

VILLAGE OF GREENPORT

COUNTY OF SUFFOLK STATE OF NEW YORK

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PLANNING BOARD

WORK SESSION/REGULAR SESSION

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Third Street Fire Station

Greenport, New York

January 9, 2020

4:00 p.m.

BEFORE:

WALTER FOOTE - CHAIRMAN

LILY DOUGHERTY-JOHNSON, MEMBER

PATRICIA HAMMES - MEMBER

REED KYRK - MEMBER

NOT PRESENT: JOHN COTUGNO - MEMBER

ROBERT CONNOLLY - PLANNING BOARD ATTORNEY

PAUL PALLAS - VILLAGE ADMINISTRATOR

AMANDA AURICHIO - CLERK TO THE BOARD

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(The meeting was called to order at
4:01 p.m.)

CHAIRMAN FOOTE: Good afternoon.
This is the Village of Greenport
Planning Board work session and
regular meeting of January 9, 2020 at
approximately 4:00 p.m.

Item 1 is a motion to accept and
approve the Minutes of the December 5,
2019 Planning Board meeting. Do I
have a second?

MEMBER HAMMES: Second.

CHAIRMAN FOOTE: All those in
favor?

MEMBER KYRK: Aye.

MEMBER DOUGHERTY-JOHNSON: Aye.

MEMBER HAMMES: Aye.

CHAIRMAN FOOTE: The motion
carries.

The next item, we're going to
address several regular session items,
and the first one I want to call --
well, first I want to make an
announcement on one of the items on

1
2 the agenda was for 111 Main Street,
3 which is Claudio's, and we are not
4 going to have a public meeting at this
5 time because we are still awaiting a
6 letter from the Suffolk County
7 Planning Commission, so for those of
8 you that were planning to be here for
9 that Public Hearing, it's not going to
10 happen today. It will happen at the
11 next scheduled meeting for
12 February 6th, Thursday at 4:00 p.m.

13 I make a motion, and I'd like a
14 second on that.

15 MEMBER HAMMES: Second.

16 CHAIRMAN FOOTE: All those in
17 favor to reschedule to that date?

18 MEMBER KYRK: Aye.

19 MEMBER DOUGHERTY: Aye.

20 MEMBER HAMMES: Aye.

21 CHAIRMAN FOOTE: The motion
22 carries.

23 The next item is 424 Fourth
24 Street, a Public Hearing regarding
25 site plan approval for the application

1
2 of the Miller Family 2012 Irrevocable
3 Trust, represented by attorney
4 Patricia C. Moore. The applicant
5 proposes the addition of two new
6 rooms, for a total of five rooms, in
7 the Bed and Breakfast located at
8 424 Fourth Street. This property is
9 located in the R-2 District, One and
10 Two-family District. This property is
11 not located in the Historic District.
12 It's Suffolk County Tax Map
13 1001-6.-6-18.1.

14 Would anybody like to speak at
15 this Public Hearing?

16 MS. MOORE: Good evening.
17 Patricia Moore on behalf of the Miller
18 Family Trust. I have Ms. Miller here
19 as well if there are any issues I
20 can't address.

21 This application is for, as you
22 know, they reenacted a law that allows
23 for up to five rooms for a B&B. This
24 is Harbor Knoll B&B, which had been
25 given approval back in 2001. The law

1
2 at that time was three bedrooms.
3 They've been operating there since
4 2001, and two additional bedrooms are
5 being requested.

6 It's no surprise that B&B's now
7 have to compete against short-term
8 rentals, which in the Village of
9 Greenport, an owner-occupied home can
10 rent rooms in their home without the
11 benefit of the B&B process -- site
12 plan, license, all those things.

13 This B&B is going through the
14 process to enable the business to
15 continue and thrive and certainly
16 compete against Airbnb short-term
17 rentals; again, which is unregulated.

18 The Planning Board approval is
19 required, as you know, because by the
20 law, it allows the use and does
21 require site plan review, as was the
22 law that was in place in 2001. We
23 provided for you the site plan that
24 shows that we meet all of the criteria
25 under the B&B ordinance -- no more

1
2 than two guests per room for a maximum
3 of ten guests total will occupy these
4 rooms. The size of this property is
5 over 26,000 square feet, much more
6 than 10,000, which is the required
7 minimum. The house is two and a half
8 stories with ten bedrooms and four
9 bathrooms, so that is well over the
10 2,000 square foot minimum to convert a
11 single-family into a B&B.

12 There is ample room for
13 off-street parking. There are five
14 spaces, which will easily be
15 accommodated. My client owns one car.
16 Her husband's truck is no longer owned
17 by them, so all the parking spaces
18 that are there in place are for their
19 guests. One is used by the owner.
20 The parking, again, is set back more
21 than five feet from the property line.
22 The parking area is screened from
23 neighbors by both a fence and
24 plantings that are more than five feet
25 in height.

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The existing rooms all meet the

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minimum size requirements with the

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required window size openings, again,

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required under your Code. As

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required, guests will stay no longer

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than the one month. It is typical for

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a B&B that it is for a shorter

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duration.

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We've gone through a very long

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process to try to add two rooms to

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this existing B&B. We hope you'll

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approve this site plan so that the

14

Miller family can go on and continue

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to serve the Village and all its

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guests. Thank you.

17

If you have any questions, I'd

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be happy to address them.

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CHAIRMAN FOOTE: I don't have

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any questions at this time. Anybody

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else?

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(No response).

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CHAIRMAN FOOTE: At this time,

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would anyone from the public like to

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speak about this? It's open to the

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public right now.

(No response).

CHAIRMAN FOOTE: No? Okay.

Motion to close this Public Hearing.

Do I have a second?

MEMBER HAMMES: Second.

CHAIRMAN FOOTE: All those in

favor?

MEMBER KYRK: Aye.

MEMBER DOUGHERTY-JOHNSON: Aye.

MEMBER HAMMES: Aye.

CHAIRMAN FOOTE: I hereby move

to approve the application.

Do I have a second?

MEMBER HAMMES: Second.

MEMBER KYRK: Aye.

MEMBER DOUGHERTY-JOHNSON: Aye.

MEMBER HAMMES: Aye.

CHAIRMAN FOOTE: The application

is approved. Thank you.

MS. MOORE: Thank you very much.

CHAIRMAN FOOTE: The next item

is the Public Hearing regarding site

plan approval for the application of

1
2 Emily Demarchelier, represented by
3 architect Robert I. Brown. The
4 applicant proposes interior
5 renovations to accommodate the new use
6 of a cafe and bar for the property
7 located at 471 Main Street. This
8 property is located in the Commercial
9 Retail District. This property is
10 also located in the Historic District
11 at Suffolk County Tax Map
12 1001-4.-7-21.

13 MR. BROWN: Robert Brown,
14 architect. The application is for
15 interior renovations only, no changes
16 whatsoever to the outside of the
17 building except for the signage, as
18 indicated.

19 We're looking for a quiet bistro
20 next door to the existing sushi
21 restaurant.

22 Really, if there are any
23 questions, I think we described it
24 pretty well at the last meeting, so if
25 there are any questions.

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MEMBER HAMMES: The one versus
two bathrooms issue that we --

MR. BROWN: Two bathrooms.

MEMBER DOUGHERTY-JOHNSON: Is
there a new plan?

MR. BROWN: Yes. I believe it
was submitted. I do have additional
copies, if you don't have that.

MEMBER DOUGHERTY-JOHNSON: The
signage is also on the plan?

MR. BROWN: Yes.

MEMBER DOUGHERTY-JOHNSON: Where
is the second bathroom?

MR. BROWN: This is the second
bathroom (pointing).

MEMBER DOUGHERTY-JOHNSON: The
signage is just the window?

MR. BROWN: Yes, and over the
entry door.

CHAIRMAN FOOTE: Flush with the
facade of the building?

MR. BROWN: Yes.

MEMBER DOUGHERTY-JOHNSON: You
also increased the seats?

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MR. BROWN: No, decreased by one table to accommodate the bathroom.

CHAIRMAN FOOTE: Did we ever discuss the garbage disposal? Are you sharing with the other restaurant?

MR. BROWN: Yes.

CHAIRMAN FOOTE: Is it quite clear that the capacity there is enough to cover two restaurants?

MR. BROWN: Yes. It's been two retail facilities, and then a retail facility and a restaurant.

CHAIRMAN FOOTE: Well, I know, but the prior retail facilities is not the same garbage --

MR. BROWN: No, to my knowledge, it's sufficient.

CHAIRMAN FOOTE: Is there a Code regulation in terms of the amount of --

MR. BROWN: I believe if there was -- it has been discussed that if there was an issue regarding capacity, then the frequency of pickup would be

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increased.

MR. CONNOLLY: You can make that a condition of approval.

CHAIRMAN FOOTE: I have no further questions.

MEMBER DOUGHERTY-JOHNSON: I remember John having a question about which way the door opened.

MR. BROWN: Yes, and it does comply with Code. The front door can swing in based on the number of occupants. The rear door happens to swing out. If there was an issue with it, it's covered.

CHAIRMAN FOOTE: Okay. Well, I don't believe we have anymore questions at this time, but we'll allow the public -- if anyone would like to speak regarding this application.

Yes, sir?

MR. BYRNE: Before becoming a permanent resident here, I lived in New York City and used to frequent

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2 their former restaurant. What I just
3 wanted to say is, I think they'll be a
4 welcome addition to our village. They
5 have a quality --

6 MEMBER DOUGHERTY-JOHNSON: Can
7 you please state your name and
8 address?

9 MR. BYRNE: I'm sorry. My name
10 is Thomas Byrne (phonetic),
11 2345 Bayview Avenue.

12 I believe they'd be a great
13 addition to our community, providing
14 good service and another outlet for a
15 fine restaurant with good dining,
16 also, very conscientious people. I
17 just wanted to give my voice to the
18 application.

19 MR. NATHALYA: (Phonetic). Hi,
20 my name is Lucas Nathalya, 3925 North
21 Road, Greenport. I've known Emily
22 since 1996, when we went to Skidmore
23 College. I've always known her to be
24 friendly and welcoming person of high
25 intelligence. The restaurant is, I

1
2 know, is a community pub where local
3 people gather to eat and drink. She
4 is well loved, along with her family,
5 in the community.

6 I would just like to advocate
7 for the restaurant here in Greenport.
8 Thank you.

9 MS. KRAILING: (Phonetic).
10 Lorraine Krailing, Central Avenue. My
11 husband and I owned a house on Central
12 Avenue for 22 years, and we rented it
13 for ten years before that. I lived
14 the same amount of time on 86th Street
15 in Manhattan, and the Demarchelier's
16 have been there almost the same amount
17 of time. I think it's 28 years. If
18 you know anything about Manhattan
19 restaurants, that's quite a feat to
20 stay in business that long. Most of
21 our favorite restaurants have gone by
22 way of the CD player.

23 One of the concerns was brought
24 to me by a Board member was that there
25 was maybe one too many bars on Main

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2 Street. What I would say is that --
3 about the Demarchelier's, it was
4 hardly -- I mean, it was a really nice
5 bar and a restaurant where you had a
6 drink with something to eat if you
7 weren't having a whole dinner. When I
8 would be coming back from the East
9 Village at 10:30 from having dinner
10 Downtown, their chairs would be over
11 the tables and already sweeping the
12 restaurant out, so it was never a
13 loud, rowdy place. It was always very
14 pretty and simple and pleasant, a
15 place for good conversation, which is
16 what I like to do over dinner; which
17 doesn't mean I don't like -- I mean, I
18 was young once, so the whole music
19 and, you know, loud scene that is now
20 part of Main Street, I don't begrudge
21 the next generation their good time,
22 although I would rather not hear the
23 music in my backyard. When my husband
24 and I go for late-night walks and
25 there are bouncers standing out in

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2 front of some of these establishments,
3 we joked that they are carding people
4 because they want to make sure you're
5 not over 50.

6 What I want to say about
7 Demarchelier is that it was always
8 just this great place, and the only
9 reason it's not anymore is that
10 they're knocking the building down to
11 put up luxury high-rises, which
12 another one I should say because
13 they're popping up everywhere in our
14 neighborhood. More homeless people
15 are sleeping on the street, but this
16 is not about that. I think Greenport
17 would be well served by this
18 restaurant/bar.

19 CHAIRMAN FOOTE: Thank you.

20 MR. HILBRANT: Jaab Hilbrant,
21 160 Sterling Street in Greeport and
22 also 82nd Street in New York.

23 You know where I'm going
24 already. I'm probably surprised that
25 I'm standing here and that

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2 Demarchelier is all of a sudden is
3 planning to be in Greenport. Yay.
4 More restaurants like that should be
5 in Greenport. It's an establishment,
6 I've been there, good food, fun place,
7 nice decorations. What else can I
8 say? I'm greatly surprised that they
9 are coming to Greenport. Thank you
10 for coming, and I hope you're
11 approved.

12 CHAIRMAN FOOTE: Would anybody
13 else like to speak?

14 (No response).

15 CHAIRMAN FOOTE: Okay. Before I
16 move to close the Public Hearing, just
17 a couple of points, if we're going to
18 have an approval, it's going to be
19 subject to the increased garbage
20 pickup, if needed.

21 The other thing I believe we
22 talked about during the Presubmission
23 was a discussion about the hours of
24 operation, if I recall correctly.
25 We'll have to go back and check the

1
2 Minutes about that. I believe there
3 was a discussion about that. In any
4 event, there should be a limit as to
5 how late they can serve food and/or
6 alcohol. Like anything else, we
7 should probably put some sort of
8 sunset provision.

9 MR. CONNOLLY: With respect to
10 hours of operation, that's come up
11 before this Board. If the applicant
12 consents to it, we can put a condition
13 in the approval. That's a legislative
14 action in the purview of the Trustees.

15 CHAIRMAN FOOTE: Is the
16 applicant here? Would you step up for
17 a moment and talk about it?

18 MS. DEMARCHELIER: Hi, Emily
19 Demarchelier.

20 CHAIRMAN FOOTE: Hi. You spoke
21 once before about this application?

22 MS. DEMARCHELIER: Yes, I did.

23 CHAIRMAN FOOTE: And did we have
24 a discussion regarding the hours of
25 operation, do you recall?

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2 MS. DEMARCHELIER: Yes, we did.

3 CHAIRMAN FOOTE: What are your
4 intended hours of operation?

5 MS. DEMARCHELIER: I intend to
6 be open for lunch and dinner. I had
7 said 11:00 a.m. to about 11:00 p.m.
8 with the kitchen being open until
9 10:00 p.m., and shortly after that,
10 the place would close. I live on
11 Shelter Island. I'm a Shelter Island
12 resident, so I'm restricted by the
13 ferry.

14 CHAIRMAN FOOTE: What about the
15 bar, how late?

16 MS. DEMARCHELIER: It wouldn't
17 -- I don't anticipate it. I know my
18 bar in Manhattan, our kitchen would be
19 open until 10:00 p.m., people would
20 finish their meals, and we would be
21 locked up and closed by 11:30 p.m.

22 I don't anticipate it to be much
23 later than that. It's not that kind
24 of place. It's not going to have
25 DJ's. It's not going to have overly

1
2 loud music. It's a dining/bar
3 establishment.

4 CHAIRMAN FOOTE: Okay. So would
5 you agree to our Stipulation that the
6 hours of operation would be so limited
7 along those lines?

8 MS. DEMARCHELIER: Yeah, within
9 reason, sure.

10 CHAIRMAN FOOTE: Well, I mean,
11 I'm saying by 11:00. In other words,
12 it would be closed for the restaurant.

13 MS. DEMARCHELIER: Yes.

14 CHAIRMAN FOOTE: Good.
15 Thank you.

16 Does anybody else have any
17 comments at this time?

18 (No response).

19 CHAIRMAN FOOTE: All right. I'd
20 like move to close the Public Hearing
21 on this matter.

22 May I have a second?

23 MEMBER HAMMES: Second.

24 CHAIRMAN FOOTE: All those in
25 favor?

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MEMBER KYRK: Aye.

MEMBER DOUGHERTY-JOHNSON: Aye.

MEMBER HAMMES: Aye.

CHAIRMAN FOOTE: Aye.

The Public Hearing is closed.

I would also like to move to approve this application subject to the Stipulations outlined in terms of the --

MEMBER HAMMES: Walter, your point on the timing, I personally think we should give them until midnight. If the last seating is at 10:00, my concern is they would suddenly tripwire with an 11:00 closing time. Maybe 11:30. I'm just concerned we're putting them in a position where they can't serve their last patrons. I understand your concerns about the timing.

CHAIRMAN FOOTE: We need to limit it, and she mentioned 11:00 is fine.

MEMBER DOUGHERTY-JOHNSON: Well,

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2 I think she said the kitchen. That's
3 the difference. If the kitchen is
4 closed from 10:00 to 11:00, that
5 doesn't stop them from being open past
6 -- but I hear what you're saying.

7 CHAIRMAN FOOTE: All right. I
8 don't want to put them out of
9 business.

10 MEMBER HAMMES: All the Code
11 violations we have going on around
12 here, that's not one I want to add to
13 the list.

14 CHAIRMAN FOOTE: To your point,
15 it not an unreasonably noisy venue, so
16 that's really the biggest concern.
17 That's a good point. I appreciate
18 that.

19 For that reason, I would
20 recommend approving the application
21 subject to being closed by midnight
22 and the as needed additional garbage
23 pickup.

24 Do I have a second?

25 MEMBER HAMMES: Second.

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CHAIRMAN FOOTE: All those in favor?

MEMBER KYRK: Aye.

MEMBER DOUGHERTY-JOHNSON: Aye.

MEMBER HAMMES: Aye.

CHAIRMAN FOOTE: The application is approved. Thank you very much.

The next item is 230 Main Street. This is a Public Hearing regarding site plan approval for the application of Northwell Health Services, represented by architect Robert Brown. The applicant proposes interior renovations to accommodate the new use of medical offices for the property located at 230 Main Street. This property is located in the Commercial Retail District. This property is also located in the Historic District, Suffolk County Tax Map 1001-4.-10-10.1.

MR. BROWN: Good afternoon. Robert Brown, architect.

This also is entirely an

1
2 interior modification of an existing
3 structure. It is in the Historic
4 District, although it is not
5 technically a historic building.

6 There are no changes planned to
7 the exterior of the building or to the
8 site. There is adequate parking for
9 the use intended.

10 Just full disclosure, there is
11 the possibility that there are details
12 of the interior layout that may
13 change. The tenant is considering
14 different options about the layout of
15 the building, but in terms of use and
16 general layout, there would be no
17 changes.

18 If there are any questions?

19 CHAIRMAN FOOTE: The last time
20 we had Presubmission on this, there
21 was a discussion about providing
22 updated plans with parking required.

23 Is that done?

24 MR. BROWN: I believe that was
25 submitted. The terms of parking, I

1
2 have copies of the survey that I can
3 distribute. I think there was a
4 question about the survey, but in
5 terms of the interior layout, it's not
6 going to change. There are no changes
7 anticipated.

8 MR. PALLAS: The only thing I
9 have is the same survey that indicates
10 the number of spaces.

11 MR. BROWN: The plan that was
12 submitted previously, I believe has
13 calculations regarding the number of
14 required, which is less than the
15 number of available parking spaces.

16 MEMBER DOUGHERTY-JOHNSON: Are
17 you leaving the drive-through?

18 MR. BROWN: For now, yes.

19 MEMBER HAMMES: Are you going to
20 close it off from the inside?

21 MR. BROWN: Yes.

22 CHAIRMAN FOOTE: There was also
23 some discussion both in this
24 application as well as the Claudio's
25 application about making parking

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available on off hours.

MR. BROWN: To my knowledge,
nothing has come of that. That would
be a totally separate conversation
from the application for the change of
use of the building.

MEMBER HAMMES: A related point
to that though, is this being rented
by the --

MR. BROWN: Yes.

MEMBER HAMMES: Does the lease
prohibit them from allowing parking to
be left open on the weekends?

Just to the parking point, I
recall at the very first meeting --

MR. BROWN: The owner of the
building is here.

MEMBER HAMMES: What I recall at
the very first meeting on this is that
the applicant had indicated that they
would be amenable to leaving the
parking open on the weekends.

There was a conversation where
Claudio's talked about renting it,

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2 which to me is smoke and mirrors. If
3 it's being left open, why would we
4 want Claudio's to charge everyone ten
5 dollars to park there, so I think the
6 real question is, are we going to a
7 Claudio's arrangement and whether or
8 not the parking will be roped off on
9 the weekends or left open?

10 I recognize the insurance or
11 liability --

12 MR. BROWN: The owner can
13 address that more directly.

14 MR. SALICE: Charles Salice.
15 I'm the owner of the Capital One.

16 When choosing a tenant -- and
17 we've had a lot of people interested
18 in the property -- we chose a tenant
19 that we thought was best for the
20 community. There was a lot of parking
21 discussions, and we had restaurants
22 that were interested, retail that was
23 interested, that wouldn't really serve
24 the community well. I also opened a
25 Capital One on Love Lane as well,

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which has been vacant for two years.

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So in doing so, Northwell, last

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year, said they would be open from

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roughly 8:30 to 5:00 p.m. Monday

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through Friday, but in order to keep

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it open on the weekend, there needs to

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be some form of policing. We've all

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been here on the weekends in the

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summertime, there's garbage thrown

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about and things like that.

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I initially met with the Mayor

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at one point in time about opening it

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up during last summer, but we couldn't

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come to an understanding for insurance

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or who would clean the parking lot

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after the fact.

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Northwell is willing to keep it

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open as long as it can be done in a

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way that serves both the community and

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the tenant.

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MEMBER HAMMES: So there's an

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open issue, in other words, about how

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it's going to be policed, not --

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MR. SALICE: Right. I mean --

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(Simultaneous speaking).

MEMBER HAMMES: -- maybe a cost
you're not willing to incur --

MR. SALICE: It's a discussion
to be had. It is private property.
There are insurance issues, and there
is also some policing issues. No one
is objecting to keeping it open.

MEMBER HAMMES: I totally
understand. I just want to get to the
bottom of where we're at.

MR. SALICE: Right. Also, the
lights have to stay on at night for
security reasons and things of that
nature, keep it well lit.

CHAIRMAN FOOTE: This is what I
don't quite understand, you've owned
the building for a while before it was
Capital One?

MR. SALICE: No. I bought it
when Capital One closed. I've owned
the other one for a while, which I had
a lot of issues getting that dealt
with.

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2 CHAIRMAN FOOTE: Oh, I see. The
3 reason I'm confused is because for
4 years, the Capital One parking was
5 always open after hours, something
6 like from 2:00 p.m. on weekends.

7 MR. SALICE: It was an insurance
8 issue when I purchased the property
9 with keeping it open in a vacant
10 building. I met with George to
11 discuss it, and we tried to come up
12 with a short-term lease because I knew
13 Northwell was coming. We weren't able
14 to get a short-term lease where the
15 Town could insure the property, and
16 they said they had no money to
17 maintenance it.

18 I think, quite frankly, this is
19 the best use for the property
20 concerning their hours and being
21 willing to keep it open on the
22 weekends for the public to use.

23 CHAIRMAN FOOTE: So is it the
24 negotiations broke down over the
25 amount of money to be reimbursed for

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2 maintenance?

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MR. SALICE: It was an insurance issue as well in the sense of getting proper insurance certificates, so if something should happen in there, my insurance company would actually take the additionally insured lease; but Northwell came in very shortly thereafter, and that's when they took possession of the property. It's still vacant at this time, as you know. Is there a concern?

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CHAIRMAN FOOTE: No, just trying to figure out a solution so when the lot is not being used, it can be used by the public without damaging you.

15

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18

MR. SALICE: I think -- and I don't want to speak for Northwell -- but I think they want to support the community and find a proper way for both people can use it well. They have to do business during the week, but on the weekends, I think they're open to it, but there is a lot of

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2 traffic that comes in and out of there
3 as well.

4 CHAIRMAN FOOTE: Is there a way
5 to formulate a conditional approval
6 subject to good faith negotiation on
7 resolving the parking?

8 MR. SALICE: I don't think it's
9 fair to have a conditional approval
10 subject to.

11 CHAIRMAN FOOTE: I'm asking him,
12 so let him respond to my question.

13 MR. CONNOLLY: I don't know how
14 we would police it. I don't think you
15 can make a condition and withhold an
16 approval because they don't want
17 public parking on their private
18 property.

19 CHAIRMAN FOOTE: It's in the
20 public interest to find more parking
21 solutions. We're not requiring them
22 to do it, we're just asking them to do
23 it in good faith.

24 MR. CONNOLLY: You can ask them,
25 but I don't think --

1

2 CHAIRMAN FOOTE: Would you
3 object to that? Would you agree to
4 continue to discuss it in good faith?

5 MR. SALICE: Oh, yeah, without a
6 doubt in good faith.

7 CHAIRMAN FOOTE: So it's common
8 sense. I don't see what the big deal
9 is.

10 MR. SALICE: This is a Northwell
11 representative.

12 MS. LOEB: Amy Loeb, Peconic Bay
13 Medical Center, Mattituck.

14 We have committed to being good
15 neighbors. Right now, the building is
16 still vacant pending approvals, of
17 course, but we have all intentions of
18 being good neighbors and being able to
19 operate our business, and when we are
20 not there, being able to leave the
21 parking lot available. That's our
22 intention.

23 Contingencies are a challenge.
24 As a private property, as has been
25 discussed, how that works insofar as

1
2 approval, but it is our intention, as
3 I mentioned on my first visit here, we
4 intend to be good neighbors.

5 CHAIRMAN FOOTE: Under the terms
6 of your lease, does the Town have the
7 right to control the parking lot all
8 week long? You don't have a separate
9 right to rent it out?

10 MR. SALICE: No. They don't
11 have a right to sublease it without my
12 approval.

13 CHAIRMAN FOOTE: Given her level
14 of cooperation, would you agree to a
15 condition to allow her to sublease it?

16 MR. SALICE: I'm not a lawyer.
17 I can't answer that question. As I
18 said earlier, I'm more than happy to
19 negotiate in good faith. If you
20 remember, over the summer, the parking
21 at Chase had a security guard to
22 monitor the parking lot there in order
23 to let their people in, so there needs
24 to be some kind --

25 MR. CONNOLLY: I just think it's

1
2 problematic to have that kind of
3 condition on this type of application
4 when the site plan is for the interior
5 use of the building.

6 CHAIRMAN FOOTE: It may be
7 problematic, but we have an empty
8 parking lot, people get upset when
9 they see it and they can't park in it
10 because there's a big chain bolted
11 across. It just seems like a bad
12 plan, and I'm just trying to help
13 solve it.

14 MR. SALICE: And we are too.
15 What we're saying is we're more than
16 happy to negotiate in good faith to
17 figure out how to best service the
18 community. At the moment, it's a
19 vacant property, and we can't just let
20 everyone come in and out. I mean,
21 they can at this point, but there will
22 be construction going on there,
23 hopefully soon, so while construction
24 is going on, it has to be secured
25 properly.

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2

CHAIRMAN FOOTE: Okay. I'm

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pretty familiar with sublease clauses

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and commercial leases, so the landlord

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typically has a lot of approval rights

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and sole discretion often being the

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standard of approval. All I'm saying

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is, as the tenant, if she wanted to

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sublet to the Village, assuming all

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the costs are going to be passed

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through so you're not incurring

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additional costs to sublet, would you

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be willing to allow her to sublet it?

14

MR. SALICE: I would be willing

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to look at the wording and the

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insurance that goes with it.

17

MEMBER HAMMES: Can I ask, while

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you're both there, I have a question

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that's not related to this. The use

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changes to the internal, I just want

21

to make sure it doesn't result in the

22

intensification of the use.

23

MS. LOEB: No.

24

MR. SALICE: No, absolutely not.

25

MEMBER HAMMES: So we're still

1
2 talking two to three doctors a day, is
3 that what you were thinking?

4 MS. LOEB: Yes, no more than
5 two.

6 CHAIRMAN FOOTE: Thank you both.
7 Would anybody from the public
8 like to speak on this?

9 MS. ALLEN: Chatty Allen, 3rd
10 Street.

11 I am one hundred percent behind
12 this project. I feel, as someone who
13 has more health issues than one person
14 should have to deal with, having to
15 travel so far west to see specialists
16 -- I have to see three different ones
17 -- it would be nice to have one in my
18 backyard. We don't have the kind of
19 specialists out here, you have to go
20 to Riverhead and west pretty much for
21 anything.

22 I would rather see this there
23 than another restaurant, which brings
24 its own problems too. I think it's a
25 win/win for the Village and for our

1
2 older people, and I put myself in that
3 category at my age now.

4 What's disturbed me today is you
5 have an application in front of you
6 for a building, I personally feel I
7 don't like the conversation that just
8 took place. Once they're in there, if
9 they decide to work with the Village
10 to leave their private property opened
11 -- that would be like telling any
12 business, you have to leave your
13 parking lot open to the public when
14 you're not in business. I don't feel
15 any Board has the right to ask that.
16 Legally, I don't think you can ask
17 them or make it a condition to approve
18 this application.

19 This conversation really
20 bothered me, and believe me, I know
21 the issues with parking. I, myself, a
22 lot of times have a hard time finding
23 a place to park for my own residence
24 where I live. I know we have an issue
25 between even April and October.

1
2 Everyone is trying to work together on
3 this solution, but I don't feel that
4 you can make a contingency on an
5 application to open it up to the
6 public. This is private property.
7 This isn't a municipal parking lot.
8 If they want to put a chain across
9 when they're not there and protect
10 their private property, that is their
11 right. That is their legal right, and
12 they should not have to put anything
13 in writing or have this approved
14 contingent to them letting the Village
15 use it on the weekends. I feel that's
16 inappropriate to even ask that of
17 them.

18 They said they are willing to
19 work with the Village to work
20 something out, but that would be like
21 if I owned a home with a large
22 driveway that could hold six cars in
23 it -- because there are some places
24 that do -- and say that people can
25 park in there. We're going to charge

1
2 you to park in there, but then you
3 have to hire someone to watch it, you
4 have to hire someone to cleanup after
5 it. I don't think that is
6 appropriate.

7 I really hope this application
8 can be put through without any
9 stipulation like that on it.

10 Thank you.

11 CHAIRMAN FOOTE: Thank you.

12 MS. BERTON: Hi, Kerry Berton of
13 516 Sterling Place and 41 Butterfield
14 Drive, Greenlawn.

15 Full disclosure, I am an
16 employee of Northwell Health. My
17 husband's entire family grew up here
18 and my mother-in-law lived on Sterling
19 Lane for the majority of her life, and
20 she was the youngest of nine siblings,
21 all of whom this full-time aging
22 population lived out here on the far
23 east end of the North Fork.

24 I just wanted to voice my
25 support for not only the ability for

1
2 us to have access to primary care and
3 some subspecialties so far out, which
4 would be, quite frankly, a luxury for
5 the population here; also, response
6 for the technology strategies for
7 Northwell or Suffolk County, and this
8 site would have the connectivity that
9 should you need to be at Peconic where
10 they have connectivity to images and
11 everything, just like if you were
12 there; so bringing that ability for
13 those physicians and practitioners
14 here to be able to have that at their
15 fingertips is something we really
16 haven't had out here before, which I
17 know my mother-in-law would have loved
18 to have had while she was living.

19 Also, I want to say, as an
20 aside, is the 9:00 to 5:00 or 8:00 to
21 5:00 kind of thing, having -- you
22 know, as somebody who comes out a lot
23 on the weekends myself, I think that
24 it's a nice ratio of hours and
25 everything to have the business open

1
2 versus weekend activity and stuff as
3 well; so it brings activity for tax
4 money and everything to the area, but
5 it doesn't overburden what pulls
6 everyone here for the weekend.

7 Thank you.

8 MS. WADE: Randy Wade,
9 446 1st Street.

10 I was confused, Mr. Brown said
11 that there wasn't enough parking for
12 the proposed use?

13 MR. BROWN: No, there is more
14 than enough.

15 MS. WADE: Is this -- you know
16 how there's permitted uses and the
17 other kind, would this be the first
18 category or the second, do you know?

19 MR. BROWN: It is permitted.

20 MEMBER HAMMES: It's a permitted
21 use.

22 MS. WADE: Anyway, I thank you
23 for trying to encourage a negotiation
24 because the guard who was there when
25 it was a bank was only there when it

1
2 was the operation of the bank. Late
3 at night, into the night, I never saw
4 trash there, but people came and went
5 and the Village picks up litter from
6 the cans, and the Village has a Code
7 Enforcement Officer that can go
8 around, so I appreciate you trying to
9 come up with an agreement that works
10 for everybody.

11 I'm looking forward to a new
12 business there. Thanks.

13 MS. MOORE: Patricia Moore. I
14 also give credit to the Planning Board
15 and the parties that seem to be
16 willing to allow for the additional
17 parking. I think that is a good
18 thing. It seems to me that the
19 negotiations are very straight forward
20 that if the Village gives an
21 indemnification to the owner and
22 Northwell and that the public, when
23 they're using the parking on the
24 weekends, they're protected; and
25 there's either a garbage can that gets

1
2 collected on the weekend or just
3 general cleanup. Those two issues
4 seem to address the ability of a
5 private owner to be able to allow for
6 the additional parking.

7 Chatty is correct, you can't
8 make it a condition, but everybody
9 here is open-minded and willing to
10 allow it. Certainly as a visitor of
11 the village, you see parking, and it's
12 always nice. It would be nice to use
13 it.

14 Do a trial. If it turns out
15 that on the weekends it becomes overly
16 burdensome, trash, and people are not
17 respectful, then that can be addressed
18 by the Village and additional
19 monitoring will have to take place;
20 but the IGA faces that issue with
21 their parking lot, larger businesses
22 face that issue.

23 Certainly, the village could use
24 more parking, and until a parking lot
25 is provided for by these private

1
2 properties, if there's a willingness
3 to do it, it seems to me that all the
4 parties getting together doesn't
5 appear to be insurmountable at all, as
6 long as both sides are, you know --
7 certainly the owner and the tenant
8 should be protected, but parking,
9 let's encourage to the extent possible
10 providing additional parking where
11 possible. Thank you.

12 DR. CERVONE: Good afternoon.

13 I'm Dr. Agostino Cervone. I'm a
14 general surgeon. I've been out on the
15 eastern end of Long Island for
16 20 years, 13 years servicing Eastern
17 Long Island Hospital as one of its
18 primary surgeons there. I may have
19 operated on some of you in the room or
20 some members of the Board. I
21 currently just practice at Peconic
22 Bay, but recently I've been servicing
23 a satellite office in Cutchogue.

24 So one might say, you're in
25 Riverhead, why do you need to go to

1
2 Cutchogue? I will tell you this, in
3 moving to Cutchogue, people will come
4 mostly because they don't want to
5 travel west to Riverhead to see a
6 specialist; so as much as the comment
7 going to Riverhead is going too far, I
8 believe that's true. Certainly, the
9 population out here is aging. I think
10 my average patient when I was at
11 Eastern Long Island Hospital was about
12 85 years old and certainly with health
13 issues; so I think providing
14 specialists coming out to Greenport
15 where Greenport residents have access
16 other than traveling down to Riverhead
17 or further west, I think that would be
18 beneficial. I would highly advocate
19 for the health facility to move out
20 here as well.

21 (Fire sirens sounding).

22 MR. ISRAEL: That's enough of an
23 introduction for me.

24 (Laughter).

25 MR. ISRAEL: My name is Richard

1

2 Israel. I am a Northwell Trustee.

3 I've been a resident of the Greenport
4 area for the last 35 years. I've been
5 a builder/developer in this area and
6 the like.

7 In reference to the parking or
8 in reference to being a Greenport
9 neighbor, I think you have to let
10 people be good neighbors, just like
11 North Fork Bank. They kept their
12 parking lot open because they service
13 their clients in the community, and so
14 does Northwell. As you heard from
15 Northwell's Chief Operating Officer,
16 we're here to be good neighbors.
17 We're not looking to chain off. As
18 soon as we could, we opened that
19 parking lot for the Christmas parade,
20 and it remains open to this day for
21 people to use.

22 To make it a Stipulation, it
23 brings up so many legal issues and
24 questions that we all heard very
25 quickly here. I think what would be

1
2 important to Northwell is that
3 possibly there be no overnight parking
4 there. If it's for people coming to
5 visit our village during the day,
6 early evening and the like, that could
7 be one thing. If all of a sudden
8 people start parking overnight, who's
9 responsibility is it to make sure the
10 cars are out of there for the people
11 needing service first thing in the
12 morning; so there might be some rules
13 and regulations that Northwell will
14 have to put on as time goes on for the
15 quiet enjoyment of all parties
16 concerned. I think people are always
17 willing to work together; and I think
18 we have to leave that to the human
19 kindness and the human race that
20 exists.

21 If we're trying to
22 over-stipulate and govern everybody to
23 the last thing, it puts everybody at
24 exposure of liability. I think you
25 should look at this and say, let's be

1
2 good neighbors. The previous tenant
3 to this property was always a good
4 neighbor. Allow Northwell to become a
5 good neighbor for your community,
6 become part of the community, which
7 they will, and you'll see it will be a
8 win/win situation without over
9 legalizing or whatever you want to
10 call it to make it happen. Allow us
11 to come in and allow us to become a
12 good neighbor within our neighborhood.
13 That's all I have to say.

14 CHAIRMAN FOOTE: Thank you.

15 MR. HILBRANT: My name is still
16 Jaab Hilbrant, and I'm still at
17 160 Sterling Street.

18 I find these meetings
19 fascinating. I've come in many times
20 as an interested party and as a
21 non-interested party, and as the
22 meeting goes on, I become more and
23 more interested.

24 I don't know whether I'm the
25 oldest resident here. I have lived

1
2 here for 48 years in Greenport. If
3 anyone knows the history of what we're
4 talking about, does anyone know what
5 the Klipp Building was?

6 AUDIENCE MEMBER: Yep. I'm one
7 of the older ones here.

8 MR. HILBRANT: The Klipp
9 Building was a beautiful,
10 Greenport-type building where now the
11 North Fork/Capital One building
12 stands. It was a big controversy.
13 When that building was taken down, it
14 was offered for sale for a dollar if
15 you moved the building. You can well
16 imagine antique or old buildings where
17 now the present building stands, it is
18 ugly to a large degree compared to
19 what was there before.

20 The parking was also a
21 controversy because there was parking
22 smack in the middle of Greenport where
23 there used to be a lot of foot
24 traffic.

25 I only wanted to mention this,

1
2 that the Planning Board had a
3 tremendous task, and the building, the
4 North Fork Bank was built there, and
5 instead of the Klipp Building, it
6 didn't do its duty all too well
7 because it barely existed in Greenport
8 45 years ago [sic]. A lot of things
9 went that shouldn't have went or gone.

10 I'm not here to be for or
11 against something. I just want to let
12 you know there used to be a beautiful
13 building here and now parking is
14 thrown into your lap. It should never
15 have been there in the first place.

16 MR. COLLINS: Good evening. My
17 name is Michael Collins. I live at
18 232 Manor Place in Greenport. I would
19 just like to support the idea of being
20 good neighbors and having the use of
21 that parking after hours and on
22 weekends. I've lived in Greenport for
23 30 years. I remember it was North
24 Fork Bank and now Capital One. That
25 parking area was always open for the

1
2 public to use after hours.

3 Yes, during banking hours,
4 Capital One had to have an officer
5 there to check the people that were
6 parking, if they were actually using
7 the bank; but after hours, that's
8 always been open. I never recall
9 there being an issue with trash or
10 problems that I'm aware of.

11 I would think there's an
12 opportunity to discuss this with maybe
13 the previous Capital One owners or the
14 North Fork Bank people to just -- I
15 just feel it's a priority in
16 Greenport, as fast as Greenport is
17 growing, we need to have every parking
18 space available that we can.

19 Thank you.

20 CHAIRMAN FOOTE: Thank you.
21 Would anybody else like to add to the
22 discussion?

23 MEMBER HAMMES: I mean, I guess
24 I'm supportive -- we haven't voted on
25 it -- of the proposed use. I think

1
2 it's great that it's not going to be
3 another restaurant or hotel.

4 On the parking, I understand all
5 the concerns. As you all know, I
6 suggested at the last meeting to send
7 a letter to the Board asking for a
8 meeting to discuss parking, whether or
9 not to go forward with the Village
10 Board for this recurring issue.

11 Having said that, while I would
12 vote to support this, I don't want a
13 caveat on their negotiations with the
14 Village because the two parties, it
15 sounds like they act in good faith. I
16 really think the Village needs to talk
17 to them and work out what's going to
18 be acceptable and not be acceptable,
19 but I don't know that putting in a
20 Stipulation that they act in good
21 faith would be saying anything more
22 than what people are probably going to
23 do. So that's it.

24 MEMBER DOUGHERTY-JOHNSON: I
25 second that.

1

2 CHAIRMAN FOOTE: Just a legal
3 question, Rob, the last person that
4 spoke mentioned the fact -- Michael
5 Collins, I think -- that this has been
6 in use for the public for many years.

7 Is there an argument that a
8 public easement has been created?

9 MR. CONNOLLY: No.

10 CHAIRMAN FOOTE: Why is that?

11 MR. CONNOLLY: It's private
12 property. It's not an adverse
13 possession question or prescribed
14 usage question. It's a private
15 parking lot. You can't contain
16 property rights on individuals just by
17 -- it's not the same people that
18 occupy the property.

19 CHAIRMAN FOOTE: Well, that's
20 why it would be a public easement. In
21 other words, the public has been using
22 it openly for many, many years.

23 MR. CONNOLLY: I think that's
24 way off the top for this Board. This
25 Board can't bind the Village to create

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such an easement.

CHAIRMAN FOOTE: All right.

MEMBER KYRK: I tend to be more of a trust but verify or trust but make things explicit, so I would actually typically be in favor of your suggestion, Walter; but, on the other hand, I look at the people that have come in front of us, you know, I'd be willing to go without a Stipulation, but it's largely through the experience today.

MEMBER DOUGHERTY-JOHNSON: My issue is any Stipulation is more enforcement. If you're saying you're going to negotiate in good faith -- I mean, I think it seems they're going to do that anyway. I don't think we'll really have a lawsuit to say who didn't negotiate. I think they'll negotiate in good faith, and it doesn't seem something like that is going to happen.

MEMBER HAMMES: Well, I don't

1
2 think -- again, I'm not trying to play
3 devil's advocate here, but I don't
4 think it's fair to put them in a
5 position like we require in opening a
6 restaurant where they agree to
7 negotiate in good faith, but they have
8 certain requirements that they require
9 -- insurance, indemnity -- and the
10 Village is not in a position to
11 provide those, and then we get into an
12 argument about whether it's a valid
13 position for them to take; so I,
14 personally, would vote for this, but I
15 would not vote for stipulations.

16 CHAIRMAN FOOTE: All right.
17 Well, then, I move to close the Public
18 Hearing.

19 Do I have a second?

20 MEMBER HAMMES: Second.

21 CHAIRMAN FOOTE: All those in
22 favor?

23 MEMBER KYRK: Aye.

24 MEMBER DOUGHERTY-JOHNSON: Aye.

25 MEMBER HAMMES: Aye.

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CHAIRMAN FOOTE: I move for a
vote on the approval of the
application as submitted.

May I have a second on that?

MEMBER HAMMES: Second.

CHAIRMAN FOOTE: All those in
favor?

MEMBER KYRK: Aye.

MEMBER DOUGHERTY-JOHNSON: Aye.

MEMBER HAMMES: Aye.

CHAIRMAN FOOTE: The motion
carries.

I vote aye as well.

The next item is 415 Kaplan
Avenue. This is a Public Hearing that
was kept open pending ZBA approval.

It's my understanding that we're
still awaiting ZBA approval.

Am I right?

MR. PALLAS: Yes.

CHAIRMAN FOOTE: So as a result
of that, we're going to have to keep
this open until the next meeting,
which is scheduled for February 6th.

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May I have -- do I need second
on that just keeping the Public
Hearing open?

MR. CONNOLLY: It's okay.

CHAIRMAN FOOTE: Okay.

The next and last item is
123 Sterling Avenue.

This is a continued discussion
on a Presubmission Conference
regarding the application submitted by
Paul Pawlowski on behalf of
123 Sterling Avenue Corp. The
application is for possible amendments
to a Stipulation Agreement dated
March 12, 2007 for the property
located at 123 Sterling Avenue. This
property is located in the Waterfront
Commercial District. This property is
located in the Historic District,
Suffolk County Tax Map 1001-3.-5-16.4
and 16.5.

Good evening.

MR. PAWLOWSKI: Good evening.

I'm Paul Pawlowski, owner of

1
2 123 Sterling. The boards that I put
3 facing the audience, you have copies
4 of, I believe. I submitted the
5 renderings of what's new.

6 From the last work session to
7 today, there have been minor changes
8 to our proposed proposal or
9 application before you. In all, the
10 principal of those merits have stayed
11 the same. I would like to point out
12 the one or two merits that were
13 adjusted.

14 We last submitted for 20
15 market-rate, single-family condos.
16 We're revising that, and we're asking
17 for 19 market-rate, single family
18 condos. The five affordable-rate
19 condos, we would -- instead of -- as
20 of last time, we were going to put
21 them in the proposed outbuilding, we
22 want to keep all residential units,
23 both market-rate and affordable-rate,
24 in the main building, as the original
25 Stipulation has.

1

2 The goal of the outbuilding is
3 that would be the proposed commercial
4 space.

5 That is the main difference
6 between what you heard last work
7 session and the current work session.

8 Also, with that outbuilding,
9 last time we were talking about a
10 three-story outbuilding; now we're
11 talking about a single-story
12 outbuilding mainly for the commercial
13 space and for, potentially, a rooftop
14 pool.

15 All other merits that were
16 discussed last time are the same, such
17 as the perimeter landscaping, no
18 parking along Sterling, and relocating
19 that parking to the potential first
20 floor of this building, public access
21 at the Sterling Basin that would be
22 donated by us; so those merits on the
23 proposal before you stay the same.

24 Another item that we took a lot
25 of comments and feedback over the last

1
2 month or two, we changed the look and
3 design of the building to a more
4 traditional look while in keeping with
5 the approved size, height, and shape
6 of the building.

7 Those are the major changes from
8 the last meeting to now. I'm happy to
9 answer any questions.

10 MEMBER HAMMES: Can you just
11 remind me on what the size of the
12 units are?

13 MR. PAWLOWSKI: They're all
14 one-bedroom units, roughly around
15 600 square feet.

16 MEMBER HAMMES: And have there
17 been any further discussions or
18 resolution whether it's rent versus
19 owned?

20 MR. PAWLOWSKI: Not at this
21 time. I think whenever the timing
22 needs to be, we would be amicable to
23 however that should be addressed,
24 whether rental or for sale.

25 MEMBER DOUGHERTY-JOHNSON: Have

1
2 you discussed what that actually
3 means, affordable? Are there income
4 requirements?

5 MR. PAWLOWSKI: Our goal -- as
6 of now, the Stipulation requires them,
7 if they're sold, to be sold at one
8 hundred seventy-five thousand per
9 unit, but there's no in perpetuity to
10 that.

11 MEMBER HAMMES: So only split
12 the proceeds.

13 MEMBER DOUGHERTY-JOHNSON: So is
14 it that anybody can buy it?

15 MR. PAWLOWSKI: No, it's
16 residents restricted, so you'd have to
17 live in the village.

18 MEMBER DOUGHERTY-JOHNSON: But
19 you have to be under a certain income
20 is what I'm saying?

21 MR. PAWLOWSKI: It's mainly
22 resident restricted.

23 MEMBER DOUGHERTY-JOHNSON: So
24 then what would it be, first come,
25 first serve or is up to you as the

1

2 owner to decide?

3

4 MEMBER HAMMES: There may be an
5 income limit in there, but to me, the
6 bigger concern is they can buy it and
7 flip it.

8

9 MEMBER DOUGHERTY-JOHNSON: I was
10 just curious about what that means.

11 Who it's for and how fairly that gets
12 --

13

14 MR. PAWLOWSKI: Currently, the
15 main rules in there, as the
16 Stipulation provides, the sale price
17 is one seventy-five, it's resident
18 restricted to a resident of the
19 Village of Greenport or work in
20 Greenport or the school district.

21

22 To answer your question, in due
23 time, I'll be meeting with whoever I
24 have to meet with. If it goes to
25 rentals, we would look to mirror
26 whatever your affordable housing
27 guidelines are.

28

29 MEMBER DOUGHERTY-JOHNSON: It
30 looks like on this proposed site plan

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2 I have right here, it's back to the
3 20. This isn't the updated one you
4 were talking about, right?

5 MR. PAWLOWSKI: It should be.

6 MEMBER DOUGHERTY-JOHNSON: It
7 has the affordable ones in the
8 outbuilding. It still says
9 three-story.

10 MR. PAWLOWSKI: If you have the
11 merits, it outlines it, but what we're
12 proposing is to keep the affordable
13 and all residences in the main
14 building.

15 MEMBER DOUGHERTY-JOHNSON: So we
16 may want to see more detailed plans.

17 MR. PAWLOWSKI: Absolutely.

18 CHAIRMAN FOOTE: It says that
19 the outbuilding footprint increased to
20 30 by 50, what was the original
21 footprint?

22 MR. PAWLOWSKI: 30 by 40, so the
23 proposed outbuilding would increase by
24 450 square foot from what's already
25 approved. It wouldn't change any of

1
2 the setbacks or drainage requirements
3 or anything like that.

4 CHAIRMAN FOOTE: Some of these
5 adjustments, such as the change to the
6 facade, is that based on the feedback
7 from the last meeting we had?

8 MR. PAWLOWSKI: Combination.
9 Since I took some notes at that
10 meeting, I've heard from a lot of
11 residents from the village, I've heard
12 from neighbors on the immediate block,
13 and a culmination of all of that made
14 us look at it through a different
15 lenses for this building.

16 CHAIRMAN FOOTE: For the record,
17 I prefer the brick, myself, the used
18 brick look. You made a point, and I
19 agree with it, it tends not to
20 stand out as much. It tends to blend
21 more with the background. I don't
22 know when you have that kind of -- is
23 the replacement like a cedar shake
24 shingle, is that what you're
25 proposing, wood siding?

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MR. PAWLOWSKI: No, no. It's stained, reclaimed brick.

CHAIRMAN FOOTE: Oh, it is?

MR. PAWLOWSKI: Yes.

MEMBER HAMMES: He's got shiplap.

(Simultaneous speaking).

MR. PAWLOWSKI: It's reclaimed brick, just to be clear, and then some trim details are shiplap, and there's some more traditional columns and railings throughout and just different trim package. If you do look at the -- you know, renderings only do so much -- but the brick, the Watchcase in Sag Harbor, it's the same exact wood color. If anyone is driving through there, it's the same exact style and color of the trim that we're proposing. It's a nice looking building, you know, Sag Harbor Watchcase. That's our goal. It's got this rendering, and this architecture has much more traditional lines and

1
2 details than the one we proposed
3 earlier, however, it's the exact same
4 footprint and height that's already
5 been approved by Building.

6 CHAIRMAN FOOTE: Did the
7 Building Department engage an
8 architect? We talked about having
9 somebody review it. That was brought
10 up, I believe, at that Special Session
11 that we had.

12 MR. PALLAS: The Village has
13 hired someone to review the original
14 building. It has a permit. It's
15 being reviewed.

16 CHAIRMAN FOOTE: I thought there
17 was going to be a separate review. I
18 thought we were going to engage an
19 architect to review the application in
20 terms of the whole deal of the
21 neighborhood and that sort of thing.
22 We had a discussion about that.

23 MR. PALLAS: I don't recall
24 that. I don't recall that. I
25 apologize.

1

2 MEMBER HAMMES: I know we talked
3 about the fact that part of it being
4 in the Historic Preservation District,
5 whether or not we wanted someone from
6 the Historic Preservation Committee in
7 on this.

8 CHAIRMAN FOOTE: It wasn't just
9 for that though, just the overall feel
10 and look of it, just making sure we're
11 getting a professional opinion whether
12 or not it fits into the neighborhood.

13 MR. CONNOLLY: It has to go
14 before the Historic Preservation
15 Board.

16 MEMBER DOUGHERTY-JOHNSON: Isn't
17 the historic part the empty parking
18 lot?

19 MR. PALLAS: They would review
20 the site.

21 MEMBER DOUGHERTY-JOHNSON: So
22 then the whole thing has to be under
23 their -- even if only part of the site
24 is in the Historic District, they get
25 to say?

1

2 MR. PALLAS: Yeah, they have to
3 review it.

4 MEMBER DOUGHERTY-JOHNSON: And
5 it would have to fit their guidelines
6 or they just get to review it and give
7 us their opinion?

8 MR. PALLAS: There are
9 guidelines that they would have to
10 follow in the Code, yes.

11 CHAIRMAN FOOTE: But whether or
12 not it's in the Historic District or
13 part of it is in the Historic District
14 or subject to the jurisdiction of the
15 Historic Board, it's such a monumental
16 project, you know, I thought it would
17 be a good idea if we're permitted to
18 engage a professional to look at it in
19 terms of the overall design and
20 whether it reflects the desires of the
21 community.

22 We all have our own opinions of
23 what we like and don't like. For
24 example, as a member of the Board, I
25 actually thought that the prior

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2 rendering was more attractive than
3 this one. That's my own personal
4 feeling, but I don't have the
5 expertise, I have an opinion. For
6 something like that, it would be more
7 important to hear the opinion of a
8 professional on something like that.

9 Is there someone we can have do
10 that?

11 MR. CONNOLLY: That's the
12 purpose of the Historic Preservation
13 Committee to look at it through that
14 lens.

15 MEMBER DOUGHERTY-JOHNSON:
16 Should it have come in front of them
17 first? Isn't that what we sort have
18 done in the past?

19 MEMBER HAMMES: Well, it seems
20 like this project, as I understand it,
21 is going to have to go before Zoning
22 and the HPC before we ultimately sign
23 off on it.

24 My question though is, and we're
25 having a number of Presubmission

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2 Hearings and obviously people from the
3 public -- there's a lot people here
4 I'm sure that are going to speak
5 tonight. At some point there's going
6 to be an official Public Hearing on
7 this as well, and my question is
8 whether or not the process of having
9 HPC and then Zoning and then us all
10 having public hearings separately
11 doesn't make sense because we'll be
12 hearing a lot of the same things.

13 CHAIRMAN FOOTE: Actually, let
14 me clarify something, you said a lot
15 of people -- this is a Presubmission
16 Conference. We're not opening this up
17 to the public.

18 MEMBER HAMMES: Yeah, I didn't
19 realize. I didn't know that.

20 CHAIRMAN FOOTE: Now that we did
21 that, just to clarify, if there is
22 anyone here to speak about the
23 application tonight, there's not a
24 forum to do that tonight. There will
25 be when we have a Public Hearing, but

1
2 this is a Presubmission just
3 discussing among the Board members and
4 the applicant.

5 MR. PALLAS: Mr. Chairman, if I
6 may, just to answer the question, and
7 the Planning Board attorney can
8 correct me if I'm wrong; procedurally,
9 this Presubmission Conference is not a
10 Hearing. There will need to be a
11 Zoning Board Hearing and then the
12 Historic Preservation Commission will
13 hear the case as well. Because
14 there's a Stipulation in place, the
15 Village Board actually has to hold a
16 Hearing on the Stipulation, so there's
17 a series of things before you can hold
18 a Site Plan Hearing on it as well.

19 Some of those details still
20 needs to be worked out. That would be
21 the process, as I understood it. We
22 had discussed that with the applicant
23 before, and this is the process we had
24 outlined.

25 CHAIRMAN FOOTE: When you say

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Site Plan Hearing, you mean a Public Hearing?

MR. PALLAS: Yes, a Public Hearing.

MEMBER HAMMES: But by that point, we will have had HPC either approve it or preliminary approval or something. Zoning approval is required and the Board has to approve any deviations from the Stipulation.

CHAIRMAN FOOTE: One of the other things I recall coming up at the last meeting was the increase in the number of units, and from what I can tell, the only increases -- I know you reduced it from 20 to 19, is that right?

MR. PAWLOWSKI: (Nodding).

CHAIRMAN FOOTE: So, but still, the net increase, seven additional units, and they are all the market rate. There are no increases in the affordable units.

Did you consider that?

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2 MR. PAWLOWSKI: We're basically
3 trying to -- we increased the
4 market-rate units to basically give us
5 the ability to reduce the commercial
6 space.

7 To answer your immediate
8 question on the affordable-rate units,
9 this is the quantity that we're going
10 with, 19 and five. It's still the
11 highest percentage of affordable units
12 out of any other development of the
13 Village of Greenport, percentage-wise.

14 Based on the size, we're trying
15 to relocate 20 parking spots, put it
16 on the first floor, so there's no
17 parking along Sterling. We're trying
18 to get rid of a large quantity of
19 commercial space, so given the
20 footprint we have to work with, this
21 is the number of affordable units that
22 we're proposing, which is five.

23 MEMBER DOUGHERTY-JOHNSON: At
24 the last meeting, someone did bring it
25 up, and you seemed amenable to

1
2 thinking about it.

3 MR. PAWLOWSKI: The biggest
4 question last time was whether they
5 were one-bedroom or two-bedroom.

6 MEMBER DOUGHERTY-JOHNSON: There
7 was one question about keeping the
8 ratio the same, so like before if you
9 had 15 and five of them were -- it
10 seemed at the time that you were
11 willing to think about, but if you
12 thought about it and decided not to go
13 with it, that's --

14 CHAIRMAN FOOTE: Also, this new
15 material you provided, you said -- I'm
16 sorry.

17 MEMBER JOHNSON-DOUGHERTY:
18 That's all right.

19 CHAIRMAN FOOTE: You said the
20 parking required is 49 spaces, and
21 you've provided 77 spaces, so you're
22 providing more than the number of
23 spaces that you're required to
24 provide?

25 MR. PAWLOWSKI: Yes. The main

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2 reason for that is we're not looking
3 to change the site plan drastically
4 except for taking the parking along
5 Sterling and add in sidewalks and
6 green space. When you have
7 residential property, it's nice to
8 have the ability for overflow.
9 There's nothing else we're looking to
10 do with that property.

11 We're also proposing, to answer
12 your question, we definitely would
13 rather have more parking than just the
14 required Code amount. If you look at
15 the new proposed site plan, especially
16 with the landscape buffer, there's
17 going to be very limited parking
18 spaces viewable from the road; so
19 you'll be able to see them from the
20 entrances on the property, which are
21 roughly 24 feet wide each. So we
22 would like to have more than the
23 required amount of parking, and that's
24 why we're leaving it.

25 The biggest change to the site

1
2 plan was to relocate the parking that
3 was directly on Sterling where 20 cars
4 would be backing out.

5 CHAIRMAN FOOTE: There are 20
6 cars along Sterling in the original
7 plan?

8 MR. PAWLOWSKI: Yes.

9 CHAIRMAN FOOTE: But the net
10 difference between what you're
11 required to provide and what you are
12 providing is nearly 30 spaces, right?

13 MR. PAWLOWSKI: Correct.

14 CHAIRMAN FOOTE: So if you just
15 went back to what you're required to
16 provide, you could have just
17 eliminated those spaces in the front
18 and still comply with parking.

19 Am I missing something?

20 MR. PAWLOWSKI: Technically, by
21 parking Code, yes, we'd be able to do
22 that, but if you look at the site
23 plan, the goal was to relocate them to
24 the first floor so there's somewhat of
25 a convenient walk for the residents to

1
2 get into their units. We want them in
3 no way to walk from the back parking
4 lot into the elevator and up.

5 CHAIRMAN FOOTE: Okay. But
6 that's a little different than the way
7 it was described at the last meeting.
8 The idea was that you needed the
9 parking on the first floor because it
10 was the only way to eliminate the
11 parking along the street.

12 That's not really true, right?

13 MR. PAWLOWSKI: No, it's
14 absolutely true because if we
15 eliminated along the street and don't
16 have it on the first floor, it's
17 absolutely not convenient for the
18 person living there to get to their
19 unit.

20 CHAIRMAN FOOTE: But there's
21 still, technically, enough parking
22 space on the site.

23 MR. PAWLOWSKI: Technically,
24 yes, but in reality, the reason why we
25 would not -- we would only be able to

1
2 get rid of that parking. It wouldn't
3 even be a good selling product, let
4 alone efficient for -- picture if you
5 lived there. Where would you prefer
6 to walk from, in the first floor
7 garage or 150 feet away?

8 That was what I said last time
9 and always one of the big points here
10 is we can relocate that parking along
11 Sterling as long as it's still within
12 a sufficient walking distance.

13 CHAIRMAN FOOTE: The other thing
14 is, I know that -- I see what you did
15 with moving the affordable condos back
16 to the main building, consistent with
17 the original plan. Your earlier
18 proposal had it moved to the
19 outbuilding, the commercial building.
20 I know there were comments along the
21 lines of why are you separating the
22 two, but if this was a puzzle where
23 we're trying to -- you know, this is
24 an opportunity. You're asking us for
25 some changes to your plans, it's an

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2 opportunity for us, on behalf of the
3 public to figure out, okay, if we're
4 going to agree to some of these
5 changes, how can we do it in a way
6 that's also going to promote something
7 in the public interest, and affordable
8 housing is a big issue. I'm not
9 saying it's your burden, it's not your
10 burden, per say, but in this context,
11 it's something that's we're obviously
12 discussing in part because the
13 original plan had a component of
14 affordable housing; so to the extent
15 that we could increase the
16 affordable-housing units and still
17 make it commercially viable to you,
18 and let's say still do it by building
19 on that outbuilding. I don't mean to
20 suggest that I'm moving backwards. It
21 seems to me that if we can accomplish
22 that role as long as you have the
23 space to build it and at the same time
24 -- well, anyway, if we could work
25 along those lines, are you amenable to

1
2 discussing that?

3 MR. PAWLOWSKI: I'm one hundred
4 percent amicable to that. The biggest
5 challenge we all have is trying to
6 focus on density. If all parties
7 would like a little more affordable
8 housing, I'm all for it. I just want
9 to be conscientious of the density of
10 this project, and that's one of the
11 biggest components of losing the
12 commercial space.

13 CHAIRMAN FOOTE: I understand,
14 but that's the big tradeoff here is
15 giving up on the original plans for
16 commercial space. In addition, if
17 we're going to increase and deal with
18 the density problems by decreasing the
19 number of market units, not
20 necessarily one on one, but just
21 something that has a little bit more
22 balance to it, would you amenable to
23 that?

24 MR. PAWLOWSKI: One hundred
25 percent.

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2 CHAIRMAN FOOTE: Good. I'd like
3 to go on the record, I think from the
4 perspective of affordable housing, I
5 personally think it's more worthwhile
6 to make it as rentable units than to
7 be sold as condos. I think it gets
8 very complicated when you set the
9 price. It's going to be like a
10 lottery where people are going to be
11 vying to buy them. I'm not sure
12 that's really in the public interest
13 to do that. I think it's more
14 important to have long-term affordable
15 housing built for our residents.
16 That's my own personal feeling.

17 MEMBER HAMMES: I agree with
18 that.

19 MEMBER KYRK: I agree with that
20 as well.

21 CHAIRMAN FOOTE: Anybody else
22 want to talk more about this
23 application?

24 MEMBER HAMMES: It sounds like
25 there's a fair amount of work to do.

1

2 MR. PAWLOWSKI: On that subject,
3 that's basically why we're here is to
4 -- this is step one in a long process
5 we're going through.

6 Procedurally, what is the next
7 step -- I think I know what the next
8 step is, but is this now -- you know,
9 procedurally, what is the next step?

10 MR. CONNOLLY: You have to go to
11 the Zoning Board next.

12 MR. GILMARTIN: David
13 Gilmartin, Jr. I'm the attorney for
14 Mr. Pawlowski, 123 Sterling.

15 Procedurally, there is a
16 Stipulation in place. There are
17 parties to that Stipulation. For the
18 Stipulation to be changed, all parties
19 need to agree with that; so when you
20 say go to the Zoning Board, we're
21 going to the Zoning Board to a sort of
22 work session setting to see if they're
23 amenable to changing the Stipulation.
24 We're not looking for relief from the
25 Zoning Board, just what they're

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2 amenability is, and then we have to go
3 to the Trustees and the Neighborhood
4 Association and all the groups on that
5 Stipulation. I just wanted that to be
6 understood that that's why we're here,
7 to see if you're amenable to changing
8 the Stipulation.

9 CHAIRMAN FOOTE: I agree with
10 that assessment.

11 MEMBER HAMMES: I'm still not
12 clear. So is it the case that what's
13 being contemplated is that each party
14 to the Stipulation Agreement is
15 ultimately going to have a Public
16 Hearing? Like in the case of the
17 Neighborhood Association, if they're
18 amenable to it by themselves and at
19 that point make a determination
20 whether or not they're amenable to
21 modifying -- are we modifying the
22 Stipulation Agreement, in which case,
23 does it have to go back to court or
24 are we actually considering a
25 different, possible new site plan,

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2 which might require a different
3 variance, which requires Historic
4 Board approval, and then because the
5 whole thing was blessed by the
6 Trustees, it also has to go to the
7 Trustees?

8 I'm sorry, I'm still not very
9 clear.

10 MR. CONNOLLY: I think the
11 applicant and his representative are
12 taking the opportunity and asking the
13 Boards for their input to see if they
14 are amenable to altering/modifying the
15 Stipulation and talk about it in
16 session, and if that's the case,
17 they'll go forward with the Public
18 Hearings that are required.

19 MEMBER HAMMES: So they want a
20 soft yes that generally we're okay
21 with this?

22 MR. GILMAN: We have four groups
23 other than -- there are five groups
24 that have to sign. There's the
25 applicant and four groups have to

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2 sign it and getting them organized
3 into a plan that everyone agrees to
4 that they would agree to do the
5 Stipulation, is what we're looking
6 for. We're not interested in going
7 back to the beginning and starting all
8 over and going through the SEQOR
9 process and the three years and the
10 four Boards that we have to get
11 through, so that's why we're here in
12 the pre-app process to try and get
13 some sort of consensus on a change;
14 and I think the way it's best
15 understood, by at least the Village,
16 government, is we're looking to take
17 what is now a 15,000 square foot
18 commercial operation and changing what
19 we hope will be a significant portion
20 of that to residential. How that
21 shakes out is working through the
22 Boards. In a general way, I think
23 that's the way it's best understood.

24 If we can get guidance so we can
25 come back with a plan that we think

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2 you will all agree with, then you have
3 to go to a Public Hearing, each of
4 you. Each of the Boards have to go to
5 a Public Hearing and make a vote to
6 agree to amend the Stipulation. It
7 can't be done behind the scenes, it
8 has to be done in front of the public.

9 So at some point, there will be,
10 hopefully, a final plan, and then
11 you'll have the Public Hearing and a
12 vote to agree to change the
13 Stipulation and sign onto the change.

14 That's at least the way we view
15 the process.

16 MEMBER HAMMES: For what it's
17 worth, maybe we should go down and say
18 kind of what our current thinking is.

19 CHAIRMAN FOOTE: Sure, yeah.

20 MEMBER HAMMES: I guess I kind
21 of put this in three buckets. I have
22 the important housing bucket, which to
23 me is on the top of my list of things
24 that I'm considered about that I'd
25 really like to see made rental, and

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2 I'd love to see the proportionality of
3 the affordable units maintained. I
4 would like to see it not necessarily
5 -- and this may differ from other
6 Board members -- segregated because I
7 think that kind of sends a bad
8 message.

9 The second bucket I have is the
10 reduction of the commercial
11 waterfront, which I'm very conflicted
12 over, and I don't know where I am on
13 that. I believe in maintaining the
14 commercial waterfront nature of the
15 village, although I recognize that a
16 significant amount of that was given
17 away for the existing condo additions.
18 That's something I personally continue
19 to struggle a little bit with.

20 The last one is more the
21 aesthetics. On that, I think I liked
22 the brick, actually. I don't object
23 to this either. I would like to hear,
24 eventually, what the Historic
25 Preservation Commission has to say. I

1
2 know they've done a lot of work in the
3 last couple of years looking at what
4 they think things in the village
5 should look like and, obviously, the
6 neighborhood. To me, the appearance
7 is something that I will want input
8 from HPC and the neighborhood on.

9 But those kind of are my three
10 buckets and where my thinking is right
11 now.

12 MR. GILMAN: Just quickly, with
13 appearance, I think you can do that as
14 a referral and bring in anybody, an
15 expert or another Board that you want;
16 but you're the party, the Zoning Board
17 is a party, the Trustees are the
18 party. Whoever you bring in as a
19 referral is welcome, but they would
20 only be a referral.

21 MEMBER HAMMES: Understood.

22 MR. GILMAN: With respect to
23 proportionality, we can't increase the
24 size, the square footage that was
25 eventually approved. If that happens,

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2 that triggers us going back to the
3 beginning, so that's not an option; so
4 as we work through the process, keep
5 that in mind that we're limited to the
6 square footage that was approved.

7 MEMBER HAMMES: I understand
8 that you're asking to increase the
9 number of market apartments, and so
10 it's just a question of --

11 MR. GILMAN: But you are also
12 getting --

13 MEMBER HAMMES: -- as Walter
14 said earlier, there were 12 and five,
15 and now there's 19 and five. Again,
16 I'm giving you my initial thoughts.

17 MR. GILMAN: We're reducing the
18 commercial.

19 MEMBER HAMMES: I understand.

20 MR. GILMAN: That's the
21 tradeoff. I understand --

22 MEMBER HAMMES: I look at the
23 reduction of commercial as largely for
24 parking.

25 MR. Gilman: Well, from our

1
2 view, taking it off the street is the
3 benefit. We think that --

4 MEMBER HAMMES: But that's
5 different than -- that's, that's --
6 you can't have it both ways. You
7 can't say we're reducing commercial to
8 get the 19 and/or we're reducing the
9 commercial for the parking. It's not
10 -- if you had just said, well, we
11 can't increase because we're doing the
12 19 because you're reducing the
13 commercial space; but then you say,
14 well, it's the parking is the reason
15 you're reducing it.

16 MR. GILMAN: No, that's not the
17 reason we're not doing commercial
18 space. It's our preference, and, I
19 believe, it's the neighbors
20 preference. As we started this, we
21 were inundated with the neighbors
22 saying we don't want commercial there,
23 we want residential; so it was an
24 effort to accommodate the neighbors,
25 which brought about the residential,

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2 which, frankly, we prefer.

3 MEMBER HAMMES: But then you

4 allocated it all to market rate.

5 MR. GILMAN: Well, sure, it's a

6 tradeoff from market-rate commercial

7 to market-rate residential, and that's

8 the way we did it. I think there were

9 site plan benefits to doing that.

10 MEMBER HAMMES: Again, I'm just

11 giving you my initial --

12 MR. GILMAN: Sure, and we're

13 happy to have it.

14 MEMBER HAMMES: Having sat

15 through a number of meeting including

16 not just the Planning Board meeting on

17 this, I thought maybe at this point,

18 it makes sense for us to give you a

19 little bit of a view of what we're

20 thinking rather than having you just

21 sitting here battling and just cutting

22 to the chase.

23 MR. GILMAN: That's great. This

24 is good for us.

25 MEMBER HAMMES: Does anyone have

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2 anything to say or add?

3 MEMBER DOUGHERTY-JOHNSON: I
4 don't think I have much to add. You
5 said it pretty well.

6 I guess the only thing I would
7 add is about the flooding issues and
8 just the density, what are the
9 consequences of increasing the density
10 to the neighborhood and to the
11 environment?

12 MR. PAWLOWSKI: Paul Pawlowski
13 again, 123 Sterling.

14 Just to hit on your points, I
15 really do appreciate the discussion.
16 It is still brick. I said that
17 before. It's still reclaimed brick
18 we're proposing. That's just the
19 facade.

20 We will look at the
21 proportionality between the additional
22 market-rate to the affordable-rate, so
23 we will look at that number and see
24 how best to make that happen without
25 increasing the density.

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The biggest thing I want to stress though, when it comes to the parking, our proposal to reduce commercial has nothing to do with parking. They do go hand-in-hand though. Our goal is to get rid of parking along Sterling, not just for ourselves but also for the immediate neighborhood. The only way, like I said before, is to keep it within close proximity. The only close proximity is the first floor, which is now the current approved commercial location; but that has nothing to do with our main goal. We're trying to offset, reducing that commercial with more market-rate. Bottom line. I just wanted to make that clear.

We don't know what that number is going to be. We're proposing a square footage number, and the reason we're proposing that number is it works well with the already approved outbuilding without changing setbacks

1
2 and drainage. We're going to have to
3 hear the ZBA out on this or the Town
4 Board, and we're looking forward to
5 that discussion again.

6 It is our goal to reduce the
7 commercial, mainly so we have less
8 density.

9 MEMBER HAMMES: Okay. I
10 appreciate that clarification.

11 MR. PAWLOWSKI: As far as the
12 meeting with the Historical Review
13 Board, we look forward to that. We
14 will continue to hear comments. We
15 are -- the biggest thing here is, we
16 are working with a fixed footprint,
17 height and shape, and improving on
18 that; and we'll continue to improve on
19 that, and we'll do what we have to do
20 with the Historic Review Board. We're
21 going to continue speaking with
22 neighbors. We're here to make sure
23 that this process is in a public forum
24 that's fair for everyone -- ourselves
25 as the applicants, the Neighborhood

1
2 Association, and the rest of the
3 village. That's why we're here.
4 We'll go through the process, but the
5 biggest thing is, we're working
6 through a process with an already
7 approved site plan and building
8 permit, so we kind of want to stay
9 there and improve on that.

10 Communication with the
11 Neighborhood Association has been
12 phenomenal, and we want to keep that
13 going. I definitely appreciate
14 hearing your comments because it makes
15 it easier for us, rather than trying
16 to find out what you like, don't like
17 as a Planning Board, just like with
18 the ZBA. As an applicant, it's the
19 hardest thing to understand what
20 people will like or not like, so I
21 appreciate that.

22 MEMBER DOUGHERTY-JOHNSON: Just
23 to clarify, you wouldn't be as locked
24 into the footprint if you hadn't
25 poured the foundation?

1

2 MR. PAWLOWSKI: We would never
3 -- whether the foundation --

4 MEMBER DOUGHERTY-JOHNSON: There
5 is a Stipulation, but you're asking
6 for changes.

7 MR. PAWLOWSKI: Our goal, after
8 looking at the logistics of
9 campus-style or not, we weren't going
10 to mess with the site plan. The
11 modification of the parking on the
12 site plan, you could always take it
13 away as long as you meet parking Code,
14 and we have that ability.

15 We're not looking to recreate
16 the wheel with setbacks and location
17 or anything like that, so whether or
18 not the foundation was done -- and
19 maybe it was done to beat the bad
20 weather -- we'd be here today if it
21 wasn't done saying the same thing.

22 CHAIRMAN FOOTE: Reed, do you
23 have anything?

24 MEMBER KYRK: No. The
25 discussions that I think I maybe

1
2 brought up about the affordable
3 housing.

4 CHAIRMAN FOOTE: Okay. So I'm
5 just going to throw in my two cents.
6 To reiterate, I'd like to see more, as
7 I said earlier, see more affordable
8 units and fewer, frankly, market
9 units, you know, just to kind of
10 handle the density issue. I don't
11 have a good feel for what the total
12 number of units are between the two,
13 but I just think the proportion has to
14 be a little different, without, you
15 know, denying you of an appropriate
16 profit for your development.

17 I personally don't object to
18 having the affordable units in the
19 separate building, particularly if it
20 enables you to decrease the overall
21 density and still get the profit, you
22 know, you're going for as the
23 developer. This is my thought
24 process.

25 I think that, you know, there's

1
2 been suggestions that there's a
3 concern for stigmatizing people who
4 are in a separate building being
5 affordable housing. I think the most
6 important objective that we should
7 have is to create as much affordable
8 housing under the circumstances as
9 this project will allow; and if it
10 allows for more affordable housing by
11 moving it to a separate building,
12 that, to me, outweighs any stigma that
13 might be otherwise attached to it.
14 Frankly, I think people who are
15 looking for affordable housing, it's
16 more important to find the housing and
17 maintain it than to worry about
18 whether or not they're next door to
19 someone who's in a three million
20 dollar condo. Personally, I think
21 that's --

22 MR. PAWLOWSKI: Just to speak on
23 that, I agree with you one hundred
24 percent. If it was to stay for sale
25 in the main building, it's fine, it's

1
2 a new owner -- you know, whether it
3 affordable or market-rate, there's a
4 difference between somebody who owns
5 it and rents it. If we did go to the
6 rental, which I agree with as an
7 applicant and I've said it from day
8 one, it probably would be better
9 suited because they're rental -- I'm
10 not talking about the person or the
11 buyer -- if it was in the potential
12 outbuilding. I'm only just bringing
13 this up because so when we talk later
14 to the Neighborhood Association and
15 neighbors, so we'll look at that, and
16 we would go either way.

17 CHAIRMAN FOOTE: Let's assume
18 that we have some objective to
19 achieving density, would we not be
20 able to possibly achieve it if you
21 could reduce the number of units with
22 the same amount of square foot, but
23 make it instead like two-bedroom or
24 three-bedroom?

25 MR. PAWLOWSKI: I'm going to

1
2 make the ratio equal of the increase,
3 and then the discussion is how we get
4 to make them rentals, if they are
5 rentals.

6 As the applicant, I would prefer
7 for even that renter to be in the
8 outbuilding, just because if it's
9 rented, we, as the landlord, would be
10 taking care of that property. It
11 would be a privacy issue, the sold
12 versus -- you know, if they're all
13 sold condos. It's just a logistical
14 decision.

15 I'm even -- and this is for the
16 record, and it's a public forum --
17 like I said, we have to be conscious
18 of increasing density. We're not
19 going to do that, we're going to go
20 proportionally. I'm going to look at
21 the drawing prepared. I'm a big
22 advocate of affordable housing. If
23 there was a way to double the amount
24 within the village, I'd be amicable to
25 that, and take it off the property.

1

2

We could have all sorts of those discussions. I would even bond it.

4

My partner and I, we put forth the

5

largest workforce housing project in

6

North Fork history. It wasn't

7

supported. We firmly believe in it.

8

If it stays within the village, we

9

would double that rate and that ratio

10

and decrease the density on this

11

property, and we would make them

12

affordable in perpetuity. We can have

13

all those discussions. That's the

14

point of these meetings, and the goal

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is to make this a better project for

16

all and it make more affordable, for

17

sure.

18

CHAIRMAN FOOTE: On the

19

exterior, I prefer the earlier design

20

relative to this. I didn't think it

21

was perfect, but I think that it had

22

-- I think if we're stuck with this

23

footprint, then I think that the best

24

kind of a structure is something that

25

mimics what used to be an old

1
2 industrial building that's been
3 renovated. It's got that industrial
4 feel to it.

5 I'm not a neighbor. Maybe
6 everybody in the neighborhood objects
7 and thinks I'm crazy, and, frankly,
8 they don't want it there, but we're
9 dealing with this, so if we --
10 personally, I just think it looks more
11 like what used to be an old,
12 historical factory or something like
13 that. Kind of bring up that vibe, I
14 think it would be nice. I don't like
15 the wooden trim. It kinds of looks
16 like you're trying to do two things at
17 once.

18 As far as the decking, I think I
19 had a discussion with you about the
20 decking. I think that takes away from
21 the look of an industrial building to
22 suddenly throw decks out there, so I
23 prefer not to see them then to see
24 them. I don't know how much that
25 impacts the value of the units for

1
2 you. If you are going to actually
3 insist on having them, I think it
4 would important to minimize how much
5 you see them in terms of hiding them.
6 The way they look here, they look like
7 Motel 6, not the whole structure, but
8 the decking itself doesn't look very
9 appealing to me.

10 That's really my thoughts right
11 now.

12 MR. PAWLOWSKI: In fact, I agree
13 with the repurposed industrial look.
14 I think the old drawing and this
15 drawing achieves that and will achieve
16 it. I understand it's a big building.
17 There's so many undulations of this
18 building, it's not going to look like
19 a big box. There's so much depth in
20 and out on the front of this building
21 where it's -- and that's just -- and
22 when it's built, you'll appreciate
23 what I just said that it won't look
24 like a box.

25 The coloring, you know, some of

1
2 the comments I heard was the gray --
3 you know, this is the exact shiplap.
4 This isn't wood, this is shiplap with
5 the reclaimed brick. It's exactly the
6 same as the previous drawing. What we
7 did is we changed that shiplap color
8 to a lighter color based on comments.
9 What that did was brought us to a more
10 traditional look versus a more modern,
11 contemporary look. As the applicant,
12 I'm glad that happened. We like it a
13 lot.

14 These balconies, they're five
15 foot in nature, you know, in depth.
16 We did a big improvement. The
17 original ones had columns going all
18 the way to the ground, all the way to
19 the second floor. These will be five
20 foot cantilevered with a lot of
21 traditional trim details.

22 We're going to take all those
23 comments into consideration, again,
24 with the Neighborhood Association and
25 the Historical Review Board, but I

1
2 guarantee you the building is a lot
3 nicer than the one permitted, and
4 we'll continue and improve on it.

5 Thank you for your time.

6 CHAIRMAN FOOTE: Appreciate it.

7 MEMBER HAMMES: I think they
8 should go ahead to the next step.

9 CHAIRMAN FOOTE: Okay. You know
10 what our thoughts are in the
11 Presubmission.

12 MEMBER DOUGHERTY-JOHNSON: I
13 would just remind the public that they
14 can always write to us.

15 CHAIRMAN FOOTE: So I would
16 recommend that it's referred to
17 Zoning.

18 MEMBER HAMMES: Second.

19 CHAIRMAN FOOTE: All those in
20 favor?

21 MEMBER KYRK: Aye.

22 MEMBER DOUGHERTY-JOHNSON: Aye.

23 MEMBER HAMMES: Aye.

24 CHAIRMAN FOOTE: Approved.

25 Last item, motion to adjourn.

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Second?

MEMBER DOUGHERTY-JOHNSON:

Second.

CHAIRMAN FOOTE: All those in
favor?

MEMBER KYRK: Aye.

MEMBER DOUGHERTY-JOHNSON: Aye.

MEMBER HAMMES: Aye.

(Time noted: 5:45 p.m.)

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CERTIFICATE

STATE OF NEW YORK)

) ss.

COUNTY OF SUFFOLK)

I, Deborah A. Cirabisi, a
Shorthand Reporter and Notary Public
within and for the State of New York, do
hereby certify:

That the foregoing transcript is
a true record of the proceedings.

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

Deborah A. Cirabisi

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