

VILLAGE OF GREENPORT

COUNTY OF SUFFOLK : STATE OF NEW YORK

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ZONING BOARD OF APPEALS

REGULAR SESSION

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Station One Firehouse

Third & South Streets

Greenport, NY, 11944

August 17, 2021

6:00 p.m.

B E F O R E:

JOHN SALADINO - CHAIRMAN

CONNIE SOLOMAN - MEMBER

SETH KAUFMAN - MEMBER

MEMBERS NOT PRESENT:

JACK REARDON- MEMBER

ALSO IN ATTENDANCE:

PAUL PALLAS - VILLAGE ADMINISTRATOR

ROBERT CONNOLLY - ZONING BOARD ATTORNEY

AMANDA AURICHIO - SECRETARY TO THE BOARD

1 (*The meeting was called to order at 6:04 p.m.*)

2 CHAIRMAN SALADINO: Folks, this is the
3 Regular Meeting of the Village of Greenport
4 Zoning Board of Appeals. I want to apologize,
5 I'm going to wear my hat this evening. It's not
6 a sign of disrespect, I'd just rather you focus
7 on my hat than my head.

8 So, Item No. 1 is a motion to accept the
9 minutes of the July 20, 2021 Zoning Board of
10 Appeals meeting. So moved

11 MEMBER GORDON: Second.

12 CHAIRMAN SALADINO: All in favor?

13 MEMBER KAUFMAN: Aye.

14 MEMBER SOLOMAN: Aye.

15 MEMBER GORDON: Aye.

16 And I'll vote aye. (VOTE: 4/0/0/1 -
17 Not Present: Member Reardon).

18 Item No. 2 is a motion to approve the
19 minutes of the June 15, 2021 Zoning Board of
20 Appeals Meeting. So moved.

21 MEMBER KAUFMAN: Second.

22 CHAIRMAN SALADINO: All in favor?

23 MEMBER KAUFMAN: Aye.

24 MEMBER SOLOMAN: Aye.

25 MEMBER GORDON: Aye.

1 And I'll vote aye. (VOTE: 4/0/0/1 -
2 Not Present: Member Reardon).

3 Item No. 3 is a motion to schedule the next
4 Zoning Board of Appeals meeting for September
5 21st, 2021 at 6 p.m. at the Station One
6 Firehouse, Third and South Streets, Greenport,
7 New York, 11944. So moved

8 MEMBER GORDON: Second.

9 CHAIRMAN SALADINO: All in favor?

10 MEMBER KAUFMAN: Aye.

11 MEMBER GORDON: Aye.

12 MEMBER SOLOMAN: Aye.

13 And I'll vote aye. (VOTE: 4/0/0/1 -
14 Not Present: Member Reardon).

15 Item No. 4 is 511 Carpenter Street. It's a
16 Public Hearing regarding the area variances
17 applied for by Jenna and Donald Williams. The
18 applicants propose to make alterations to a
19 two-story building and an accessory structure on
20 the property located at 511 Carpenter Street,
21 Greenport, NY, 11944. This property is located
22 in the R-2 (One and Two-Family) District and
23 located in the Historic District.

24 On the agenda there's one or two
25 scrivener's errors, typographical errors.

1 I'll just -- and one, two -- one, two, three.
2 In the fourth paragraph it says -- the agenda
3 says, "The plans show the front yard setback of
4 1-foot 6-inches; this would require an area
5 variance of 8-foot 6-inches"; the front yard
6 should read side-yard.

7 The next paragraph, "The plans show the
8 front yard setback of 1-foot 6-inches on the
9 north side and 3-foot 4-inches on the south side,
10 this would require an area variance of 20-feet
11 4-inches"; instead of front yard it should read
12 side yard.

13 And the last paragraph, "The plans show a
14 front yard setback of 5-feet 6-inches, this would
15 require an area variance of 24-feet 6-inches",
16 and that, I believe, should read rear yard.

17 Am I getting that right?

18 ADMINISTRATOR PALLAS: Yeah, I think so.

19 MEMBER GORDON: Well, isn't the last one --
20 doesn't the last one refer to the accessory
21 building?

22 CHAIRMAN SALADINO: No.

23 MEMBER GORDON: Okay.

24 CHAIRMAN SALADINO: And as I said, this is
25 a printing error, a scrivener's error, so we're

1 going to -- the Board is comfortable with this,
2 corrections on the agenda?

3 MEMBER SOLOMON: Yes.

4 CHAIRMAN SALADINO: Okay.

5 We're going to ask the public -- I have the
6 public -- the Public Notice was published, the
7 placard is there. We have the mailings. There's
8 a lot of them. I'm going to -- if no one
9 objects -- you know what? I'm going to read
10 them, this way no one can get them corrected, and
11 I'll give them to the stenographer:

12 "510 Carpenter LLC, Post Office Box 389,
13 Cutchogue, New York; John Woodhouse, Post Office
14 Box 360, Orient, New York; Jon Kerbs, 510 Main
15 Street, Post Office Box 525, Greenport, New York;
16 Greatwater Properties, LLC, 4317 Bergen Avenue,
17 Mattituck, New York; Rebecca Miller, 512
18 Carpenter Street, Greenport, New York; Walaski
19 Weinman C. Walaski, 516 Main Street, Greenport,
20 New York; Rosa Jeffrey, 297 Burkran Road, Locust
21 Valley, New York; Kevin Heaney, 790 Riverside
22 Drive, New York, New York; Jenna Williams, 13
23 Hansen Place, Seacliff, New York; Deborah Seigal,
24 I believe it's 151 West Neck Road, Southampton,
25 New York; Marie Cardalena, Cadalena, 8402 Fourth

1 Avenue, Brooklyn, New York; I can't read the
2 first name; J. Mac Cato, 510 Main Street,
3 Greenport, New York; and 502 Carpenter LLC, Post
4 Office Box 389, Cutchogue, New York."

5 We read the mailings. Is the applicant
6 here?

7 MR. COFFEY: Hello. Isaac Clay Coffey, the
8 architect for Jenna and Donnie Williams. Happy
9 to answer any questions you have about the
10 application.

11 CHAIRMAN SALADINO: Well, we're going to
12 take testimony from the public, if there is
13 anybody that would like to speak in the moment.
14 And I'll ask is there anything that's changed?
15 Is there anything that you would like to update
16 us on?

17 MR. COFFEY: The proposal is exactly the
18 same as it has been from the beginning. We're
19 proposing a 20-square foot connector between the
20 two buildings to legalize the ground floor as
21 part of the C of O and to connect that to the
22 existing accessory structure to have that part of
23 the existing house.

24 And the third floor is contiguous to the
25 interior of the space, it's a preexisting attic

1 loft that's going to be converted. So there's no
2 additional square footage proposing the attic to
3 the exterior of the building on the third floor.

4 CHAIRMAN SALADINO: The CO says it's a
5 two-story building, and you have a variance
6 request for third floor, right? So we should at
7 least let the public know that.

8 MR. COFFEY: Right. The envelope of the
9 building is not changing. We're not adding to
10 the exterior of the building. The interior of
11 the building would have a third floor that would
12 be habitable.

13 CHAIRMAN SALADINO: Okay.

14 MEMBER GORDON: May I ask a question?

15 CHAIRMAN SALADINO: Absolutely.

16 MEMBER GORDON: I had not looked at the CO
17 until this last couple of -- month, and I'm
18 curious about whether you know, and the answer
19 may be that you don't know, why the first floor
20 was considered uninhabitable for the purpose of
21 writing the CO?

22 MR. COFFEY: We FOIL'd the request for the
23 original ZBA minutes and never saw those, so we
24 didn't know why that original applicant didn't
25 apply for the first floor to be part of that.

1 And then the owner that our client
2 purchased it from used that for as a commercial
3 parts view, so I don't know the reasoning.
4 My assumption is that they --

5 MEMBER GORDON: Are you sure that the
6 previous -- the person who owned it from the CO
7 was created, are you sure that that person didn't
8 apply? I mean, because it seems to me there are
9 a couple of possibilities. One is there was an
10 application made because there was an intention
11 to put some other sort of use like a commercial
12 artist studio, but another possibility is that
13 there may be something about the operation of the
14 laundry long ago which made it seem inappropriate
15 for a residential use like chemicals or
16 something.

17 MR. COFFEY: Again, we FOIL'd the request
18 from the Town and never received the meeting
19 minutes of the ZBA.

20 MEMBER GORDON: Yeah.

21 MR. COFFEY: So, I don't -- it would be
22 speculation for me to say why they didn't apply
23 for it.

24 MEMBER GORDON: Yeah.

25 MR. COFFEY: Have you been able to see

1 those meeting minutes from '83?

2 CHAIRMAN SALADINO: I'm sorry?

3 MR. COFFEY: Has anyone been able to see
4 the meeting minutes from '83?

5 CHAIRMAN SALADINO: We have the resolution.
6 We have the findings and determinations from that
7 meeting, and it explains how and why the Zoning
8 Board voted as they did.

9 MEMBER GORDON: But it doesn't specify --

10 CHAIRMAN SALADINO: We don't have the
11 minutes to that meeting.

12 MR. COFFEY: Right.

13 MEMBER GORDON: The condition of that first
14 floor.

15 MR. COFFEY: Of why it was only applied
16 for -- right. So, I mean, I don't have any
17 records of that.

18 MEMBER GORDON: And when you say your
19 proposal does not increase and, in fact,
20 decreases the lot coverage where the deck is and
21 where you intend to put another deck, with
22 respect to the C of O there is no deck. So
23 you're not proposing to decrease something that
24 was legally present in the past. You're
25 proposing to decrease the space for what has been

1 -- I don't want to say illegal because it isn't
2 really illegal.

3 CHAIRMAN SALADINO: It is; it's
4 non-permeative.

5 MEMBER GORDON: It isn't in the C of O.

6 MR. COFFEY: Right, it's a preexisting deck
7 from some period of time, correct. We're
8 reducing the square footage of that, but part
9 of --

10 MEMBER GORDON: You're reducing what
11 actually exists there but not what is legally
12 permissible there, or has been legally
13 permissible.

14 MR. COFFEY: That's correct. What we -- we
15 try to be very transparent in the plans around
16 what that is and what we are proposing at. So,
17 the proposals -- the proposal to add to the
18 coverage of the building is the deck and a
19 20-square foot connector.

20 MEMBER GORDON: Got it. Okay, I just
21 wanted to be sure that I understood.

22 MR. COFFEY: Sure.

23 CHAIRMAN SALADINO: Anybody else?

24 MEMBER SOLOMON: No, I don't.

25 CHAIRMAN SALADINO: Thank you.

1 MR. COFFEY: Sure.

2 CHAIRMAN SALADINO: Is there anyone else
3 from the public that would like to speak? Name
4 and address for the stenographer.

5 MS. WIESEHAHN: Ruth Wieseahn, 320
6 Carpenter Street, Greenport.

7 I would like to request that all variances
8 be denied. That building is in the Historic
9 District, as we all know. It's already out of
10 character with the street. Now, why would we
11 want to increase the size and the lot coverage of
12 something that's already out of character?

13 It sets a precedent. If you approve this,
14 what's to say that I can't put a third story on
15 my house on Carpenter street, or increase the lot
16 size and get rid of all my gardens and put in
17 more square footage. I don't understand the
18 concept of this at this time in the Village.
19 Thank you.

20 CHAIRMAN SALADINO: Thank you. Just to
21 respond. The Zoning Board, the Zoning Board has
22 no control over what an applicant applies for.
23 The applicant applies for relief to the Building
24 Department, the Building Department looks at the
25 application, decides if it conforms to Code or if

1 not, and they either allow the building permit to
2 go through or they allow -- or they issue a
3 Notice of Disapproval. Everyone has the right to
4 appeal, so that's how this application got in
5 front of the Zoning Board.

6 If somebody -- if somebody -- not you, but
7 somebody else would like to add a third story,
8 they would apply to the Building Department, the
9 Building Department would say no, they would
10 issue a Notice of Disapproval and they would wind
11 up here if they really wanted to do it. So,
12 that's how the application got in front of us.

13 We're not saying we're allowing anything or
14 denying anything, we're just listening to what
15 the folks have to say right now. Thank you.

16 Is there anyone else from the public that
17 would like to speak, before the applicant? No?
18 Go ahead, sure.

19 MR. WILLIAMS: Good to see you. Donnie
20 Williams. Hi, neighbor (Speaking to Ms.
21 Wieseahn). I just want to be -- I want to be
22 very, very clear, we're not adding anything to
23 the height of the building. I know it reads as
24 though there is a third floor that's being added;
25 there is no change to the physical structure of

1 the house as you see it today. In fact, what you
2 see today will be used as the --

3 CHAIRMAN SALADINO: Just address the Board.

4 MR. WILLIAMS: Oh, I'm sorry.

5 CHAIRMAN SALADINO: We don't single out any
6 one person.

7 MR. WILLIAMS: Yeah, no, no, I apologize.
8 Yeah, so that's really it. I mean, the physical
9 structure that has been there for years and years
10 and years will not change. Like, there will be
11 no -- there's no height change, this is all
12 interior space that we're working on. So, for
13 the common bipasser there would be no -- the
14 aesthetic won't -- all you'll see is a building
15 that's improved in terms of physical shape and
16 then an interior that you don't have visibility
17 into because it's within the actual structure.
18 Does that make sense?

19 CHAIRMAN SALADINO: It's your time; if it
20 makes sense to you it's good for us.

21 (*Laughter*)

22 MR. WILLIAMS: Hopefully that helps clarify
23 it a little bit. No, so no height, no -- just
24 inside work is I think the quick summary.

25 CHAIRMAN SALADINO: Well, the reason

1 there's confusion is because the C of O says it's
2 a two-story building and by modifying the loft
3 space -- and actually, it's in your application
4 that you want to create a third floor. So you
5 can have a -- I believe your building is 38-feet
6 tall, I think? Thirty-eight -- we have it here
7 someplace, not that it matters.

8 So, you're not increasing the height of the
9 building but you're adding another floor, which
10 in the Village of Greenport there's certain
11 requirements --

12 (*Firehouse Alarm Going Off*)

13 MS. RUTH: Can I ask one more question?

14 CHAIRMAN SALADINO: Sure, but can you wait
15 for the fire alarm to stop and then if he
16 finishes you can come up.

17 (*Firehouse Alarm Stopped*)

18 CHAIRMAN SALADINO: If you have anything
19 more to say?

20 MR. WILLIAMS: No, no, that's it. Just all
21 the interior work I think is the -- with
22 reference to -- a specific reference to the third
23 floor, it's interior work; I just wanted to make
24 sure that that's clear. Thank you.

25 CHAIRMAN SALADINO: Okay, again.

1 MS. WIESEHAHN: I guess I'm confused with
2 the change of setbacks.

3 CHAIRMAN SALADINO: I'm sorry?

4 MS. WIESEHAHN: The change of the setback
5 on the property; it said that you have decreased
6 the front and so forth.

7 CHAIRMAN SALADINO: The building is
8 preexisting.

9 MS. WIESEHAHN: I know that well.

10 CHAIRMAN SALADINO: Okay, for the public
11 that doesn't. The building is preexisting and
12 it's non-conforming.

13 MS. WIESEHAHN: Right.

14 CHAIRMAN SALADINO: We know -- we're not
15 changing setbacks, the applicant is not looking
16 to change setbacks. What he's looking to do is
17 -- in the past, in the past if a building was
18 preexisting and it was non-conforming, some of
19 these variance requests wouldn't come before the
20 Board because they were there and they can't be
21 changed. Recently, within the last year or
22 six months, eight months, whatever it was, it was
23 explained to me by the Building Inspector that
24 with the application you have to legitimize those
25 side yard, front yard, rear yard setbacks.

1 So, nothing -- with this application, if
2 this Board agrees with the applicant and grants
3 relief, the side yard, the rear yard, the front
4 yard, it wouldn't change, everything would remain
5 the same.

6 MS. WIESEHAHN: I guess I read it wrong.

7 MEMBER GORDON: It really legitimizes
8 what --

9 CHAIRMAN SALADINO: It would legitimize the
10 property on a new CO, or in the eyes of the
11 Village.

12 MR. CONNOLLY: Could I just say something?

13 CHAIRMAN SALADINO: Sure.

14 MR. CONNOLLY: If --

15 CHAIRMAN SALADINO: I wish you would.

16 MR. CONNOLLY: If the survey shows the
17 structure exactly as it is and it's referenced on
18 the C of O -- and like you said, it's
19 preexisting, nonconforming -- it doesn't need to
20 be legitimized. Those setbacks don't need to be
21 legitimized by this Board.

22 CHAIRMAN SALADINO: Well, we always
23 thought --

24 MR. CONNOLLY: Yeah, that's right.

25 CHAIRMAN SALADINO: That's how we always

1 acted. And these -- and in the past these
2 variances wouldn't show up on the Notice of
3 Disapproval, but from what I'm understanding is
4 that now they do. It won't -- I can't see it
5 making a making a difference to this Board, yet
6 there's other things involved that this Board
7 might have something to say about.

8 MEMBER GORDON: Shouldn't we ask what the
9 authority for that change is? Maybe Mr. Pallas
10 can give us some information.

11 ADMINISTRATOR PALLAS: I'm just trying to
12 find the language; give me one moment.

13 (Brief Pause)

14 CHAIRMAN SALADINO: While Mr. Pallas is
15 looking for that, is there anyone else from the
16 public that would like to comment on this?

17 (No Response)

18 MEMBER KAUFMAN: I just want to be clear.
19 What this change is the CO, the current CO only
20 is only cited second floor residential. So, they
21 also list to legitimize the first and third
22 floors for residential space, so that's a
23 significant change.

24 CHAIRMAN SALADINO: Exactly, yes.

25 MEMBER KAUFMAN: Even though it's not

1 changing the level of the building, it is
2 changing as zoning --

3 MR. CONNOLLY: Right, they're asking for a
4 variance to allow for a third floor.

5 MEMBER KAUFMAN: And then the first floor,
6 really, right, because the first floor is the
7 commercial one.

8 MR. CONNOLLY: But it's in the Residential
9 District, so they have the right to convert that
10 to residential space.

11 MEMBER KAUFMAN: And the only other changes
12 are that breezeway?

13 CHAIRMAN SALADINO: The 20-square feet, the
14 20-square feet would legitimize, would bring the
15 accessory building into the envelope, the dynamic
16 envelope of the principal of the building.

17 MEMBER GORDON: Is it only the 20 -- the
18 20-square feet that adds to lot coverage?

19 CHAIRMAN SALADINO: No. No, there's a new
20 deck also, I think it's 175-square feet. Is the
21 architect here?

22 MR. COFFEY: Yes, that's correct.

23 CHAIRMAN SALADINO: That's okay, I have it.
24 It's 175 square feet for the new deck.

25 MEMBER GORDON: Right.

1 CHAIRMAN SALADINO: But, would Mr. Pallas
2 like to --

3 ADMINISTRATOR PALLAS: Mr. Chairman, the
4 only thing I can offer is in the Code it does
5 speak to if it's non-conforming, you can't
6 increase the degree of non-conformity. The
7 breezeway essentially increases that degree of
8 non-conformity of lot coverage and I think -- at
9 least my understanding is our practice has been
10 if you change one thing, then everything comes
11 into play at that point. I believe that's been
12 our practice.

13 CHAIRMAN SALADINO: Okay. I don't have a
14 problem with that logic or -- I don't want to
15 show our cards here, but I don't think anybody on
16 this Board is going to have a problem with
17 granting a front yard setback that's already
18 there. Nobody's going to ask anybody to get down
19 in the front of the building. So, but there are
20 other issues that we might want to discuss.

21 Is there anyone else from the public that
22 would like to speak?

23 (No Response)

24 No? I'm going to make a motion we close
25 the Public Hearing.

1 MEMBER GORDON: Second.

2 CHAIRMAN SALADINO: All in favor?

3 MEMBER KAUFMAN: Aye.

4 MEMBER SOLOMAN: Aye.

5 MEMBER GORDON: Aye.

6 And I'll vote aye. (VOTE: 4/0/0/1 - Not
7 Present: Member Reardon).

8 Item No. 5 is 220 Fifth Avenue. This will
9 be a Public Hearing regarding the area variances
10 applied for by Ian Crowley and Angelo Stepnoski.
11 The applicant -- The applicants propose to
12 subdivide the property located at 220 Fifth
13 Avenue, Greenport, New York, 11944. The proposed
14 subdivision would allow the construction -- for
15 the construction of a new 1,665-square foot house
16 with a footprint of 838 square feet. The
17 property is located in the R-2 District (One and
18 Two Family District) and is not located in the
19 Historic District.

20 The plans show Lot 5 width is 50-feet, the
21 minimum lot width is 60-feet; this would require
22 an area variance of 10-feet.

23 The plans show Lot 4 width is 50-feet, the
24 minimum lot width is 60-feet; this would require
25 an area variance of 10-feet.

1 The plans show a lot area for the proposed
2 Lot 4 of 5,347.39-square feet. The minimum lot
3 area is 7500 square feet; this would require an
4 area variance of 2,152.61 square feet.

5 The plans show a lot area for the proposed
6 Lot 5 of 5,347.39 square feet. The minimum lot
7 area is 7500 square feet; this would require an
8 area variance of 2,152.61 square feet.

9 The Suffolk County Tax Map No. Is
10 1001-4-8-7. We -- we have a form that
11 Ms. Wingate is the applicant's representative.
12 The public notice was published, the placard we
13 saw on our inspection, we saw the placard. I
14 have the mailings; I'll read all these mailings.

15 MS. WINGATE: Yeah, it was a lot.

16 CHAIRMAN SALADINO: Okay. Fifth Avenue
17 Greenport LLC, Post Office Box 408, Sea Cliff,
18 New York; Antone Ficurilli, 221 Fourth Avenue,
19 Greenport, New York; Robbin Suess, 226 Fifth
20 Avenue, Greenport, New York; 228 Fifth Avenue,
21 Greenport -- I'm guessing that's an LLC -- Post
22 Office Box 591, Shelter Island, New York; Roberta
23 Garris, 229 Fifth Avenue, Greenport, New York;
24 Nora Whelan, 430 Front Street, Greenport, New
25 York; Rosalie Rung, 234 Fifth Avenue, Greenport,

1 New York. This just says Rosalie, 122 Duane
2 Street, New York, New York; Fourth Avenue
3 Greenport, Post Office Box 2045, Greenport, New
4 York; Raul Chapeton, 227 Fourth Avenue,
5 Greenport, New York. I can't read this. I
6 believe it says Ficarelli something Incorporated,
7 221 Fourth Avenue, Greenport, New York; Michael
8 Goldsmith, 231 Fifth Avenue, Greenport, New York.
9 And that's all.

10 Is the applicant here?

11 MR. CROWLEY: Good evening. Ian Crowley on
12 behalf of myself and Angelo Stepnoski, and I'd
13 love to answer any questions you guys have.

14 CHAIRMAN SALADINO: Ian, is there something
15 you want to tell us about the property?

16 MR. CROWLEY: About the property?

17 CHAIRMAN SALADINO: About the property.

18 MR. CROWLEY: We've owned it for a short
19 amount of time. We bought it from the Tamen
20 Family, Carolyn Tamin; I think we've owned it
21 since November, if that's right. And it was
22 presented to us as something that she had
23 entertained subdividing. And I don't know if
24 going back her family --

25 CHAIRMAN SALADINO: Oh, no, no.

1 MR. CROWLEY: There was a house there,
2 historic. So it looked -- this is Lot 4 and Lot
3 5 of the original subdivision. So, at some point
4 there was slated to be a house there, there just
5 isn't one now. But we had proposed -- the
6 application should read a single-family dwelling,
7 not just a house.

8 CHAIRMAN SALADINO: Well, actually I kind
9 of have a problem with the application because
10 the plans that we have show a different size
11 house. I mean, it fits on the property, but --

12 MR. CROWLEY: The square footage, I'd have
13 to defer to Eileen.

14 MS. WINGATE: The way it calculates, if you
15 have this document, May 21st?

16 CHAIRMAN SALADINO: You've been around long
17 enough to know; name and address for the
18 stenographer.

19 MS. WINGATE: Eileen Wingate, 2805 West
20 Mill Road, Mattituck, New York.

21 Okay, document May 21st, 2021. I did not
22 deal with second floor dimensions, I only dealt
23 with footprints. So, when you said it was a
24 2200-square foot house and I said it was
25 1600-square foot house, that's because I wasn't

1 counting stairs and other miscellaneous. But if
2 you work with this document you get all your lot
3 coverage.

4 Lot 2 is where the new house will be going
5 and I have it calculated at 1,152-square feet.
6 So it's not exactly doubled.

7 CHAIRMAN SALADINO: So, just so -- just so
8 the record is correct, and just so the
9 application -- the agenda is correct. In fact,
10 the new house would be 2300 square feet.

11 MS. WINGATE: Where are you getting that
12 from?

13 CHAIRMAN SALADINO: I'm getting it from
14 your May 21st, 2021. I'm talking about size of
15 the house.

16 MS. WINGATE: No, this says the house.

17 CHAIRMAN SALADINO: That's the size of the
18 bottom floor.

19 MS. WINGATE: Well, yes.

20 CHAIRMAN SALADINO: And that's a two-story
21 house.

22 MS. WINGATE: Again, when we calculated --

23 CHAIRMAN SALADINO: When you calculate
24 square feet you don't just count the first floor.
25 Come on, you know that.

1 MS. WINGATE: I was -- I did its footprint.
2 This is ZBA, this is not house size.

3 CHAIRMAN SALADINO: No, it says the new
4 house will be 1600 -- the new house will be 1600
5 square feet.

6 MS. WINGATE: Correct.

7 CHAIRMAN SALADINO: The new house, in fact,
8 would be 2300 square feet.

9 MS. WINGATE: Where'd you get 2300 square
10 feet?

11 CHAIRMAN SALADINO: Well, if the ground
12 floor is 15 -- using a mathematical equation, if
13 the ground floor is 1552 and you have a second
14 floor of equal size, doesn't that equal 2300?

15 MS. WINGATE: No, because architecturally
16 you wouldn't count, again, the stairs; the stairs
17 are 45 square feet.

18 CHAIRMAN SALADINO: I'm talking about
19 footprint. We're talking about the footprint.
20 All I want to do is correct the agenda, that's
21 all.

22 MS. WINGATE: I will calculate the second
23 floor for you.

24 CHAIRMAN SALADINO: But you already have.

25 MS. WINGATE: Okay. If you want to do

1 calculations that way, yes, John.

2 CHAIRMAN SALADINO: I --

3 MS. WINGATE: Generally you calculate
4 square footage, living space, not -- not it's a
5 second floor because it is. You calculate living
6 space. The second floor is smaller than the
7 first floor.

8 CHAIRMAN SALADINO: No, you calculate
9 habitable floor space. So we're not -- we're not
10 talking about closets.

11 MS. WINGATE: I'd have to -- I'd have to
12 sit down and do calculations.

13 CHAIRMAN SALADINO: All right. Can we
14 agree --

15 MS. WINGATE: Sure.

16 CHAIRMAN SALADINO: Can we agree that
17 there's not 700 square feet of stairways and
18 stuff?

19 MS. WINGATE: We can absolutely agree --

20 CHAIRMAN SALADINO: Okay.

21 MS. WINGATE: -- there is not 700 square
22 feet of stairs.

23 CHAIRMAN SALADINO: All right.

24 MR. CROWLEY: Quite possibly another
25 scrivener's error.

1 (*Laughter*)

2 MS. WINGATE: Again, but there is only 21%
3 lot coverage. And last time we spoke we talked
4 about the fact that we work really hard to stay
5 within all of the setbacks. So we're not asking
6 for any variances on the size of the house, it
7 fits very neatly right in the box. It's only
8 about the site being under-sized.

9 CHAIRMAN SALADINO: Well, the site is
10 considerably under-sized.

11 MS. WINGATE: Considerably.

12 CHAIRMAN SALADINO: This will be rare --

13 MR. CROWLEY: I think so, but originally it
14 was subdivided to be its own lot, independent. I
15 got the tax map from the seller.

16 CHAIRMAN SALADINO: Okay.

17 MR. CROWLEY: Which doesn't matter because
18 today's --

19 CHAIRMAN SALADINO: Ian, I agree with you.
20 I mean, but we don't live --

21 MR. CROWLEY: And it's a street full of --

22 MS. MAHONEY: One at a time. You can only
23 speak one at a time.

24 CHAIRMAN SALADINO: We don't live on a
25 prairie anymore.

1 MR. CROWLEY: Yeah.

2 CHAIRMAN SALADINO: I mean, since 1971 the
3 Village Board decided that --

4 MR. CROWLEY: Right.

5 CHAIRMAN SALADINO: -- a lot in the Village
6 has to be 7500 square feet, for whatever their
7 thinking was. And prior to that, we know a lot
8 of the lots. Eileen was nice enough to give us a
9 map that --

10 MS. WINGATE: That indicates that 58% of
11 the existing street is non-conforming.

12 CHAIRMAN SALADINO: Well, what you forgot
13 to put on here, and I think you and I spoke about
14 it at the last meeting, is how many of those 34
15 houses were built after 1971 when the Code went
16 into effect.

17 MS. WINGATE: None, zero.

18 CHAIRMAN SALADINO: Okay. So prior to 1971
19 a lot that size was permitted in the Village,
20 after the -- well, actually it was 1949, but it
21 was revised in '71, they decided that it would be
22 '70 for whatever their reasoning, so.

23 Anyone have a question for Ian or Eileen?

24 (No Response)

25 CHAIRMAN SALADINO: No? Thanks.

1 MR. CROWLEY: Thank you.

2 CHAIRMAN SALADINO: Is there anyone from
3 the public that would like to comment on this?
4 Name and address for the stenographer.

5 MR. WEISKOTT: Hi. Jack Weiskott, 229
6 Fifth Avenue.

7 I have nothing in particular against the
8 house as described, but I am opposed to
9 subdividing lots significantly smaller than the
10 Code allows.

11 MEMBER GORDON: Could you speak a little
12 louder?

13 MR. WEISKOTT: I can get closer to the mic.

14 MEMBER GORDON: Thank you.

15 MR. WEISKOTT: Anyway, I am philosophically
16 opposed to overriding the codes that exist to
17 significant amounts in lot size in this Village.
18 And in particular on our street which is an
19 exceptionally busy and crowded street where
20 there's so much activity going on on our street
21 that two cars can't pass, because if one of all
22 the cars parked and all the traffic that goes up
23 and down it.

24 And that's all. I'm just -- I think the
25 Village is getting kind of full. As we just

1 heard the alarm go off while we were here, it's
2 at least three or four times a day it's going off
3 because of --

4 MS. WINGATE: That was the 6 o'clock bell.

5 MR. WEISKOTT: No.

6 MEMBER GORDON: No.

7 MR. WEISKOTT: No, it just did about ten
8 minutes ago and it's 6:38 now, so I don't think
9 that was our bell.

10 MS. WINGATE: Okay.

11 MR. WEISKOTT: Anyway, I just think we've
12 reached a really strong limit on how many more
13 things we can fit in this small village. And I
14 think we -- we're a little overflowing already
15 and any more is just oversaturation. So, that's
16 just my opinion on the matter. Thank you

17 CHAIRMAN SALADINO: Thank you.

18 Is there anyone else that would like to
19 speak at this Public Hearing?

20 MR. STEP NOSKI: Angelo Stepnoski, 200 Broad
21 Street, Greenport, one of the applicants.

22 One of the reasons we're doing this is I
23 have three sons in their 20's, Ian has two young
24 sons and we want them to be able to stay here, so
25 we want them to be to have a place to live and

1 that's one of the reasons we're doing it.

2 And also, Eileen just pointed out that we
3 have to buy the three parking spots for this
4 applicant, application, so. I just wanted to
5 point out the fact that we're doing this so our
6 kids can stay here.

7 CHAIRMAN SALADINO: Is it -- are you
8 suggesting it's your intention to build this
9 house and your sons are going to live in it?

10 MR. STEPANOSKI: Yep, it's a good
11 possibility, yes.

12 CHAIRMAN SALADINO: I wish my Dad did that
13 for me.

14 MR. CROWLEY: I just want to -- can we be
15 up here together?

16 CHAIRMAN SALADINO: Absolutely.

17 MR. CROWLEY: And I just want to -- this
18 amounts to a question; Ian Crowley here. Are --
19 have there been any relief granted since 1971 for
20 lot size and lot width? Since the Code was
21 enacted, has there been any really granted by the
22 ZBA?

23 CHAIRMAN SALADINO: Actually, the question
24 is --

25 MR. CROWLEY: Or is this is the first

1 application?

2 CHAIRMAN SALADINO: Actually, the question
3 should be has there been application to subdivide
4 a lot that's undersized and -- I wasn't going to
5 bring this up, but this is a question -- this is
6 a question of a subdivision; it's about lot lines
7 for a subdivision.

8 MR. CROWLEY: Uh-huh.

9 CHAIRMAN SALADINO: Actually, the house --
10 the house is -- if the Zoning Board grants
11 relief, the house becomes as-of-right. If the
12 Zoning Board decides that this property can be
13 subdivided, the house becomes as-of-right.

14 So, what you're -- what you're really
15 asking the Zoning Board to do -- actually, it's
16 the Planning Board that grants the subdivision.
17 We're just kind of caught in the middle here
18 because --

19 UNKNOWN AUDIENCE MEMBER: (Inaudible)

20 CHAIRMAN SALADINO: I'm sorry? We're
21 caught in the middle. But if the Zoning Board
22 decides that you deserve relief for the size of
23 the lot, you would go to the Planning Board and
24 they would decide if you could subdivide the lot
25 or not.

1 The house, in reality, as far as being on a
2 -- if this was a 5500-square foot lot that you
3 owned without a subdivision being in the picture,
4 you would be able to build this house
5 as-of-right. It would be limited to a one-family
6 house, there's certain rules, you know --

7 MR. CROWLEY: Sure.

8 CHAIRMAN SALADINO: -- about side yards and
9 stuff, but it would be restricted to a one-family
10 house. The question now is does -- lot size is
11 what we're going to decide. So the question
12 should have been since 1971, has there been a
13 subdivision that allowed two substandard lots to
14 be created.

15 I have recent recollection, it was maybe
16 three years ago, perhaps, or two years ago, on
17 Fifth Avenue, across the street from this
18 property. And on the same side of the street,
19 maybe four or five houses away, an applicant
20 looked to subdivide there and he looked to
21 subdivide across the street. Those two
22 applications were denied. So, I don't know if
23 that answers your question.

24 MR. CROWLEY: Not exactly, but I've --

25 CHAIRMAN SALADINO: I don't -- Ian, I don't

1 have the information of how many single-family
2 homes were built on substandard lots.

3 MR. CROWLEY: Well, subdivided, subdivided.

4 CHAIRMAN SALADINO: Well, I do have that
5 information.

6 MR. CROWLEY: Yeah.

7 CHAIRMAN SALADINO: You know, and that's
8 what I just gave you.

9 That's it. Does anybody have any questions
10 for the applicants?

11 (No Response)

12 No? Thank you.

13 MR. CROWLEY: Thanks.

14 CHAIRMAN SALADINO: What's the pleasure of
15 the Board; are we going to close this Public
16 Hearing?

17 MEMBER GORDON: I think so. We don't
18 have -- there's been plenty of notice and we
19 don't have more comments. But if you think there
20 will be more comments in another month --

21 CHAIRMAN SALADINO: I -- all I can do is
22 draw on experience. We had a similar application
23 across the street from your property.

24 MR. CROWLEY: Yeah, where two families
25 proposed.

1 CHAIRMAN SALADINO: No, it was a one-family
2 house.

3 MR. CROWLEY: Two families.

4 CHAIRMAN SALADINO: We had a similar
5 application across the street from your property.
6 The size of the house, in my mind, it doesn't
7 matter in the answer that I'm going to give you,
8 I'm just responding to Dinny, and we couldn't fit
9 the people in the room. So, that was my
10 experience with a subdivision on Fifth Avenue,
11 two subdivisions on Fifth Avenue.

12 It's also my opinion that if the neighbors
13 -- if the majority of the neighbors were
14 interested they would be here. So, I'm content
15 to close the Public Hearing.

16 MEMBER KAUFMAN: When were the notices sent
17 out; how long ago?

18 CHAIRMAN SALADINO: Ten days.

19 MS. WINGATE: More than.

20 CHAIRMAN SALADINO: I'm sorry?

21 MS. WINGATE: Plus two or three more days.
22 I got them in way in advance.

23 CHAIRMAN SALADINO: By law it's 10 days
24 before, so we're not going to think about a day
25 or two.

1 MEMBER KAUFMAN: That seems like a
2 reasonable amount of time, so.

3 CHAIRMAN SALADINO: We can close the Public
4 Hearing. Everybody here knows that we don't have
5 to make a decision tonight, we have 62-days to
6 make a decision. We can discuss it -- we can
7 discuss -- obviously we're going to discuss it
8 now, it's an agenda item. And if we come to a
9 conclusion we'll vote on it tonight; if not,
10 we'll give it a little more time and vote on it
11 next month. So, I'm going to make a motion that
12 we close this Public Hearing.

13 MEMBER KAUFMAN: I'll second.

14 CHAIRMAN SALADINO: All in favor?

15 MEMBER GORDON: Aye.

16 MEMBER SOLOMAN: Aye.

17 MEMBER KAUFMAN: Aye.

18 CHAIRMAN SALADINO: And I'll vote aye.

19 (VOTE: 4/0/0/1 - Not Present: Member Reardon).

20 Item No. 6 is 511 Carpenter Street. It
21 would be a discussion and possible motion on the
22 area variances applied for by Jenna and Donald
23 Williams for the property located at 511
24 Carpenter Street, Greenport, New York, 11944.
25 The Suffolk County Tax Map No is 1001-4-3-32.

1 What are we thinking here, folks?

2 I don't usually go first, but I will.

3 I have a few concerns about the property.

4 I think -- reading the narrative, I read the
5 applicant's narrative and this building has the
6 potential -- if all the variances are granted,
7 this building has the potential to be well -- in
8 the future to be well over 7,000 square feet.

9 The lot is -- the lot is 4700, 4800 square
10 feet. With the additions it would be 62% lot
11 coverage. One of the questions that we ask is
12 how does that fit into the neighborhood? I'm not
13 sure -- I know one of the questions we're
14 required to ask is will an undesirable change
15 occur in the characteristics of the neighborhood,
16 or will the detriment to nearby properties be
17 created by granting the area variance. I don't
18 see how a -- right now the building -- if the
19 variances are granted, right now the building
20 would be 59 and -- 6,000 square feet. If we
21 legitimize the accessory building, the applicant
22 would have the right to make that accessory
23 building the height of the principle building.
24 Three floors, the accessory building is
25 700 square feet, 695 square feet, that would add

1 another 1500 square feet to the principle
2 building, to the size of the principle building.
3 Now we're talking 7500 square feet. A
4 7500-square foot building on a 47, 4800-square
5 foot lot in my mind is excessive.

6 MR. CONNOLLY: You can put a condition in
7 the approval, in the -- you can put a condition
8 limiting the accessory structure to remain as a
9 one-story structure.

10 CHAIRMAN SALADINO: How is that possible?
11 How do you condition -- once we legitimize the
12 accessory structure, once it becomes part of the
13 principle building, it -- he applies for a
14 building permit, I'm not sure how we could --

15 MR. CONNOLLY: Well, the Zoning Board is
16 allowed to put any condition in their decision
17 that they want, as long as there's a logical
18 nexus between the relief granted and the
19 condition. So, if it's in the condition when
20 they go to apply for a building permit, then the
21 building permit -- the Building Department will
22 see that there's a condition that limits the
23 structure to be one story and they wouldn't be
24 able to get building permits.

25 MEMBER KAUFMAN: Even without that, it's

1 still a substantial --

2 CHAIRMAN SALADINO: Even without that it's
3 62% lot coverage.

4 MEMBER KAUFMAN: Yeah, it's still
5 well over.

6 CHAIRMAN SALADINO: I don't agree.

7 MEMBER GORDON: May I ask a question of
8 Rob? If the -- if we are legitimizing -- it's
9 not really the right word, but it's the only one
10 I can find -- the accessory building, are we not
11 increasing the non-conformity? I don't really
12 understand how we can deal with the accessory
13 building in a way that realizes the objective of
14 the owners to turn this all into non-conforming
15 space.

16 MR. CONNOLLY: Right, you would be
17 increasing the conformity of the structure, you
18 know, of the primary residence; you would be
19 increasing the non-conformity of that. So, yeah,
20 that is an issue.

21 MEMBER GORDON: So it wouldn't -- yeah, it
22 would no longer -- it would still be
23 non-conforming.

24 MR. CONNOLLY: Correct.

25 MEMBER GORDON: Even though their objective

1 is in part to make it conforming.

2 MR. CONNOLLY: Right.

3 MEMBER GORDON: I mean, that's what this
4 document is about. I'm uncomfortable with that.

5 I understand that this is a unique piece of
6 property and there's nothing like this in the
7 Village and there never will be, so, to do
8 something good with it is to be wished. But it
9 does increase the non-conformity to add this, you
10 know, the corridor to the accessory building and
11 connect it to the principle building. That's the
12 problem I have with it.

13 MEMBER SOLOMON: The Building Department,
14 they approved -- I mean, they okayed that, the
15 planning of the permit? I mean, we're here for
16 the variance, not for --

17 CHAIRMAN SALADINO: No, there's been no --
18 HPC I think is the only one. Is there another
19 statutory board that this has to go in front of?

20 MR. COFFEY: No, not yet.

21 ADMINISTRATOR PALLAS: Not yet.

22 MR. COFFEY: We applied to the Building
23 Department, but the next step is here and then it
24 would go to --

25 CHAIRMAN SALADINO: This is the first

1 statutory board that they come in front of.

2 MEMBER GORDON: But then they do have to --

3 MEMBER SOLOMAN: Yeah, they do have to go.

4 CHAIRMAN SALADINO: They would have to go
5 to Historic, it's in the Historic District.

6 So, I'm uncomfortable saying that no
7 undesirable change in the characteristic of the
8 neighborhood. I don't know any house on
9 Carpenter -- I don't know any three houses on
10 Carpenter Street that are 6,000 square feet.
11 So, I would -- I'm having a little problem with
12 that.

13 The original CO calls it a two-story
14 building with a second-story single-family
15 residence. The first story, non-habitable studio
16 and the attached one-story, non-habitable studio.
17 This board had brought up --

18 MEMBER GORDON: So it's really lot coverage
19 that is your principal concern.

20 CHAIRMAN SALADINO: Yes, lot coverage would
21 be -- no. My principal concern is the size of
22 the dwelling. My principal concern is how does
23 this house fit into the character of the
24 neighborhood; my opinion is it doesn't.

25 MEMBER SOLOMON: I think it's been an eye

1 sore for decades, personally. And --

2 CHAIRMAN SALADINO: They're going to fix
3 that; they're going to make it look pretty

4 MEMBER SOLOMON: No, they're not, it's
5 going to look the same; I notice all that vine
6 stuff is gone, or whatever, but I'm just saying
7 it's not -- it's been there for so long, unless
8 it was torn down, I don't think it's going to
9 look especially ugly or, you know, impact
10 negatively the community. But I understand, you
11 know, the square footage, you're saying that's a
12 lot and is that for us to -- the ZBA to determine
13 that a house has too much square feet.

14 CHAIRMAN SALADINO: Well, the original --
15 the original -- the original C of O -- there's
16 also an intensity of use here.

17 You know, Carpenter Street, one of the
18 smaller streets in the Village, in 1983 -- well,
19 the CO is from '80 -- it was issued in '87, but
20 issued in '83, and the findings and
21 determinations are from '83 -- felt that the
22 street was a different street. And at that time
23 the building was restricted to the middle floor
24 as living space; the bottom floor, 30% was
25 supposed to be studio and the accessory building

1 was -- actually, what they said, what the ZBA
2 said about the accessory building was that while
3 the renovation -- the previous applicant, while
4 the renovation was being undertaken they could
5 live there for a maximum of one year.

6 If we're going to open up what the ZBA
7 allowed back in '83, then there's a few other
8 things that I would have to say, one of them is
9 about parking. But we should go down the five
10 questions just to create the record, in case
11 somebody decides later on they need a record.

12 So, my opinion is -- my opinion is that a
13 house this size would be out of character on that
14 street.

15 MEMBER GORDON: The current tenant has been
16 living there for, what, two years?

17 MR. WILLIAMS: A little -- about almost a
18 year.

19 MEMBER GORDON: Oh, less than that.

20 CHAIRMAN SALADINO: Did you get -- when you
21 bought the property, did you get a copy of the
22 CO?

23 MR. WILLIAMS: Yeah.

24 CHAIRMAN SALADINO: So you read what was in
25 it.

1 MR. WILLIAMS: We read what was in it, yep.

2 MEMBER GORDON: I have -- I'm really very
3 conflicted. I think the lot coverage question is
4 important, but it's not the most important thing.
5 I mean, I'm interested in Connie's comment about
6 how it's been an eyesore. I think it will be
7 less of an eyesore in this proposed situation,
8 but it's also pretty awkward to think about what
9 would happen to it in the future.

10 And I think the possibilities of a
11 condition on the use of the accessory building is
12 potentially a good way to deal with that. But I
13 would want to know -- and the condition would run
14 with the land, right?

15 CHAIRMAN SALADINO: The problem -- okay.
16 Okay. But any condition can be appealed if he
17 decides -- if they want a second or third floor.

18 MEMBER SOLOMON: And to who would they
19 appeal that to?

20 CHAIRMAN SALADINO: I'm sorry?

21 MEMBER SOLOMAN: Who would they appeal that
22 to?

23 CHAIRMAN SALADINO: They would appeal it to
24 the ZBA.

25 MEMBER SOLOMON: (*Laughter*)

1 MEMBER GORDON: But we are dealing with --

2 CHAIRMAN SALADINO: Different ZBAs have
3 different opinions, and we're dealing with the
4 here and the now.

5 MEMBER GORDON: Yeah

6 MEMBER SOLOMON: Right, exactly.

7 CHAIRMAN SALADINO: And what happens in the
8 future --

9 MEMBER GORDON: There are many other things
10 that could happen in the future that you can't
11 predict.

12 CHAIRMAN SALADINO: So, that's my question
13 about that. If we were going to -- if we're
14 going to -- there's a question of -- in my mind,
15 there's a question of parking. The original
16 findings and determinations absolve them from
17 parking, but we are opening up that application
18 again. I mean, if we're -- to be fair to this
19 Board, if we're being asked to consider the
20 variances issued in '83, the applicant should be
21 able to pick and choose which ones he would like
22 to be -- you know. So, there is no -- here
23 you're going to have a 6,000 square foot building
24 that doesn't provide one parking space.

25 Originally the applicants said that they

1 only have one car; I don't know how many cars you
2 currently have.

3 MEMBER GORDON: Can we -- could we include
4 a condition that parking be included on the part
5 of the lot where the accessory building is, or is
6 that going too far?

7 MEMBER SOLOMAN: (Inaudible).

8 MEMBER KAUFMAN: Where would that be?
9 Where would that parking be on the lot?

10 MS. MAHONEY: I can't hear you.

11 MEMBER KAUFMAN: Sorry. Where would that
12 parking fit on that lot, given the intensity and
13 use on that lot right now? How would you get
14 parking without demolishing something? That's
15 all I'm asking. And, I mean, I think the change
16 of intensity, the parking is relevant.

17 MEMBER SOLOMAN: (Inaudible).

18 MEMBER KAUFMAN: It's pertinent if it's
19 going to change the intensity and use.

20 MEMBER GORDON: To the south. Is there not
21 enough room to the south of the accessory
22 building?

23 MEMBER KAUFMAN: We could ask the
24 architect.

25 MR. COFFEY: Yes.

1 MEMBER GORDON: Okay. Sorry; I didn't mean
2 to disturb you.

3 CHAIRMAN SALADINO: I don't believe there's
4 room on either side of the building, and there's
5 no access to the rear. And the front of the
6 building, there's no parking on that side of the
7 street.

8 Originally what was agreed to by the Zoning
9 Board was that the applicant would make
10 provisions, that the applicant would make
11 provisions to rent parking space; I don't know.
12 Two parking spaces were required. The original
13 applicants only had one car, they told the Zoning
14 Board that they only had one car, and the Zoning
15 Board -- they told the Zoning Board that they
16 were making arrangements to park their car on a
17 neighbor's property.

18 So, parking, the original application was
19 taken into consideration. So, you know, and the
20 variance about parking was granted because the
21 Zoning Board took the applicant at their word.
22 We -- I don't -- I don't know if they kept their
23 word or not, you know, it was 1983.

24 So, I think that -- I think parking in the
25 Village is a real issue. And I think with seven

1 people living in a building, 7,000, a
2 6,000-square foot building, even with a covenant
3 on a 6,000-square foot building.

4 MEMBER GORDON: Rob, would we -- with a C
5 of O of -- suppose this were accepted for
6 granting this application. Would the CO say this
7 was still non-conforming?

8 MR. CONNOLLY: Well, it should reference
9 the Zoning Board decision and the survey, which I
10 don't know if the CO generally says -- the
11 preexisting C of O.

12 ADMINISTRATOR PALLAS: Typically they don't
13 reference whether it's conforming or not, even
14 after a variance is granted.

15 CHAIRMAN SALADINO: Well, actually I kind
16 of read the C of O. I'll read -- why don't I
17 read the Certificate of Occupancy. It's an
18 alteration, the C of O number was 847, it's
19 October 6th, 1987, but the CO was written 6/17/99
20 but should have been issued on 10/6/87.

21 "This certifies that the building located
22 at 511 Carpenter Street, District -- well,
23 Suffolk County Tax Map No. Was 1001, Section 004,
24 Block 3, Lot 032, conforms substantially to the
25 approved plans and specification filed in this

1 office with application for a building permit
2 dated 10/15/82 and 1/18/83, pursuant to which
3 Building Permit No. 847, dated March 14th, '82,
4 '83 was issued and conforms to all the
5 requirements of the applicable provisions of the
6 law."

7 "The occupancy for which this certificate
8 is issued is a two-story building with a second
9 story, single-family residence; first story
10 non-habitable studio and a detached, one-story,
11 non-habitable studio. The certificate is issued
12 to," and it's signed by -- actually, I think it's
13 signed by David Affetone. That's what we have in
14 the way of a CO.

15 So this building right now, there's a first
16 floor, non-habitable space, there's an accessory
17 building that's non-habitable, there's a middle
18 floor that's habitable that's living space, and
19 there's no mention of a third floor.

20 The second -- going through the questions
21 and the applicant's narrative, the second
22 question is can the benefit sought by the
23 applicant be achieved by another method, feasible
24 for the applicant to pursue other than an area
25 variance. The applicant's response is no,

1 there's no other way to achieve the benefit
2 sought by the homeowner other than requesting
3 area variance that recognizes preexisting,
4 non-conforming assets of this property.

5 Again, I would answer yes. You just can't
6 keep adding every time -- we just can't keep
7 adding square feet. I mean, it's 62% lot
8 coverage.

9 The third question, is the area variance
10 substantial. A 30% lot coverage increase I would
11 consider substantial.

12 Will the requested area variance have an
13 adverse impact or effect or impact on the
14 physical or environmental conditions in the
15 neighborhood?

16 MEMBER GORDON: What?

17 CHAIRMAN SALADINO: I think yes.

18 MEMBER GORDON: If the -- the first
19 question is will an undesirable change occur in
20 the characteristics of the neighborhood. How --

21 CHAIRMAN SALADINO: Or a detriment to
22 nearby properties be created.

23 MEMBER GORDON: Okay. But I'm looking at
24 this first clause and it seems to me -- I don't
25 see how there's going to be a change. There's a

1 family living in it now, there was a family
2 living in it before.

3 CHAIRMAN SALADINO: Wait a second, Dinny.
4 We -- we don't go by what's happening at this
5 particular moment. We've all made -- we've all
6 made a visit to the property. We know what's
7 happening now at that property is different than
8 what's allowed by a CO.

9 MEMBER GORDON: Well, it's still going to
10 be preexisting non-conforming.

11 CHAIRMAN SALADINO: But it's still going to
12 be an intensity of use. So, how does that not
13 effect the surrounding property?

14 MEMBER SOLOMAN: Intensity of use,
15 intensity.

16 MEMBER GORDON: Right. That means
17 the different lot coverage percentage.

18 MEMBER SOLOMON: The lot coverage
19 percentage you're talking about.

20 CHAIRMAN SALADINO: No, not for lot
21 coverage.

22 MEMBER SOLOMAN: No, not lot coverage.

23 CHAIRMAN SALADINO: The intensity -- the
24 increased intensity of use will be --

25 MEMBER GORDON: You mean because there are

1 seven people in the family?

2 CHAIRMAN SALADINO: The increased intensity
3 of use would be the difference between what was
4 allowed here and what's actually happening now on
5 the property.

6 MEMBER KAUFMAN: It's not about people
7 there now or their future, it's about the amount
8 of habitable floor space being created, both
9 in -- this is my opinion -- in the main building,
10 in the accessory building and all that intensity
11 causing other detrimental impacts, including
12 parking, to neighbors.

13 MEMBER GORDON: Uh-huh.

14 CHAIRMAN SALADINO: The amount of livable
15 floor space on the property is 2,000 in a
16 5900-square foot building that is being asked --

17 MEMBER GORDON: As of 1987.

18 CHAIRMAN SALADINO: As of what's currently
19 allowed by law. So to add 4,000 square feet of
20 living space to that particular location, I don't
21 understand how we could not say it would change
22 the character of the neighborhood or a detriment
23 to nearby properties. But that's my opinion, I'm
24 only one vote.

25 (Brief Pause)

1 Let me ask the members this. We have
2 62 days to make a decision. Do any of the
3 members feel that -- we have another application
4 to consider. Do any of the members feel that we
5 can take more time with this at a later date or
6 are we comfortable hashing this out now?

7 MEMBER GORDON: I'm not comfortable with
8 the whole thing. But I don't see how --

9 CHAIRMAN SALADINO: Unfortunately that
10 wasn't brought up (laughter).

11 MEMBER GORDON: I don't see how anything is
12 going to change within the next 62 days. I mean,
13 we've been agonizing over this for a while.

14 CHAIRMAN SALADINO: Then --

15 MEMBER KAUFMAN: I think we have all the
16 information we're going to need and all the
17 information we're going to get.

18 CHAIRMAN SALADINO: I don't have a problem.
19 I don't have a problem doing it. We can -- we
20 can go through the five questions and we can vote
21 on the variance or we can discuss it and we can
22 take a few more minutes. Eileen's busy on her
23 phone, she's not worried about the time.

24 Well, let's create our own narrative for
25 the rest of the questions. Can benefits sought

1 by the applicant be achieved by another method,
2 feasible for the applicant to pursue an area
3 variance. I certainly think there is. I
4 certainly think there is. Keep the accessory
5 building an accessory building and deal with the
6 variance as resolving around the principle
7 building. I think it's a reasonable
8 alternative. And today, tomorrow that building
9 might be used for something as it was intended.

10 MEMBER KAUFMAN: I agree.

11 MEMBER GORDON: Well, there's -- I mean, I
12 don't have a problem with a lot of this. The
13 variances with respect to the setbacks, as we've
14 all been saying, doesn't change the way it looks,
15 the way -- I don't have a problem with those
16 little things. I have just a problem with the
17 increasing non-conformity and the lot coverage.

18 So, if the accessory building were still
19 separate, but you would still say the percentage
20 of the lot coverage is still very high, that
21 would still bother you.

22 CHAIRMAN SALADINO: It would bother me.
23 The percentage of lot coverage is high, but we're
24 saying we can't change what's there. Nobody's
25 going to suggest to the applicant that he tear

1 down a portion of his building, we can't change
2 that. But what we can do is decide the amount of
3 use that can be -- that can happen on that piece
4 of property.

5 And to -- by increasing -- by adding a
6 breezeway and legitimizing that 700 square feet
7 of accessory building just increases the use on
8 that property, increases the intensity of use, in
9 my mind, on that property. I don't know how else
10 to say it.

11 The next question, is the requested area
12 variance substantial.

13 (*Laughter*)

14 MEMBER KAUFMAN: Yes.

15 CHAIRMAN SALADINO: I don't know how you
16 could say no. I mean, it's a 30% increase in lot
17 coverage.

18 Will the requested area variance have an
19 adverse effect or impact on the physical or
20 environmental conditions in the neighborhood or
21 district. I don't know. You know, a
22 6,000-square foot house with no parking; two
23 adults, I assume there's two cars. There's only
24 me and my wife and we have three cars; I don't
25 even know how that happens, I don't know why it

1 happens, but we do. So, it's reasonable to
2 assume that there would probably be at least two
3 cars. It would definitely be an impact on the
4 physical conditions in the neighborhood. It's
5 the smallest street in Greenport.

6 MEMBER GORDON: That would probably be true
7 even if they were -- even if the family were
8 occupying only this second floor which is
9 permitted in the old C of O.

10 CHAIRMAN SALADINO: We still have to ask
11 the question, it still requires an answer. I
12 kind of like my answer.

13 And the last question would be was the
14 alleged difficulty self-created. The response
15 from the applicant is no.

16 MEMBER SOLOMON: (Inaudible).

17 CHAIRMAN SALADINO: So, I think to answer
18 no to that question, we asked the applicant if he
19 read the CO before he bought -- when he bought
20 the property, he knows exactly what was permitted
21 on that piece of property. I don't know how -- I
22 don't know how it's anything but a self-created
23 hardship. But this is not a use variance, an
24 area variance, so consideration shall be relevant
25 to the decision of the Zoning Board of Appeals,

1 but not necessarily preclude the granting of an
2 area variance. So, in my mind the answer would
3 be yes, it is self-created, but that gives
4 us some -- because it's an area variance, it
5 gives us some latitude.

6 MEMBER GORDON: Would we deal with the
7 area -- the variances one-by-one or all together?

8 CHAIRMAN SALADINO: I was going to ask the
9 attorney that.

10 MR. CONNOLLY: I think we should ask the
11 applicant if they would want to go forward with
12 trying to get a building permit if the variance
13 is to allow the breezeway and the accessory
14 building permit by the board. But then --

15 CHAIRMAN SALADINO: I'm not sure I
16 understand.

17 MR. CONNOLLY: Well, because they're
18 still -- they're asking for a variance to -- for
19 the third story. So, does the applicant want to
20 move forward with just that aspect of the project
21 or is it an all-or-nothing prospect?

22 MR. WILLIAMS: Well, I mean, I think we
23 would retool if it gave us a better shot of
24 making the main structure permitable space.
25 We'll get rid of the -- simply, we'll get rid of

1 the breezeway if that's the main issue. That's
2 not --

3 CHAIRMAN SALADINO: But you realize, you
4 realize the breezeway is what would legitimize
5 the accessory building.

6 MR. WILLIAMS: I do realize that; I do.

7 CHAIRMAN SALADINO: To get rid of the
8 breezeway -- (Brief Pause). I'm struggling here,
9 because I don't want to open up a Pandora's box.
10 To get rid of the breezeway, that accessory
11 portion of that property, that accessory building
12 would revert to non-habitable living space.

13 MR. WILLIAMS: I understand that. I think
14 we could use that space like we use it currently,
15 as office space for the foreseeable future. I'm
16 okay with that, personally.

17 I'm also great with not adding three
18 stories to the accessory building; I would never
19 do that.

20 CHAIRMAN SALADINO: Well, as smart as a guy
21 as Rob is, he's the smartest guy I know and I
22 believe everything that he says. But I know it's
23 like the fastest gun in the west, there's always
24 somebody faster out there. And sometimes it's
25 been our experience that a different lawyer or a

1 different Zoning Board or a different Building
2 Department makes a better case than we can argue
3 against. And all -- as if by wizardry, a second
4 and third floor appear, so.

5 (*Laughter*)

6 MEMBER GORDON: We are not in the business
7 of predicting, and if we were we would be
8 terrible at it.

9 CHAIRMAN SALADINO: No, but we are in the
10 business of granting variances that run with the
11 land and we have to think past -- sometimes we
12 have to think past the ends of our nose.
13 Sometimes -- as much as we take applicants for
14 their word, we do it all the time. As hard as
15 this is for some people to believe, sometimes
16 there's an applicant that lies to us and we get
17 caught.

18 So, you know, it's better to err on what
19 the greater benefit to the Village is than
20 measure that against the detriment to the
21 applicant.

22 So, do we want to go through the questions
23 and answer and we'll vote on the variances
24 individually. I would ask -- I would ask Rob, do
25 we have to read -- we don't have to read the five

1 questions for each variance.

2 MR. CONNOLLY: No.

3 CHAIRMAN SALADINO: Just we would vote on
4 them individually.

5 MR. CONNOLLY: Right.

6 CHAIRMAN SALADINO: So --

7 MEMBER GORDON: Could we group the setback
8 variances and vote on them and then vote on the
9 lot coverage as essentially a vote on the
10 breezeway and accessory building issue?

11 MR. CONNOLLY: Yeah, I don't see a problem
12 with that.

13 MEMBER GORDON: That's what I would like to
14 do.

15 MR. CONNOLLY: And then really, I don't
16 think you really even need to vote on the setback
17 issues, but that's --

18 MEMBER GORDON: Well, they are --

19 CHAIRMAN SALADINO: Well, they're here and
20 they're on the Notice of Disapproval.

21 MEMBER GORDON: Right.

22 CHAIRMAN SALADINO: So, you know, in case
23 somebody down the road in 30 days asks for
24 judicial review, at least we did our job, you
25 know.

1 So, I'm going to make a motion that the
2 Zoning Board declare itself Lead Agency for the
3 purpose of SEQRA. So moved.

4 MEMBER GORDON: Second.

5 CHAIRMAN SALADINO: All in favor?

6 MEMBER KAUFMAN: Aye.

7 MEMBER SOLOMAN: Aye.

8 MEMBER GORDON: Aye.

9 And I'm going to make a motion that this is
10 a Type II Action, Mr. Connelly?

11 MR. CONNOLLY: That's correct.

12 CHAIRMAN SALADINO: Type II Action.

13 So moved.

14 MEMBER GORDON: Second.

15 MEMBER KAUFMAN: Aye.

16 MEMBER GORDON: Aye.

17 MEMBER SOLOMAN: Aye.

18 CHAIRMAN SALADINO: And I'll vote yes.

19 (VOTE: 4/0/0/1 - Not Present: Member Reardon).

20 We'll go through these five questions.

21 MS. MAHONEY: Can you give me a second to
22 plug in my charger, please?

23 CHAIRMAN SALADINO: Sure.

24 (Brief Pause in Meeting)

25 MEMBER GORDON: So, when we get to the

1 questions, are we doing it for the totality or
2 for -- I think part of it is --

3 CHAIRMAN SALADINO: Well, I thought your
4 suggestion made sense, we can group.

5 MEMBER GORDON: Okay, good.

6 CHAIRMAN SALADINO: And then --

7 MS. MAHONEY: Thank you. I'm good.

8 CHAIRMAN SALADINO: Or we can read the five
9 questions and vote on them as they're in front of
10 us and then vote -- and then group the variances
11 and vote like that. I personally would rather do
12 that.

13 MEMBER GORDON: Okay.

14 CHAIRMAN SALADINO: But, again, I would
15 just rather do that. Are you all done already?

16 MS. MAHONEY: I'm ready when you are.

17 CHAIRMAN SALADINO: I would just rather do
18 that.

19 MEMBER GORDON: That's fine.

20 CHAIRMAN SALADINO: What do you think?

21 MEMBER KAUFMAN: That's fine, whatever
22 works for you. It's fine.

23 CHAIRMAN SALADINO: All right. Then I'll
24 read these five questions and hopefully we can
25 move on a little bit.

1 Question one is whether an undesirable
2 change will be produced in the character of the
3 neighborhood or a detriment to nearby properties
4 will be created by the granting of the area
5 variance. Dinny?

6 MEMBER GORDON: No.

7 CHAIRMAN SALADINO: Connie?

8 MEMBER SOLOMAN: No.

9 CHAIRMAN SALADINO: Seth?

10 MEMBER KAUFMAN: Yes.

11 CHAIRMAN SALADINO: And I'm going to vote
12 yes. (VOTE: 2/2/0/1 - Not Present: Member
13 Reardon).

14 Whether the benefit sought by the applicant
15 can be achieved by some method feasible for the
16 applicant to pursue other than an area variance.
17 Diana?

18 MEMBER GORDON: No.

19 CHAIRMAN SALADINO: Connie?

20 MEMBER SOLOMAN: Yes.

21 CHAIRMAN SALADINO: Seth?

22 MEMBER KAUFMAN: Yes.

23 CHAIRMAN SALADINO: And I'm going to vote
24 yes. (VOTE: 3/1/0/1 - Not Present: Member
25 Reardon).

1 Whether the requested area variance is
2 substantial. Dinny?

3 MEMBER GORDON: Well, that assumes we're
4 talking -- in this case we're talking about the
5 lot coverage? Because some of it is substantial
6 and some of it isn't. What would you like --

7 CHAIRMAN SALADINO: You could always say I
8 don't know.

9 MEMBER GORDON: Well, all right, I'll say
10 yes, it is substantial.

11 CHAIRMAN SALADINO: Connie?

12 MEMBER SOLOMAN: The area -- yes.

13 CHAIRMAN SALADINO: Seth?

14 MEMBER KAUFMAN: Yes.

15 CHAIRMAN SALADINO: And I'm going to vote
16 yes (VOTE: 4/0/0/1 - Not Present: Member
17 Reardon).

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

22 MEMBER GORDON: No.

23 CHAIRMAN SALADINO: Connie?

24 MEMBER SOLOMAN: No.

25 CHAIRMAN SALADINO: Seth?

1 MEMBER KAUFMAN: Yes.

2 CHAIRMAN SALADINO: And I'll vote yes.

3 (VOTE: 2/2/0/1 - Not Present: Member Reardon).

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

9 MEMBER GORDON: Yes.

10 CHAIRMAN SALADINO: Connie?

11 MEMBER SOLOMAN: No, I don't believe it was
12 self-created by the applicant.

13 CHAIRMAN SALADINO: Okay.

14 MEMBER SOLOMAN: Okay.

15 CHAIRMAN SALADINO: Seth?

16 MEMBER KAUFMAN: Yes.

17 CHAIRMAN SALADINO: And I'll vote yes.

18 (VOTE: 3/1/0/1 - Not Present: Member Reardon).

19 All right, we're going to group the --
20 we're going to group the variances --

21 (Brief Pause)

22 So, on the Notice of Disapproval it's
23 building height, lot coverage, front yard
24 setback, side yard setback, combined side yard
25 setback and a rear yard setback. If we can break

1 out the lot coverage requirement, we can vote on
2 those other variances as a group. Is that what
3 I'm understanding? Is that -- let me ask the
4 attorney. Is that legal? Can we do that?

5 MR. CONNOLLY: Yeah, you can consider the
6 variances individually or -- yeah.

7 CHAIRMAN SALADINO: All right. For -- I'm
8 going to read them, this way later on there's no
9 confusion.

10 The building height requirement in 150-12,
11 regulation, one-family dwelling, maximum height
12 35 feet or two-and-a-half stories. The plan
13 shows the proposed third floor addition, this
14 would require an area variance for a third story.

15 Why don't I just go through it. I'm going
16 to make a motion that we grant this area
17 variance. I'm going to go through them.

18 MEMBER GORDON: So, you're asking --

19 CHAIRMAN SALADINO: I'm asking -- so moved.
20 What I'm asking is, is the first thing on the
21 Notice of Disapproval, the first paragraph of the
22 Notice of Disapproval, is the building height
23 requirement, it's a one-family dwelling, maximum
24 height 35-feet, two-and-a-half stories. The plan
25 shows a proposed third floor addition, this would

1 require an area variance for the third story.

2 MEMBER GORDON: And you're removing that
3 variance.

4 CHAIRMAN SALADINO: That we grant that area
5 variance; that's my motion.

6 MEMBER GORDON: Yes.

7 MEMBER SOLOMAN: Yes.

8 MEMBER KAUFMAN: Okay, yes.

9 CHAIRMAN SALADINO: And I'll vote yes.

10 (VOTE: 4/0/0/1 - Not Present: Member Reardon).

11 I'm just going to add -- well, we can do
12 conditions afterwards, or should I -- I have a
13 condition for this that I would like them to vote
14 on, its benign, but.

15 MEMBER SOLOMAN: Okay.

16 CHAIRMAN SALADINO: The Planning Board
17 always adds a condition when they grant
18 something. We don't do it because we trust the
19 Building Department, that all the codes of the
20 Village and the International Fire & Building
21 Code will be adhered to.

22 MEMBER GORDON: For that third story.

23 CHAIRMAN SALADINO: For that third story,
24 with the sprinklers. Okay? Can we vote on that?

25 MEMBER GORDON: Yes.

1 CHAIRMAN SALADINO: I'm going to make that
2 motion; so moved.

3 MEMBER GORDON: Yes.

4 CHAIRMAN SALADINO: Connie?

5 MEMBER SOLOMAN: Yes.

6 CHAIRMAN SALADINO: Seth?

7 MEMBER KAUFMAN: Yes

8 CHAIRMAN SALADINO: And I'll vote yes.

9 (VOTE: 4/0/0/1 - Not Present: Member Reardon).

10 I'm going to skip lot coverage, we'll leave
11 that to the end.

12 Front yard setbacks. One-family dwelling,
13 front yard setback 30 feet. The plan shows the
14 front yard of a two-story building setback of
15 1-foot -- 1-foot 6-inches, it says 1-foot.
16 1-foot 6 inches. This would require an area
17 variance of 28-feet, 6-inches. I'm going to make
18 a motion to grant this area variance. So moved

19 MEMBER SOLOMAN: Yes.

20 CHAIRMAN SALADINO: Dinnie?

21 MEMBER GORDON: Yes.

22 CHAIRMAN SALADINO: Seth?

23 MEMBER KAUFMAN: Yes.

24 CHAIRMAN SALADINO: And I'll vote yes.

25 (VOTE: 4/0/0/1 - Not Present: Member Reardon).

1 Item No. 4, the side yard setback.
2 One-Family dwelling, side yard setback 10-feet.
3 This plan shows the front -- see, that should be
4 side yard. Side yard setback of 1-foot 6-inches,
5 this would require an area variance of 8-feet,
6 6-inches. I'm going to make a motion we grant
7 this area variance. So moved. Dinnie?

8 MEMBER GORDON: Yes.

9 CHAIRMAN SALADINO: Connie?

10 MEMBER SOLOMAN: Yes.

11 CHAIRMAN SALADINO: Seth?

12 MEMBER KAUFMAN: Yes.

13 CHAIRMAN SALADINO: And I'll vote yes.

14 (VOTE: 4/0/0/1 - Not Present: Member Reardon).

15 Combined side-yard setback requirements;
16 one-family dwelling, combined side-yard setback
17 is 25-feet. The plan shows -- a scrivener's
18 error, a setback of 1-foot 6-inches on the north
19 side, 3-feet 4-inches on the south side. This
20 would require an area variance of 20-feet
21 4-inches. I'm going to make a motion we grant
22 this area variance; so moved. Dinnie?

23 MEMBER GORDON: Yes.

24 CHAIRMAN SALADINO: Connie?

25 MEMBER SOLOMAN: Yes.

1 CHAIRMAN SALADINO: Seth?

2 MEMBER KAUFMAN: Yes.

3 CHAIRMAN SALADINO: And I'll vote yes.

4 (VOTE: 4/0/0/1 - Not Present: Member Reardon).

5 Rear yard setback requirement; one-family
6 dwelling, rear yard setback is 30-feet. This
7 plan shows the front of the rear yard setback of
8 5-feet 6-inches. This would require an area
9 variance of 24-feet 6-inches. I'm going to make
10 a motion that we grant this area variance; so
11 moved. Dinnie?

12 MEMBER GORDON: Yes.

13 CHAIRMAN SALADINO: Connie?

14 MEMBER SOLOMAN: Yes.

15 CHAIRMAN SALADINO: Seth?

16 MEMBER KAUFMAN: Yes.

17 CHAIRMAN SALADINO: And I'll vote yes.

18 Lot coverage requirement; one-family
19 dwelling, maximum lot coverage 30%.
20 Specification shows proposed lot coverage is --
21 the proposed lot coverage is 2,895 square feet,
22 60%; the allowable lot coverage is 1,437, 30%.
23 This would require an area variance of 1,458
24 square feet.

25 MEMBER GORDON: May I ask a question?

1 CHAIRMAN SALADINO: Sure.

2 MEMBER GORDON: If we voted no on the lot
3 coverage question, would it mean that we were
4 voting against the deck as well as against the
5 breezeway?

6 CHAIRMAN SALADINO: I was going to -- I was
7 going to clarify what I was going to say. I was
8 going to refine --

9 MEMBER GORDON: Clarification is always
10 good.

11 CHAIRMAN SALADINO: Refine what I was going
12 to say. The increase in lot coverage, would it
13 exclude the 20-square feet for the breezeway but
14 it include -- refresh my memory?

15 MR. COFFEY: A hundred and seventy-five
16 square feet.

17 CHAIRMAN SALADINO: One hundred and
18 seventy-five square feet for the deck.

19 MEMBER GORDON: (Indicated thumbs up).

20 MEMBER SOLOMAN: (Inaudible).

21 CHAIRMAN SALADINO: I'm sorry?

22 MEMBER SOLOMAN: Does it have to be
23 liveable? Okay, that increased the 20 feet that
24 has to be accounted for as far as the square
25 footage, not like -- I thought it was livable

1 space. Does that not -- that's adding on to the
2 lot size, I mean the square footage, the
3 breezeway.

4 MEMBER GORDON: Yes, it is.

5 CHAIRMAN SALADINO: Why don't we make it
6 easier? Why don't we make it easier, we could
7 break out the breezeway, too. Can we break out
8 the breezeway?

9 MEMBER SOLOMAN: You could just approve
10 whatever the previous lot coverage is, this way
11 you don't have to worry about it.

12 CHAIRMAN SALADINO: Well, no, because the
13 preexisting lot coverage includes the -- it
14 included a non-permitted --

15 MR. CONNOLLY: Well, besides the deck.

16 CHAIRMAN SALADINO: So, to work --

17 MR. CONNOLLY: Because I'm afraid if you
18 deny it, if you deny the lot coverage variance
19 it's going to read as if you're -- that whatever
20 lot coverage is there now.

21 CHAIRMAN SALADINO: Well, that's why I thought we
22 could just break out the breezeway and the deck
23 and vote on them separately. So, to make a --

24 ADMINISTRATOR PALLAS: Mr. Chairman, I have
25 a suggestion.

1 CHAIRMAN SALADINO: Sure.

2 ADMINISTRATOR PALLAS: Why don't you just
3 do it on the square footage individually. You
4 could -- in theory, you could vote on the square
5 footage of one versus the other and then maybe
6 condition it that it doesn't include the
7 breezeway, if that's the direction this goes.
8 It's just a thought. So two different square
9 footage that better known.

10 MEMBER GORDON: We just add 175 to the
11 existing?

12 CHAIRMAN SALADINO: No, because the
13 current -- the current lot coverage includes 250
14 feet of non-permitted deck. The applicant's
15 asking to get rid of that and add 175 feet of
16 permanent deck. I think -- I'm looking at the
17 Notice of Disapproval, the specifications of
18 proposed lot coverage is 2,895. It doesn't give
19 us -- it doesn't give me -- I guess I could look.

20 MEMBER GORDON: Yeah, it would be --

21 CHAIRMAN SALADINO: The square footage of
22 this lot, but it doesn't -- it doesn't tell me if
23 that includes the non-permitted deck. I'm just
24 not sure why we can't vote on the additional --
25 on allowing the 175-foot deck to be added to the

1 current lot coverage and vote on whether the
2 20-square feet for the breezeway can be added to
3 the current lot coverage. I'm looking to you for
4 guidance.

5 ADMINISTRATOR PALLAS: I think that's what
6 I was trying to say without saying it.

7 CHAIRMAN SALADINO: Oh, I misunderstood?

8 ADMINISTRATOR PALLAS: You said it better.

9 CHAIRMAN SALADINO: Let's read that back; I
10 don't think that's what he said.

11 ADMINISTRATOR PALLAS: You said it better
12 than I did, Mr. Chairman, as always.

13 CHAIRMAN SALADINO: All right. I'm going
14 to -- are we ready for this? Are we going to
15 give it a shot?

16 MEMBER GORDON: Yes.

17 CHAIRMAN SALADINO: (To stenographer) Can
18 you stop typing for a minute in case I get this
19 wrong?

20 (*Laughter*)

21 No, I'm only kidding. I'm going to make a
22 motion that we approve the 175 additional square
23 feet for the rear deck to be added to the --

24 (Brief Pause)

25 I'm going to make a motion that we approve

1 the additional -- the 100 square feet for the
2 rear deck. Does that --

3 MR. CONNOLLY: Yeah.

4 CHAIRMAN SALADINO: So moved.

5 MEMBER GORDON: Yes.

6 CHAIRMAN SALADINO: Connie?

7 MEMBER SOLOMAN: Yes.

8 CHAIRMAN SALADINO: Seth?

9 MEMBER KAUFMAN: Yes.

10 CHAIRMAN SALADINO: And I'll vote yes.

11 (VOTE: 4/0/0/1 - Not Present: Member Reardon).

12 I'm going to make a motion that we approve
13 the 20-square feet for the proposed breezeway.

14 So moved.

15 MEMBER GORDON: No.

16 CHAIRMAN SALADINO: Connie?

17 MEMBER SOLOMAN: Yes.

18 CHAIRMAN SALADINO: Seth?

19 MEMBER KAUFMAN: No.

20 CHAIRMAN SALADINO: And I'll vote no.

21 (VOTE: 1/3/0/1 - Not Present: Member Reardon).

22 If I'm reading this right, we're done

23 ADMINISTRATOR PALLAS: I lost track.

24 CHAIRMAN SALADINO: What did I miss here,
25 Mr. Connolly.

1 MR. CONNOLLY: You didn't, I think you got
2 it.

3 CHAIRMAN SALADINO: We're done?

4 MR. CONNOLLY: Yeah.

5 CHAIRMAN SALADINO: Okay. Thank you.

6 Thanks, folks. Thank you.

7 MR. WILLIAMS: Thank you. Appreciate it

8 CHAIRMAN SALADINO: Item No. 7 is a
9 discussion and possible motion on the area
10 variance applied for by Ian Crowley and Angelo
11 Stepnoski for the property located at 220 Fifth
12 Avenue, Greenport, New York, 11944. Suffolk
13 County Tax Map remains the same at 1001-4-8-7.
14 Folks, what are we thinking?

15 MS. WINGATE: I have some -- can I speak?

16 CHAIRMAN SALADINO: I forgot you were here.

17 (*Laughter*)

18 Of course you can speak.

19 MS. WINGATE: So you have brought up
20 several occasions about previous subdivisions on
21 Fifth Avenue.

22 MEMBER GORDON: Could you get closer to the
23 mic?

24 MS. MAHONEY: You can pull the mic down,
25 too.

1 MS. WINGATE: Okay. So, you have talked
2 about previous subdivisions on Fifth Avenue and
3 how they were both disapproved, and I just wanted
4 to take a look back that those applications were
5 very different from our applications because they
6 were two-family houses looking for more
7 two-family houses; and yes, they were both turned
8 down. But I could come up with, sitting there
9 for the past hour, six subdivisions that have
10 been fairly easily perhaps under you or before
11 you, but there's a lot of subdivisions that were
12 in the range of 5,000 to 6,000.

13 CHAIRMAN SALADINO: Is this when the Zoning
14 Board granted subdivisions or when the Planning
15 Board did?

16 MS. WINGATE: They've always been community
17 projects. They've always been this way.

18 CHAIRMAN SALADINO: That's not what I'm
19 asking. You know, I believe you were employed by
20 the Village at the time, that the dynamic
21 changed.

22 MS. WINGATE: The dynamic changed.

23 CHAIRMAN SALADINO: That the Zoning Board
24 no longer issued -- granted subdivisions, that it
25 went to the Planning Board.

1 MS. WINGATE: They always went -- they
2 always to Zoning if they were substandard lots.
3 And then the Planning Board -- back in the day
4 they used to do them at the same time, and that's
5 the only real change. But there's the Ludiker
6 House and then there's the one down -- there's
7 two down on Fifth Street and there's {Rosel
8 Berelli's} house, that was an extremely
9 substandard lot. So it's --

10 CHAIRMAN SALADINO: I have no way of
11 checking that, Eileen; come on

12 MS. WINGATE: I'm just saying, it's not
13 like it hasn't been done a million times.

14 CHAIRMAN SALADINO: Do you want us to -- do
15 you want us to -- because if you're going to make
16 that as testimony, I'm going to postpone this
17 Public Hearing and next month you come and you
18 bring us that information.

19 MS. WINGATE: That's up to my client.

20 MR. STEP NOSKI: That's fine. I have a
21 question also. This is a --

22 CHAIRMAN SALADINO: Angelo, please.

23 MR. STEP NOSKI: This is a merged lot. Does
24 that make a difference between subdivision and
25 on-merging a lot?

1 MS. WINGATE: Don't even --

2 (*Laughter*)

3 MR. STEP NOSKI: No?

4 MS. WINGATE: Don't even.

5 MR. STEP NOSKI: No? Bad news?

6 CHAIRMAN SALADINO: The Village --

7 actually, in the Village, up until just recently
8 you weren't allowed to merge lots. Now, if it's
9 non-conforming, you can merge a non-conforming
10 lot with a conforming lot. I don't know how this
11 property would relate to that.

12 MS. WINGATE: Yeah, back in the day,
13 somewhere in the mid 70's, I wasn't here, you
14 weren't here.

15 CHAIRMAN SALADINO: None of us were born in
16 the 70s.

17 (*Laughter*)

18 MS. WINGATE: When Southold Town took over
19 the Tax Assessor's role from the Village, when
20 that whole thing happened, Southold Town did all
21 the merging, not Greenport. So --

22 CHAIRMAN SALADINO: Eileen --

23 MS. WINGATE: That's a --

24 CHAIRMAN SALADINO: You're making my head
25 hurt (Chairman Saladino removed his hat).

1 (*Laughter*)

2 MS. WINGATE: I just -- my point was that I
3 could name half a dozen subdivisions that were on
4 Fifth Street that were approved, four substandard
5 lots, four little tiny lots at 500-square feet.

6 CHAIRMAN SALADINO: Well, right here and
7 now, are you willing to admit that different
8 locations have different considerations to be
9 taken into?

10 MS. WINGATE: Absolutely.

11 CHAIRMAN SALADINO: Different things to
12 consider?

13 MS. WINGATE: Neighbors.

14 CHAIRMAN SALADINO: Size of the street,
15 density.

16 MS. WINGATE: Last time was this place not
17 filled to the brim, standing room only? Which
18 leads me to believe that it's not as important
19 this time around because who knows why.

20 CHAIRMAN SALADINO: Well, there's no nobody
21 speaking in favor of the application.

22 MS. WINGATE: I also did a major mailing;
23 did I not do 12 people? So I did -- I went
24 beyond the usual boundaries, called everybody in
25 and we haven't had an overwhelming, terrible

1 response. And I just wanted --

2 CHAIRMAN SALADINO: Well, I read the
3 mailings, I read the mailings, and a good portion
4 of them, over half --

5 MS. WINGATE: Were local people; I was
6 shocked, frankly.

7 CHAIRMAN SALADINO: So, you did such a
8 great job I think the Village is going to give
9 you your money back.

10 MS. WINGATE: Well, we gave you the money
11 back, that's okay.

12 The point is Fifth Avenue is hard. We know
13 it's busy, we know it's a small street, we've
14 provided parking. We're asking for two
15 variances, again, that have nothing to do with
16 the house, they have to do with the land. And I
17 just think that they're very different from
18 previous requests, that's all.

19 CHAIRMAN SALADINO: Okay. I'm not entirely
20 ready to admit -- I'm not ready to admit that
21 both -- that both previous subdivisions on Fifth
22 Avenue were two-family houses.

23 MS. WINGATE: The one -- I have to
24 research; it's research.

25 CHAIRMAN SALADINO: Okay. If you want to

1 make that part of the argument, we'd be glad to
2 hear it. You bring it to us next month --

3 MS. WINGATE: Sure.

4 CHAIRMAN SALADINO: -- and we'll listen to
5 it.

6 MR. STEP NOSKI: And if there are people to
7 speak for us, in favor of us, that would be good?
8 That would be helpful?

9 CHAIRMAN SALADINO: It always helps.

10 MR. STEP NOSKI: Okay.

11 CHAIRMAN SALADINO: Especially if they were
12 from, you know, someplace other than Oyster Bay.

13 MR. STEP NOSKI: Yeah. No, they're all from
14 Greenport.

15 CHAIRMAN SALADINO: That's fine.

16 Well, actually, I'm overstepping my bounds
17 here. We already closed the Public Hearing. We
18 would need -- we would need a unanimous vote to
19 reopen the public hearing. I don't know --

20 MS. WINGATE: I can just submit to you --

21 CHAIRMAN SALADINO: Letters.

22 MS. WINGATE: -- some paperwork.

23 CHAIRMAN SALADINO: Sure.

24 MS. WINGATE: Some additional findings,
25 that's all

1 CHAIRMAN SALADINO: Well, Angelo wanted
2 friends and neighbors to come, but you could do
3 it -- we could accept it as written comments, no?

4 MR. CONNOLLY: Yes. I mean, technically
5 you still should reopen the public hearing so
6 that you can allow them to --

7 CHAIRMAN SALADINO: Well, is that a good
8 idea? Do we want to reopen the public hearing,
9 and this way friends and neighbors or opposition.
10 Eileen's contention is nobody wants to show up
11 because they're in favor of the project; the
12 applicant's opinion is that a lot of people want
13 to show up.

14 MS. WINGATE: I didn't say they were in
15 favor.

16 CHAIRMAN SALADINO: Don't be a sore winner.

17 MR. CONNOLLY: You can leave it -- you can
18 open it for like 14 days from tonight's date for
19 written submissions only and then it's closed
20 after that.

21 CHAIRMAN SALADINO: Is that more acceptable
22 to the Board? We're going to be here next month
23 anyway.

24 MEMBER KAUFMAN: I think it's fine to
25 reopen it for next month, too. Why not?

1 CHAIRMAN SALADINO: Is there a downside to
2 that?

3 MR. CONNOLLY: No.

4 CHAIRMAN SALADINO: Do we have to do
5 anything special? They don't need another
6 placard or --

7 ADMINISTRATOR PALLAS: No, I don't think
8 so.

9 CHAIRMAN SALADINO: They don't need
10 anything? Not a new public notice?

11 MR. CONNOLLY: No.

12 CHAIRMAN SALADINO: Not a new placard, no
13 new mailings?

14 MEMBER SOLOMAN: Sixty-two days, would that
15 62 days be --

16 CHAIRMAN SALADINO: Sixty-two days starts
17 the day we close the Public Hearing. But if we
18 reopen the Public Hearing -- and that 62 days is
19 nothing, because if they agree to extend the time
20 it's just -- so, however long it takes. And how
21 foolish would they be not to extend the time?
22 But am I making the motion to reopen the Public
23 Hearing?

24 MEMBER KAUFMAN: Yes.

25 MEMBER SOLOMAN: I'm okay with that, yes.

1 CHAIRMAN SALADINO: Is the applicant okay;
2 are you guys okay with it?

3 MR. STEP NOSKI: Yes.

4 CHAIRMAN SALADINO: I'm going to make a
5 motion that we reopen the Public Hearing for 220
6 Fifth Avenue. So moved.

7 MEMBER GORDON: Yes.

8 MEMBER SOLOMAN: Yes.

9 MEMBER KAUFMAN: Yes.

10 CHAIRMAN SALADINO: And I'll vote yes.

11 (VOTE: 4/0/0/1 - Not Present: Member Reardon).

12 Okay, that's it. We'll see you guys next
13 month. All right?

14 MS. WINGATE: Uh-huh. Thanks.

15 CHAIRMAN SALADINO: Hopefully whoever is
16 interested will show up, pro or con. We don't
17 get paid by the amount of people that show up, so
18 it doesn't matter.

19 Item No. 8 is any Zoning Board of Appeals
20 business that might properly come before this
21 board. This is the time if somebody's got a
22 question or a comment or a suggestion, this would
23 be the time to do it. If not, I'm going to make
24 a motion.

25 Item No. 9 is a motion to adjourn.

1 So moved.

2 (Brief Pause)

3 MEMBER GORDON: Yes.

4 CHAIRMAN SALADINO: I guess we're staying.

5 MEMBER GORDON: Yes.

6 MEMBER KAUFMAN: Absolutely.

7 CHAIRMAN SALADINO: All in favor?

8 (*Aye Said in Unison*)

9 And I'll vote aye (VOTE: 4/0/0/1 - Not
10 Present: Member Reardon).

11 Thank you, folks. Thank you for coming.

12 (*The meeting was adjourned at 7:50 p.m.*)

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1 C E R T I F I C A T I O N

2

3 STATE OF NEW YORK)

4) SS:

5 COUNTY OF SUFFOLK)

6

7 I, ALISON MAHONEY, a Court Reporter and
8 Notary Public for and within the State of New
9 York, do hereby certify:

10 THAT, the above and foregoing contains a
11 true and correct transcription of the proceedings
12 taken on August 17, 2021, at Station One
13 Firehouse, Third & South Streets, Greenport, NY
14 11944.

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

19 IN WITNESS WHEREOF, I have hereunto set my
20 hand this 23rd day of August, 2021.

21

22

Alison Mahoney

23

24

25

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