're not the Planning  
12           Board where a lot of the stuff --

13           MR. LOVELESS: We can change the  
14           world.

15           CHAIRMAN SALADINO: We can't.

16           MR. BUSCHMAN: They can't.

17           MR. LOVELESS: People have to  
18           voice their displeasure, and we have to  
19           get to the point where somebody is  
20           willing to give say, yeah, maybe --

21           MR. BUSCHMAN: This isn't the  
22           right body for that. I get that, I get  
23           that. I get that part and a hundred  
24           percent, guys. Like, I understand what  
25           your job is here. Again, I just really

1 want to understand sort of the easiest  
2 process so that we can go through it  
3 again to get to the end.

4 MR. LOVELESS: I mean, to the  
5 whole point of the -- the inefficiency  
6 was we started this whole thing with  
7 you guys knowing that he needed to have  
8 this next hearing. I mean, it's a  
9 little bit, like, it seems super  
10 inefficient that he would come here  
11 tonight just to say, like you said,  
12 plead your case. There's an existing  
13 nonconforming house.

14 CHAIRMAN SALADINO: Well, I said  
15 give us your story, not plead your  
16 case.

17 In all fairness, and to explain  
18 the process even further, and I don't  
19 want to, like, drag this out because we  
20 are going to accept this -- I'm fairly  
21 certain we're going to accept this  
22 application. A lot of times, for the  
23 Zoning Board to accept an application,  
24 it's a two-step process. You seek  
25 relief and you come to the Zoning

1 Board, and if the application is  
2 complete and correct, we accept it.  
3 And then we schedule a public hearing  
4 for the next month. If we met twice a  
5 month, it would be in two weeks, but we  
6 don't, we meet once a month. So we  
7 would schedule a public hearing, and 99  
8 and 9/10 percent of the time at that  
9 public hearing people would say what  
10 they had to say, we would close it, and  
11 that night we would vote, and that  
12 night you would have your relief.

13 MR. BUSCHMAN: I get it, guys. I  
14 don't want to --

15 MR. LOVELESS: I'm just curious,  
16 for my own curiosity, is there a  
17 nontechnical reason you guys would not  
18 accept this tonight?

19 CHAIRMAN SALADINO: Again, the  
20 only reason we wouldn't accept it if it  
21 wasn't complete and correct.

22 This application is routine. But  
23 there are applications -- there are  
24 applications that aren't. And  
25 sometimes, you know.

1           MR. BUSCHMAN: You said the word  
2           that I was waiting for. Routine.  
3           That's awesome.

4           CHAIRMAN SALADINO: It is. I  
5           don't think I'm prejudging the  
6           application.

7           MR. LOVELESS: Streamline the  
8           whole process, you'd get less angry  
9           people.

10          CHAIRMAN SALADINO: The time to  
11          express that opinion is Thursday  
12          nights. That's when the Village Board  
13          meets. They're the ones that have the  
14          power to streamline this.

15          MR. BUSCHMAN: Thank you, guys.  
16          Seriously, I appreciate it.

17          MR. LOVELESS: I can make my exit  
18          now.

19          CHAIRMAN SALADINO: I lost my  
20          place.

21          MR. BUSCHMAN: I don't need to  
22          stay.

23          CHAIRMAN SALADINO: Boy, would you  
24          be disappointed if we didn't accept  
25          this application and you left.

1 MR. BUSCHMAN: I'll make sure --

2 CHAIRMAN SALADINO: We're going to  
3 need you for, like, two more minutes  
4 just so you can't say we didn't tell  
5 you.

6 MR. BUSCHMAN: Okay. Are we still  
7 on mine? I thought you were going to  
8 skip ahead. I'm happy to keep going.

9 CHAIRMAN SALADINO: What do the  
10 members feel about this application?  
11 Are we going the accept this  
12 application?

13 MEMBER NYCE: I have no problem  
14 accepting this.

15 MEMBER GORDON: Fine.

16 MEMBER REARDON: Yes.

17 CHAIRMAN SALADINO: So I'm going  
18 to make a motion we accept this  
19 application. So moved.

20 MEMBER NYCE: Second.

21 CHAIRMAN SALADINO: All in favor?  
22 (Aye said in unison.)

23 CHAIRMAN SALADINO: And I'll vote  
24 aye.

25 We're going to set a public

1           hearing for this application at our  
2           next meeting, which is --

3           CLERK NOONE:   It's actually the  
4           16th.

5           CHAIRMAN SALADINO:   December 16th.

6           ATTORNEY STOLAR:   So then your  
7           motion on Item Number 2 is amended to  
8           read the 16th also?

9           CLERK NOONE:   You could amend  
10          that.

11          ATTORNEY STOLAR:   Yeah, they're  
12          not meeting on the 18th.

13          CHAIRMAN SALADINO:   I want to get  
14          rid of this guy because he seems like  
15          he's in a hurry to go someplace, so as  
16          soon as we do him, we'll amend Item  
17          Number 2.   How is that?

18          The public hearing will be at 6:00  
19          on December 16th.   Do we want to do a  
20          site visit?   We'll probably do a site  
21          visit.   We'll come at -- we don't have  
22          our member to tell us what time.   We  
23          would like to come during the day.

24          MR. BUSCHMAN:   You just got to let  
25          me know what works.

1           MEMBER REARDON: I'm available any  
2           time.

3           CHAIRMAN SALADINO: 4:00.

4           MEMBER GORDON: Yes.

5           CHAIRMAN SALADINO: We'll be at  
6           your property at 4:00 on the day of the  
7           public hearing.

8           MR. BUSCHMAN: That's great,  
9           perfect.

10          CHAIRMAN SALADINO: If you could,  
11          just stake out the property. Stake out  
12          where you're requesting relief, just  
13          some stakes in a line just to let us  
14          know.

15          MR. BUSCHMAN: A hundred percent.  
16          Because that will help you understand  
17          it's far enough away from the pool. I  
18          totally get it.

19          CHAIRMAN SALADINO: That's it.  
20          Easy peasy.

21          MR. BUSCHMAN: Thank you.  
22          Appreciate it.

23          CLERK NOONE: I'll be in touch.  
24          I'll let you know everything you need  
25          to do.

1 CHAIRMAN SALADINO: I'm going to  
2 need a sip of coffee.

3 Okay. Item Number 6 is 140 Main  
4 Street. This is a motion to accept the  
5 application, schedule a public hearing,  
6 and arrange for a site visit regarding  
7 the application of Robert I. Brown, RA  
8 on behalf of Mark and Patty Carlos.  
9 The applicant proposes to add a second  
10 and third floor to the building over an  
11 existing retail space and create two  
12 new apartments approximately 1,100  
13 square feet each.

14 This requires the following  
15 variance: Building height requirement,  
16 150-12. In the CR District, two  
17 stories or 35 feet. The plan shows an  
18 addition of two stories above the  
19 existing one story retail space for a  
20 total of three stories. This would  
21 require an area variance of one story.

22 Number two is a front yard setback  
23 requirement, 150-12. In the CR  
24 District, front yard setback is six  
25 feet. We're going to have to talk to

1 the attorney about that. The plan  
2 shows an addition of two stories above  
3 an existing one story retail space with  
4 zero front yard setback at both front  
5 yards. This would require an area  
6 variance of six feet to both front  
7 yards for the additions. I'm not sure  
8 I agree with that.

9 The property is located in the CR  
10 Commercial Retail District and it's  
11 also located in the Historic District.  
12 The Suffolk County Tax Map Number is  
13 1001-5-3-18.

14 Is the applicant here? Name and  
15 address for the stenographer.

16 MR. BROWN: Robert Brown,  
17 architect, 205 Bay Avenue, Greenport.  
18 I believe you're probably familiar with  
19 the project.

20 CHAIRMAN SALADINO: I think we  
21 are. I think we kind of know what's  
22 going on. Is there anything --

23 MR. BROWN: Well, I have a  
24 question actually about the six foot  
25 setback because my interpretation of

1 the code, and please correct me if I'm  
2 wrong, is that it's zero setback unless  
3 a setback is provided in which case  
4 it's six feet.

5 CHAIRMAN SALADINO: We can kind of  
6 debate that a little bit, but I was of  
7 the opinion that there's also a portion  
8 of our code that we take the average  
9 front yard setback of the properties  
10 within 200 feet on the same side of the  
11 street, and none of those buildings  
12 have a setback, so I'm kind of  
13 questioning the need, but I'll ask  
14 Brian, I'm kind of questioning the  
15 need --

16 MEMBER REARDON: The sweet shop  
17 does.

18 CHAIRMAN SALADINO: Which one?

19 MEMBER REARDON: The Sweet  
20 Indulgence.

21 CHAIRMAN SALADINO: It's not on  
22 the same block.

23 MEMBER REARDON: It's right next  
24 door.

25 MEMBER NYCE: It's across the

1 street.

2 CHAIRMAN SALADINO: So in my mind,  
3 we can talk about it, but in my mind on  
4 Main Street --

5 MR. BROWN: They're all on the  
6 property line.

7 CHAIRMAN SALADINO: And on East  
8 Main Street --

9 MR. BROWN: Yes, East Front  
10 Street.

11 CHAIRMAN SALADINO: East Front  
12 Street is the laundry shop and the two  
13 commercial spaces and they're all --

14 MR. BROWN: And the existing  
15 structure that we're building over is  
16 on the property line.

17 CHAIRMAN SALADINO: Brian -- well,  
18 we could put a pin in that until  
19 everybody is comfortable with  
20 understanding what's going on. So  
21 we'll address the two stories, the  
22 additional story above.

23 The only question I would have for  
24 you, Mr. Brown, Rob, is do we have  
25 something from an engineer? And I'm

1 going to explain why I'm concerned. In  
2 the narrative -- again, I'm really  
3 familiar with this application. So in  
4 the narrative, you know, the building  
5 was built in '08, '03 and then rebuilt  
6 in 1920 if I'm --

7 MR. CARLOS: Rebuilt in 1996, '97.

8 MR. BROWN: The original building  
9 is from the 1800s.

10 CHAIRMAN SALADINO: Exactly. The  
11 original building, that portion of the  
12 building, we had gone through that. We  
13 had property cards, and they were  
14 changed, and the original building was  
15 -- that portion of the building was a  
16 garage, was an accessory structure.  
17 From what I read, it wasn't part of the  
18 fire, it wasn't part of that. And from  
19 reading the property card, there was a  
20 renovation in '97, there was a  
21 renovation in '97. My concern is -- my  
22 concern is that we're going to, like,  
23 triple the load on that building, the  
24 original building from 190 -- I thought  
25 I read --

1           MR. BROWN: I can address your  
2           concern.

3           CHAIRMAN SALADINO: And I'm just  
4           uncomfortable. Since we're the guys  
5           that are going to say, yeah, you can do  
6           that or -- well, it wouldn't matter if  
7           we said no. But we're the guys that  
8           are probably going to say, yeah, you  
9           can do that. I would be comfortable  
10          just knowing that, yeah, you could do  
11          that, you know.

12          MR. BROWN: If I may?

13          CHAIRMAN SALADINO: Sure.

14          MR. BROWN: There are two answers  
15          to that question. One is that I was  
16          responsible for the design of the  
17          addition where the garage had been.  
18          Excuse me. And I can assure you that  
19          that was designed fully capable of  
20          eventually having the addition put on  
21          top.

22          In terms of engineering, as a  
23          licensed architect, I am qualified to  
24          do that engineering. If I felt it was  
25          engineering beyond my scope, I would

1 hire a consulting structural engineer,  
2 which I have done in the past, and if I  
3 felt it necessary in this case, I  
4 certainly would. But the original  
5 design of that addition on the corner  
6 was with the intention of someday  
7 possibly eventually building above it.

8 MEMBER REARDON: Could you tell me  
9 what part of the building it is you're  
10 talking about? Which one was --

11 MR. BROWN: The one story portion.

12 MEMBER REARDON: That entire was  
13 structure was redone in '97?

14 MR. BROWN: The one story portion  
15 on the corner was entirely rebuilt in  
16 '97.

17 MEMBER REARDON: Okay. And  
18 foundation work done at that point?

19 MR. BROWN: Yes.

20 MEMBER REARDON: Okay.

21 CHAIRMAN SALADINO: I didn't see  
22 that.

23 MR. BROWN: Well, there was  
24 foundation there, but, you know, it was  
25 inspected and approved for the work

1           that was intended.

2           CHAIRMAN SALADINO: I didn't see  
3           that in the building plan when I looked  
4           that there was a report that the  
5           foundation was -- I'm just -- I'm  
6           just --

7           MR. BROWN: If I may, also, that's  
8           the responsibility of the building  
9           inspector.

10          CHAIRMAN SALADINO: To address  
11          that.

12          MR. BROWN: To address that. And  
13          my responsibility to, for my own sake,  
14          the sake of the safety of anybody in  
15          the building to make sure that the  
16          building is structurally sound.

17          CHAIRMAN SALADINO: With the  
18          applications that we receive, as far as  
19          the buildings, as far as the  
20          responsibility of the building  
21          inspector, that's true. But to get in  
22          front of us, you had to submit an  
23          application for a building permit,  
24          right?

25          MR. BROWN: It's sort of a pro

1           forma building permit application where  
2           I don't provide all of, you know, an  
3           entire construction set of drawings  
4           because the application to get a denial  
5           is solely to be able to come before you  
6           to grant the application. It would be  
7           a hardship for my client, whoever it  
8           is, to have to pay me for an entire set  
9           of construction documents.

10           CHAIRMAN SALADINO: Don't you need  
11           them anyway?

12           MR. BROWN: For a plan that may  
13           not be approved.

14           CHAIRMAN SALADINO: Don't you need  
15           them anyway?

16           MR. BROWN: I will need them. The  
17           way this always works is once a Zoning  
18           Board approves a plan and grants a  
19           variance that might be needed, then I  
20           provide the construction documents to  
21           the Building Department. That's the  
22           standard procedure.

23           CHAIRMAN SALADINO: My experience  
24           on the Zoning Board is that usually  
25           when we get a site plan, as we have

1           here, when we get a site plan, 99 and  
2           9/10 percent of the time there's an  
3           engineer's stamp on it in addition to  
4           the architect. 99 percent of the time,  
5           even for routine stuff.

6           MR. BROWN: If I may, according to  
7           the New York State Department of  
8           Education, an architect can stamp an  
9           engineer's drawings. An engineer  
10          cannot stamp an architect's drawings.

11          CHAIRMAN SALADINO: I don't want  
12          to question your qualifications. I  
13          think the design is great. I just --  
14          I'm just worried that the building is  
15          going to fall down. You know, stuff  
16          has fallen down all the time. If I had  
17          a PE sign your site plan or sign your  
18          thing saying or sign the building --

19          MR. BROWN: There is no  
20          engineering on those drawings yet.  
21          When I go to the Building Department,  
22          if you want me to have a consulting  
23          engineer stamp my drawings for the  
24          Building Department, I'd be happy to do  
25          that. But I have never in 40 years put

1 an engineer's stamp on an application  
2 for a zoning variance.

3 CHAIRMAN SALADINO: We see them  
4 all the time. Perhaps your stuff --

5 MR. BROWN: If it's done by an  
6 engineer, then the engineer would stamp  
7 it. If it's done by the architect, the  
8 architect stamps it.

9 CHAIRMAN SALADINO: Since -- and I  
10 can't speak for my colleagues. For me,  
11 I would be comfortable knowing that the  
12 building can support what's planned.

13 MR. BROWN: With respect --

14 CHAIRMAN SALADINO: Wait. Now  
15 it's my turn. I'm just not  
16 understanding the push back. If it's a  
17 safety issue, in my mind, I don't think  
18 it's unreasonable for a PE or a  
19 structural engineer to say this  
20 particular foundation, this particular  
21 building can support triple the load  
22 that's there now. Or two and a half  
23 times the load that's there now. I  
24 understand there's a financial concern  
25 because you have to hire an engineer,

1 but --

2 MR. BROWN: If I may address that,  
3 seriously, the idea of coming to the  
4 Zoning Board is to allow me to provide  
5 the construction documents. Now, if  
6 let's say, for example, hypothetically  
7 the foundation that's there was not  
8 suitable, it would be my  
9 responsibility, once I have an okay to  
10 proceed from you, that I would make  
11 sure that the work done necessarily to  
12 make that foundation suitable would be  
13 my responsibility. That's got nothing  
14 to do with this Board.

15 CHAIRMAN SALADINO: You don't  
16 think -- you think it's unreasonable  
17 that this Board that's going to grant  
18 your relief should know if it's safe to  
19 do that?

20 MR. BROWN: Yes, I do. I honestly  
21 do.

22 CHAIRMAN SALADINO: I disagree.

23 MR. CARLOS: I happen to agree  
24 with Robert. I don't think it's within  
25 -- Mark Carlos, 140 Main. I don't

1 think it's within your purview to  
2 determine if the building is  
3 structurally sound to support this  
4 addition. I think we're looking for a  
5 variance. That is your purview. You  
6 know, this is continuous. We've been  
7 doing this 16 months. Every single  
8 time we get a roadblock, another  
9 roadblock from you. Another roadblock.  
10 First it was the code. Now we're  
11 standing here tonight, and you want to  
12 know, do you have an engineering stamp?  
13 It's not within your responsibility to  
14 do that. I'm just fed up with this  
15 process.

16 CHAIRMAN SALADINO: Well, I  
17 apologize that you're fed up.

18 MR. CARLOS: He's been doing it  
19 for 40 years.

20 CHAIRMAN SALADINO: I apologize if  
21 you're fed up.

22 MR. CARLOS: He's been doing it  
23 for 40 years.

24 CHAIRMAN SALADINO: I don't care.

25 MR. CARLOS: Enough.

1           CHAIRMAN SALADINO: No, it's not  
2 enough.

3           MR. CARLOS: 40 years. He's  
4 telling you he can stamp the drawing.  
5 He did the original design when we did  
6 the renovation in '97. He's telling  
7 you it's structurally okay. I don't  
8 know what more you want. This is  
9 ridiculous, John, and you know it is.  
10 We're looking for a variance. That is  
11 your responsibility, a variance.

12          CHAIRMAN SALADINO: Listen, since  
13 you know so much about the Zoning  
14 Board, do you how they grant a  
15 variance? The five questions of a  
16 balancing test? One of those questions  
17 -- my turn. One of those questions is  
18 is it safe? Is it environmentally  
19 sound? We have to answer that  
20 question. How do I know that? How do  
21 I know that?

22          When I looked up the duties and  
23 responsibilities today, when I looked  
24 up the duties and responsibility of an  
25 architect and a structural engineer,

1           they're entirely different. They're  
2           entirely different. I don't think it's  
3           unreasonable for me -- I won't speak  
4           for my colleagues -- for me, to ask  
5           that question. And for you to get  
6           upset by me asking that question, I  
7           apologize.

8           MR. CARLOS: He's explaining it to  
9           you --

10          CHAIRMAN SALADINO: He's not  
11          explaining --

12          (Whereupon, there was simultaneous  
13          crosstalk.)

14          MR. CARLOS: It makes no sense for  
15          us to invest in full construction  
16          plans. He did the original renovation  
17          in '97. He built the structure with  
18          the intent that we may add an addition  
19          in the future.

20          CHAIRMAN SALADINO: But that's not  
21          on the building permit from '97. I  
22          have no way of knowing that. All I  
23          know is --

24          MR. CARLOS: He's the architect,  
25          he is qualified to sign off on that

1 document to say that this is  
2 structurally sound. He's telling you  
3 that. I don't know what you're not  
4 understanding. He's telling you that  
5 he's qualified to do that. And why am  
6 I going to pay whatever the number is  
7 for full construction drawings to get  
8 approval from the Zoning Board? It's  
9 outrageous. If envelope drawings are  
10 not enough for you, then tell us  
11 tonight, and we'll withdraw the  
12 application. End of story. We'll move  
13 on. I've been standing here for 16  
14 months.

15 CHAIRMAN SALADINO: Not here.

16 MR. CARLOS: 16 months. You were  
17 directly responsibility for three  
18 months of that because of some code  
19 clarification.

20 Okay. So we did that, we  
21 patiently waited. Here we are standing  
22 here tonight, and now you're talking  
23 about something that's outside of your  
24 purview completely.

25 CHAIRMAN SALADINO: I disagree.

1           MR. CARLOS: That's all I have to  
2 say. If you don't want to approve it,  
3 just tell us. We're done. We'll move  
4 on. All right? We've been doing this  
5 for 16 months now. Okay. The process  
6 is broken, we all know that. You heard  
7 it from the previous applicant. The  
8 process is completely broken. And now  
9 you're standing here tonight talking  
10 about something that really is not your  
11 responsibility. The Building  
12 Department will certainly do that.  
13 When he submits the drawings to the  
14 Building Department, I am sure they're  
15 going to ask the same questions. We're  
16 not going to proceed forward until it's  
17 perfectly safe. Does that make sense?

18           CHAIRMAN SALADINO: I'm just not  
19 understanding the push back. Is it  
20 financial? Is that what it is?

21           MR. CARLOS: Do you know how much  
22 we've spent to get to this point? Do  
23 you know how much we've spent to get to  
24 this point? You don't even want to  
25 know. Now you want us to get an

1 engineer to come in and do that.  
2 Insane, if you ask me. Insane.  
3 Somebody has to push back. Somebody.  
4 And I'm going to push back. I think  
5 it's ridiculous that you're asking for  
6 that.

7 CHAIRMAN SALADINO: I disagree.  
8 And, again, I can't speak for my  
9 colleagues. I disagree that we  
10 shouldn't have this information. I  
11 disagree with this, and I disagree with  
12 your --

13 MR. CARLOS: That's fine.

14 CHAIRMAN SALADINO: And I don't  
15 think it's that big of a deal for you  
16 tell this Board -- for you to get  
17 somebody to tell this Board -- we're  
18 not talking about something that's  
19 minor. Stuff falls down all the time.  
20 To tell this Board, yes, that portion  
21 of the building can support what you're  
22 asking to do.

23 MR. BROWN: And I can say --

24 CHAIRMAN SALADINO: Wait a second.  
25 And you're putting the cart before the

1 horse. To say, well, tell us we can do  
2 it and then the building inspector will  
3 tell us, yeah, maybe yes or maybe no.

4 MR. BROWN: That's exactly the way  
5 it's supposed to work. That's exactly  
6 the way it's supposed to work.

7 MR. CARLOS: 40 years of  
8 experience talking.

9 MR. BROWN: It's up to you to say  
10 that the parameters of the building are  
11 acceptable or not, and if they are,  
12 then we provide the engineering  
13 information to the Building Department.

14 Now, my concern is you're asking  
15 for another month delay to accept this.  
16 And I'm saying --

17 CHAIRMAN SALADINO: No, that's not  
18 what I'm saying at all. I never said  
19 that.

20 MR. BROWN: I can have at least  
21 two engineers stamp these drawings  
22 tomorrow.

23 CHAIRMAN SALADINO: Nobody said we  
24 weren't going to accept the  
25 application. Nobody said another

1 month. You asked if there was a  
2 question, I'm giving you a question.  
3 I'm giving you my concern. That's  
4 my -- again, I can't speak for the  
5 other Members of the Board. I'm giving  
6 you my concern, I'm one vote.

7 MR. BROWN: Yes, but your  
8 implication of your comment is that you  
9 don't think the application is complete  
10 because there's no engineer's stamp.  
11 That's the implication that you're  
12 giving me.

13 CHAIRMAN SALADINO: I disagree  
14 again. It seems like you and I are  
15 disagreeing tonight. I disagree again.  
16 I'm eliciting a concern that I have.  
17 If you've been to these meetings, you  
18 say you've been here for 16 months, if  
19 you've been here for the last 16  
20 months, we ask questions all the time,  
21 and then if there's a question, if  
22 there's not a question, we leave it up  
23 and we resolve it the next month at the  
24 public hearing.

25 MR. BROWN: How many times do you

1 ask is this, whatever it is that you're  
2 going to build, is it going to be  
3 structurally sound? And prove it. How  
4 many times?

5 CHAIRMAN SALADINO: I can name two  
6 applications, one for the Greenport  
7 Hotel and one for the Menhaden that I  
8 was on the Board for.

9 MR. BROWN: Okay. I can have  
10 those stamped for you tomorrow.

11 CHAIRMAN SALADINO: Three story  
12 building.

13 That's all. That was my concern,  
14 that was my concern. Listen, we're  
15 getting into -- we're on the verge --  
16 we're on the edge of getting into  
17 personalities now. Let's just leave it  
18 at this.

19 The Members, if you have anymore  
20 comments to make, we'll listen. If the  
21 Members have any questions, they'll  
22 ask.

23 MR. BROWN: If you have any  
24 questions, I'd be happy to answer them.

25 MEMBER REARDON: I have a few

1           questions, if you don't mind. Tough  
2           act to follow. And one of them  
3           actually does address the plans. I was  
4           looking through the plans, and I saw  
5           the west-facing elevation shows a  
6           style, a gable style. But when you  
7           look at the plan, the actual floor  
8           plan, it shows three windows on the  
9           west side negating the style that you  
10          actually have on the plan. So I didn't  
11          know that these were not going to be  
12          the style of the structure.

13                 MR. BROWN: That is the style of  
14                 the structure, and it was approved by  
15                 the Historic Board.

16                 MEMBER REARDON: Could I then just  
17                 show you what I'm talking about because  
18                 it's --

19                 MR. BROWN: There may be an  
20                 inconsistency that I need to address.

21                 MEMBER REARDON: So this is the  
22                 structure. So its got the two windows  
23                 here and three here. And then this is  
24                 the third floor plan.

25                 MR. BROWN: This is the third

1 floor. Yes, that's incorrect. It will  
2 be two windows.

3 MEMBER REARDON: I just wanted to  
4 make sure I was looking at the right  
5 thing. So that's one thing. Thank you  
6 very much. I have another couple of  
7 questions.

8 And it's related to this quickie  
9 environmental form. Did you fill it  
10 out?

11 MR. BROWN: Yes.

12 MEMBER REARDON: Okay. All right.  
13 So Question 8 asks if there's going to  
14 be a substantial increase in traffic  
15 above the present level. And there are  
16 a couple of ways interpreting that, you  
17 know, traffic obviously, there's the  
18 car and then there's the people thing.  
19 And this makes me think, okay, so we  
20 have two new apartments going in,  
21 correct? Each one is two bedrooms.  
22 And let's just say, worst case  
23 scenario, you got two people living in  
24 each of the bedrooms, that's four  
25 people per apartment, that's eight

1 people for your two new apartments,  
2 which, you know, that's worst case  
3 scenario, I'm just posing that. And,  
4 of course, you know the hammer is,  
5 well, what if they all have one car?  
6 So that's what I'm looking at in terms  
7 of traffic, like, not foot traffic but  
8 these people could own vehicles and  
9 there could be those people living  
10 there. You know, you don't know.  
11 Obviously you'd like to have just one  
12 person live in the apartment, but we  
13 have to address that, you have to  
14 address that that's a possibility here  
15 in the Village. And, you know, I'm  
16 bringing it to your attention, and  
17 that's my interpretation of this.  
18 There's a lot of foot traffic too. But  
19 it's really the vehicle thing. I just  
20 wanted to bring that out. Don't say  
21 anything. Unless you want to, you're  
22 more than welcome to respond.

23 MR. BROWN: Only that that's an  
24 issue that we normally address with the  
25 Planning Board.

1           MEMBER REARDON: Well, I felt it  
2           appropriate to bring it out here  
3           because other applicants have come and  
4           I said, well, you know, you got three  
5           bedrooms, and all of a sudden everybody  
6           realizes, oh, yeah, this could be an  
7           issue here. And it could be.

8           Number 11 is will the proposed  
9           action connect to an existing  
10          wastewater utility. We all presume  
11          you're going to hook up to the sewer.  
12          But I want to know if we have  
13          permission, if you got permission to do  
14          that because I have been at the  
15          meetings where builders have said, I'm  
16          waiting for permission, and that's  
17          holding up the project. So do you  
18          already have hook-up permission?

19          MR. BROWN: No, we don't. Not  
20          yet.

21          MEMBER REARDON: Okay. So really  
22          this should have been answered no  
23          because you don't have that yet. But  
24          that's yet an interpretation.

25          MR. BROWN: I don't think we do.

1           MR. CARLOS: Well, we've been  
2           asked that question through the  
3           Planning Board, and we did address the  
4           flow rate and everything with them, and  
5           they were going to pursue answering  
6           that question for us. So I didn't --

7           MEMBER REARDON: You might want to  
8           follow-up on that.

9           MR. CARLOS: We will. We will  
10          definitely check into that.

11          MEMBER REARDON: I know that's an  
12          issue on that section of town.

13          MR. CARLOS: Sure, yeah.

14          MEMBER REARDON: Okay. And the  
15          last one, oh, I looked it up, you're  
16          not in the hundred year flood plane. I  
17          find that impossible to believe.

18          MR. CARLOS: We are just outside.

19          MEMBER REARDON: I mean, I've seen  
20          people kayaking in front of the store.  
21          And I'm not that old.

22          Okay. Those were the questions.

23          MR. CARLOS: We have a basement in  
24          the building and it never floods.

25          MEMBER REARDON: Really? Because

1           that was my concern is that salt water  
2           intrusion at the basement foundation,  
3           you know, and that is going --

4           (Whereupon, there was simultaneous  
5           crosstalk.)

6           MR. CARLOS: Even during Sandy, we  
7           never took on water.

8           MEMBER REARDON: I don't know why  
9           that is.

10          MR. CARLOS: The building is  
11          closer to the water.

12          MEMBER REARDON: Thank you for  
13          answering my questions. That's it for  
14          me.

15          CHAIRMAN SALADINO: I don't think  
16          the Village can deny them service.

17          And as far as the parking, they're  
18          exempt from the parking. But there's  
19          always a but, and this is not -- just  
20          to let you know, you have to go back to  
21          Planning, right?

22          MR. BROWN: Yes.

23          MR. CARLOS: Yes.

24          CHAIRMAN SALADINO: A few years  
25          ago there was -- and this is just for

1 information, a few years ago there was  
2 a subdivision application on Fifth  
3 Avenue, Rigby's house, 231, and the  
4 major complaint from the -- all the  
5 neighbors on the block was the  
6 additional parking that it would  
7 generate. And the building inspector  
8 at that time was pro-application and  
9 the neighbors weren't. She did an  
10 audit of the people that lived in the  
11 house. It was a two family house,  
12 three bedrooms in each apartment. And  
13 she did an audit thinking that it would  
14 appease the neighbors and stuff. And  
15 it turned out that there was all blood  
16 relatives, married blood relatives in  
17 each bedroom of the apartment, so six  
18 bedrooms, three couples in each floor,  
19 and when she did the audit about who  
20 owned the car and the parking, there  
21 were 12 cars. So that made the  
22 neighbors' case, but it kind of  
23 disappointed the building inspector  
24 that was probing. So we don't have --  
25 we can't say anything about parking

1           because in the code.

2           MR. BROWN:   It's the Planning  
3           Board, yeah.

4           MR. CARLOS:   Just -- so we  
5           currently have two apartments in the  
6           building, including our own.   Not  
7           including our own, sorry, we have three  
8           in total.   The two in the rear of the  
9           building in the last ten years, each  
10          tenant has had one vehicle each.   And  
11          you know the situation in the Village.  
12          People find parking wherever they can;  
13          side streets, the public parking,  
14          sometimes at Chase Bank.   You know,  
15          there's various places for people to  
16          park.   They figure it out.   It's not a  
17          solution.   There's no real solution for  
18          it in the Village because it's just --

19          CHAIRMAN SALADINO:   This is all  
20          kind of moot with us because unless  
21          it's something -- unless it's, you  
22          know, we all know what happened with  
23          the proposed hotel by Angela's, by  
24          Sweet Indulgences, you know, a lot of  
25          it didn't happen because of parking.

1           It's a big question. You know, there's  
2           only my wife and myself at home now and  
3           we have three cars. I don't know how  
4           that happened.

5           MR. CARLOS: It can happen. I get  
6           it.

7           CHAIRMAN SALADINO: So that -- and  
8           again, that's Patricia's on the  
9           Planning Board's --

10          MR. BROWN: I would say is  
11          weighing that issue against providing  
12          housing for people who work in the  
13          Village. That's the balance that --

14          CHAIRMAN SALADINO: I understand.  
15          Listen, that's a great comment to make  
16          for the narrative, but the reality is  
17          to provide two apartments, it's a noble  
18          thing, but it's not going to solve any  
19          problems in Greenport as far as  
20          housing. And, you know, with ten  
21          bedrooms on the property, that, again,  
22          as Jack says, worst case scenario could  
23          generate 20 cars. That's outside --  
24          over my pay grade.

25          MEMBER REARDON: I appreciate you

1 listening to me, and I'm sure you'll  
2 think about it as you choose your  
3 tenants.

4 MR. CARLOS: We'll put it in the  
5 lease.

6 CHAIRMAN SALADINO: Everybody has  
7 to take a bus.

8 MEMBER NYCE: I have one question  
9 just for clarification. The proposed  
10 total height of the building is 33  
11 foot, 8 inches; is that --

12 MR. BROWN: I don't have that in  
13 front of me, but it's under 35.

14 MEMBER NYCE: You propose to keep  
15 it under 35, it's just the semantics of  
16 one story as opposed three stories.

17 MR. BROWN: And we have a historic  
18 photo from around the turn of the  
19 century, and I tried my best to try to  
20 sus out from that roughly what the  
21 height was and tried to copy that.

22 MEMBER NYCE: That was the only  
23 question/clarification at this point.

24 MEMBER GORDON: I was going to ask  
25 about the flood plane question because

1           it seemed to me that, I guess, I look  
2           at Front Street during the storm and I  
3           think it's all a flood plane, but I  
4           understand that's not --

5           MR. BROWN: As a matter of fact,  
6           when I looked it up, I gave out an  
7           audible sigh of relief.

8           MEMBER GORDON: Yes, I can  
9           imagine.

10          I just wanted to point out, you  
11          probably want to change this, it says  
12          zoning district, Waterfront Commercial,  
13          but I think it's the CR District,  
14          right?

15          CHAIRMAN SALADINO: Yes.

16          MR. BROWN: Yes.

17          MEMBER GORDON: It's a very tiny  
18          thing and you can just change it.

19          MR. BROWN: I'll do that.

20          MEMBER GORDON: But it's also  
21          important since we don't permit this  
22          kind of thing in the Waterfront  
23          Commercial.

24          MR. BROWN: I knew it was CR and I  
25          should have put that down. That's my

1 mistake.

2 CHAIRMAN SALADINO: Are we going  
3 to address -- we'll ask Brian, are we  
4 going to address front yard setback  
5 here tonight?

6 ATTORNEY STOLAR: So if you have,  
7 as you mentioned, an average front yard  
8 setback provision, and every property  
9 within that whatever required distance  
10 is zero foot setback, then the required  
11 setback would be zero feet, and this  
12 would be compliant with front yard  
13 setback. So we'd have to look at that  
14 with the Building Department and  
15 confirm whether or not that is correct,  
16 and if it's correct, they will not need  
17 that second variance for front yard  
18 setback.

19 MEMBER NYCE: Question, Brian,  
20 because I should have read the code  
21 prior, but I didn't. How is that  
22 measured, is it measuring from the  
23 property in different directions? Is  
24 there a radius? Or is it on the same  
25 block?

1 CHAIRMAN SALADINO: Within 200  
2 feet on the same side of the street.

3 MEMBER NYCE: On the same side of  
4 the street. Okay.

5 CHAIRMAN SALADINO: So going east,  
6 every one of those stores, I'm guessing  
7 is --

8 MR. BROWN: They're all --

9 MEMBER GORDON: They're all zero.

10 CHAIRMAN SALADINO: And then going  
11 north, it's only your property.

12 MEMBER NYCE: If you cross East  
13 Front Street and go to Sweet  
14 Indulgences, Bruce's, Townsend's old  
15 place, those do have a small setback.  
16 So I'm just asking, if the code says --  
17 I have no problem using the  
18 interpretation that from East Front  
19 Street and down Main Street being the  
20 block.

21 CHAIRMAN SALADINO: It wouldn't  
22 apply to them because it says, I'm  
23 almost positive --

24 MEMBER NYCE: It says on the same  
25 side of the street. Then fine.

1           CHAIRMAN SALADINO:  If it's off  
2           our plate -- we don't have to address  
3           it now.

4           ATTORNEY STOLAR:  So I'll confirm  
5           with the Building Department on it.  
6           For now, it's in the notice.  If it  
7           turns out that a variance is not  
8           required and it's still in the notice,  
9           we don't determine it in time, so be  
10          it.  We move forward and we can deal  
11          with it at the public hearing.  But if  
12          we could figure it out beforehand, we  
13          can modify the notice and set forth  
14          whether it's a minimal setback or still  
15          six feet and deal with it that way.

16          MR. BROWN:  If it is a problem,  
17          you can give us the variance.

18          CHAIRMAN SALADINO:  Or no, no, we  
19          can't --

20          MEMBER GORDON:  I also had the  
21          question about -- I really don't know  
22          the answer to this at all, but if it's  
23          two stories or three, 35 feet, and we  
24          have three stories but it's still under  
25          35 feet, why isn't that compliant?

1 ATTORNEY STOLAR: Because --

2 MEMBER GORDON: If it's or.

3 ATTORNEY STOLAR: I understand. I  
4 get it.

5 CHAIRMAN SALADINO: Because the  
6 new edition of the code --

7 MEMBER GORDON: Says and.

8 CHAIRMAN SALADINO: -- decided  
9 that there would be no third story. We  
10 can look at it and clear it up now for  
11 you, if you want.

12 MR. CARLOS: I think it says two  
13 and a half stories or 35 feet,  
14 whichever is --

15 MR. BROWN: Obviously our argument  
16 is that all of the surrounding  
17 buildings have three stories.

18 CHAIRMAN SALADINO: Well, to  
19 respond to that, in defense of the code  
20 or defense of the Code Committee that  
21 issue the new portion of the code, and  
22 it's going to change, we know it's  
23 going to change is that --

24 ATTORNEY STOLAR: I have the  
25 language. This will short circuit it.

1           It says no more than two stories above  
2           grade not to exceed 35 feet. So it's  
3           not an or.

4           MEMBER GORDON: It used to be an  
5           or.

6           CHAIRMAN SALADINO: So as far as  
7           all the buildings around, I mean, we  
8           all remember -- at least I'm old enough  
9           to remember when Greenport was like a  
10          prairie, and but there was new code in  
11          1971 that says this is the way it is.  
12          You know, like my dad used to say, that  
13          was then and this is now. So until,  
14          like we told Loveless, until they  
15          change it, that's what we --

16          MR. CARLOS: Yeah, we knew it  
17          would be a variance.

18          CHAIRMAN SALADINO: Anything else?  
19          Jack?

20          MEMBER REARDON: No, I'm good.

21          CHAIRMAN SALADINO: I'm going to  
22          make a motion we accept this  
23          application.

24          MEMBER NYCE: Second.

25          CHAIRMAN SALADINO: All in favor?

1 (Aye said in unison.)

2 CHAIRMAN SALADINO: And the public  
3 hearing, you know, is December 16th,  
4 6:00 p.m. We set them all at 6:00 p.m.  
5 I'm guessing we don't have to do a site  
6 visit here. And obviously you're not  
7 going to stake anything out. And we'll  
8 see you on --

9 MR. CARLOS: I can bring you to  
10 our roof deck, if you want, you can  
11 look around.

12 CHAIRMAN SALADINO: If it was  
13 summertime maybe. Now it's 40 degrees.  
14 That's it. We'll see you December  
15 16th.

16 MR. BROWN: Thank you very much.

17 MR. CARLOS: Thank you.

18 CHAIRMAN SALADINO: Moving on.

19 Item Number -- see, those other  
20 two guys should have stayed because  
21 Item Number 7 is any other Zoning Board  
22 of Appeals business that might come  
23 before this Board. This is the time  
24 for questions. Nobody got a question  
25 back there?

1                   And Item Number 8 is a motion to  
2 adjourn.   So moved.

3                   MEMBER NYCE:   Second.

4                   CHAIRMAN SALADINO:   All in favor?

5                   (Aye said in unison.)

6                   (Whereupon, the meeting was  
7 adjourned at 7:03 p.m.)

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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 November 18, 2025, and  
9 were 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 20th day of NOVEMBER, 2025.

16

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AMY THOMAS

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