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VILLAGE OF GREENPORT  
COUNTY OF SUFFOLK STATE OF NEW YORK

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ZONING BOARD OF APPEALS

REGULAR SESSION

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Third Street Firehouse  
Greenport, New York

December 17, 2019  
7:13 p.m.

B E F O R E:

JOHN SALADINO - CHAIRMAN

DAVID CORWIN - MEMBER

JACK REARDON - MEMBER

DINI GORDON - MEMBER

ARTHUR TASKER - MEMBER

PAUL PALLAS - VILLAGE ADMINISTRATOR

AMANDA AURICHIO - CLERK TO THE BOARD

1 Zoning Board of Appeals 12/17/2019

2 (The meeting was called to order  
3 at 7:13 p.m.)

4 CHAIRMAN SALADINO: Folks, good  
5 evening. This is the Village of Greenport  
6 Zoning Board of Appeals.

7 Item Number 1 is a motion to  
8 accept the minutes of the November 19, 2019  
9 Zoning Board of Appeals meeting.

10 So moved.

11 MEMBER TASKER: Second.

12 MEMBER CORWIN: Aye.

13 MEMBER GORDON: Aye.

14 MEMBER REARDON: Aye.

15 MEMBER TASKER: Aye.

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

18 Item Number 2 is a motion to  
19 approve the minutes of the October 15, 2019  
20 Zoning Board of Appeals meeting.

21 So moved.

22 MEMBER GORDON: Second.

23 CHAIRMAN SALADINO: All in favor?

24 MEMBER GORDON: Aye.

25 MEMBER REARDON: Aye.

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2 CHAIRMAN SALADINO: I'll vote aye.

3 Any abstentions?

4 MEMBER TASKER: I'll abstain, I  
5 was absent.

6 MEMBER CORWIN: I abstain, I  
7 didn't read the minutes.

8 CHAIRMAN SALADINO: And two  
9 abstentions.

10 Item Number 3 is a motion to  
11 schedule the next Zoning Board of Appeals  
12 meeting for Tuesday, January 21, 2020 at  
13 6:00 p.m. at Station 1, Greenport Fire  
14 Department.

15 So moved.

16 MEMBER REARDON: Second.

17 CHAIRMAN SALADINO: All in favor?

18 MEMBER GORDON: Aye.

19 MEMBER TASKER: Aye.

20 MEMBER CORWIN: Aye.

21 MEMBER REARDON: Aye.

22 CHAIRMAN SALADINO: I'll vote aye.

23 Item Number 4 is 415 Kaplan  
24 Avenue.

25 Motion to accept the application,

1           Zoning Board of Appeals 12/17/2019  
2           schedule a public hearing and arrange a site  
3           visit for the application of Olinkiewicz  
4           Contracting, Inc. for the property located  
5           at 415 Kaplan Avenue, Greenport, New York  
6           11944.

7                       Suffolk County Tax Map number is  
8           1001-4-1-6.

9                       MR. OLINKIEWICZ: James  
10           Olinkiewicz, 621 Main Street, Greenport, New  
11           York. Olinkiewicz Contracting. I'm a local  
12           contractor, contracting for 415 Kaplan  
13           Avenue, Greenport, New York.

14                      I put in an application for a  
15           request for a use variance and now I have  
16           also put in an application for the  
17           interpretation that you have in front of you  
18           for the interpretation of Section 150-13(E),  
19           which is existing small lots.

20                      So it's my belief that when the  
21           code was written that they didn't take into  
22           account all possible lots. The area of this  
23           lot is 11,400-square feet, 60 percent above  
24           what is needed for a lot size to be able to  
25           build a two-family home. The lot is 52-feet

1           Zoning Board of Appeals 12/17/2019  
2           wide instead of the 60, which that's in the  
3           Village Code for R-2 District, two-family  
4           housing.

5                   I understand partially how this  
6           was written with the total lot area. I  
7           believe the words should have been "and lot  
8           width less than prescribed." My belief is  
9           that the Village, I guess the trustees who  
10          formed this code were thinking about not  
11          having lots 70-feet wide by 70-feet deep to  
12          be able to put a two-bedroom house on  
13          4,900-square feet. I don't think they took  
14          into account or realized that there were  
15          lots that were 52-feet wide by 205-feet deep  
16          as this one is. So there is -- it doesn't  
17          take into account a few lots in the Village.  
18          It takes into account 98 percent of them  
19          but, of course, this lot, which had a house  
20          on it, which there's discussion whether  
21          there was a two-family there or not. The  
22          Richards had a renter in the house. I was  
23          led to believe it had been a two-family  
24          house that had gone back to a one-family.  
25          You can't find records back 50 years.

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2 I've owned Kaplan Avenue, 411, the  
3 two-family house next to it, 419, the house  
4 to the right, which was just sold, had  
5 become a two-family, they have two  
6 apartments in that one, so there's three  
7 other houses right in the area. In fact,  
8 Mr. Corwin has a house diagonally across the  
9 street that's a two- or three-family, I'm  
10 not sure. I have never researched that out,  
11 so the whole area is a work-force housing  
12 community.

13 I just think that this code -- I'm  
14 asking for an interpretation because I don't  
15 believe that that type of lot was taken into  
16 account when this code was written.

17 And after the house burnt down --  
18 it had been an existing house, if that  
19 existing house was there, it could easily be  
20 converted to a two-family. There would have  
21 been no issue. It wouldn't even be before  
22 the Board.

23 So that's why I'm asking for an  
24 interpretation of the code because if you  
25 read it, it's actually kind of written

1           Zoning Board of Appeals 12/17/2019  
2           poorly for lots that are well oversized. It  
3           looks like it aims for lots that are in the  
4           Village that are very small, so I don't  
5           think that was taken into account, so I'm  
6           asking for an interpretation from the Zoning  
7           Board before I would apply for the use  
8           variance.

9                   CHAIRMAN SALADINO: Jimmy, you  
10           know interpretations require a public  
11           hearing?

12                   MR. OLINKIEWICZ: Yes.

13                   CHAIRMAN SALADINO: So no matter  
14           what happens here tonight, we're going to  
15           schedule a public hearing for you for that  
16           and depending on how that goes, if there's  
17           still a variance involved, whether it be an  
18           area or use, we're gonna have to schedule a  
19           public hearing for that also.

20                   MR. OLINKIEWICZ: Correct.

21                   CHAIRMAN SALADINO: As long as  
22           everybody's on the same page, knowing that  
23           this is not going to be addressed at least  
24           until February.

25                   MR. OLINKIEWICZ: Right, so we

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2 have the first public hearing and then if  
3 you decide it's an area variance, then we go  
4 to the next public hearing; if you decide  
5 it's a use variance, go to the next public  
6 hearing; or if you agree with we go to the  
7 next public hearing.

8 CHAIRMAN SALADINO: So as long you  
9 and the public know so there's no surprises  
10 next month --

11 MR. OLINKIEWICZ: Right.

12 CHAIRMAN SALADINO: -- we're just  
13 going to talk about the application tonight,  
14 not the meat of the application. We'll save  
15 that for the public hearing.

16 MR. OLINKIEWICZ: Okay.

17 CHAIRMAN SALADINO: I just have  
18 one or two questions about the application  
19 because if anybody in the room is familiar  
20 with how the Zoning Board works, it's you.  
21 For us to accept an application, it has to  
22 be complete and correct.

23 MR. OLINKIEWICZ: We have  
24 something wrong there?

25 CHAIRMAN SALADINO: I'm going to



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1 ask you. I'm not saying it's wrong, I'm  
2 going to ask you about it.  
3

4 MR. OLINKIEWICZ: The  
5 application --

6 CHAIRMAN SALADINO: The applicant  
7 as the contract vendee is 415 Kaplan Avenue?

8 MR. OLINKIEWICZ: That is correct.  
9 That's the S Corp. It's S Corp.,  
10 incorporated?

11 CHAIRMAN SALADINO: Oh, it's an  
12 incorp, okay.

13 MR. OLINKIEWICZ: I'm not quite  
14 sure why it was Olinkiewicz Contracting,  
15 Inc.

16 CHAIRMAN SALADINO: But the  
17 application is correct?

18 MR. OLINKIEWICZ: The application  
19 is correct.

20 CHAIRMAN SALADINO: You're asking  
21 for an interpretation, so we know that.

22 MR. OLINKIEWICZ: On whether I  
23 have to go for an area variance or use.

24 CHAIRMAN SALADINO: The other  
25 question I would have, and I'm sure the

1           Zoning Board of Appeals 12/17/2019  
2           members might have one or two questions  
3           also, is about, I'm looking at the plan and  
4           I have a problem with the size of the house  
5           you're asking for only because there's two  
6           different numbers there that kind of have me  
7           confused. The first floor being -- I should  
8           have it in front of me and I don't.

9           If you look at the plans, you're  
10          asking for a 2,200-square-foot house and by  
11          measuring --

12          MR. OLINKIEWICZ: All right,  
13          2,200-square foot is both floors together.

14          CHAIRMAN SALADINO: Yeah, but one  
15          is 1,300 and one is 11 and change.

16          Here it is.

17          One is 1,180, the dimensions of  
18          the first floor is 1,180 and the  
19          dimensions of the second floor is 1,200, so  
20          that comes out the 2,380, that's not 22.  
21          And normally we wouldn't care about that.  
22          We don't care about that as long as the  
23          sideyard is -- just so the application is  
24          correct. If the Building Department is okay  
25          with him making that correction on the

1           Zoning Board of Appeals 12/17/2019  
2           application, I would be fine with it, I  
3           would have to ask the members too.

4           The other thing I would ask about  
5           is your EAF. Question number 2 is, does the  
6           proposed action require a permit, approval  
7           or funding from any other governmental  
8           agency, and the answer is no.

9           Wouldn't a permit from the  
10          Village, wouldn't that be a yes answer?

11          MR. OLINKIEWICZ: Isn't it a list  
12          who, it says Board of Health, DEC --

13          CHAIRMAN SALADINO: No.

14          MR. OLINKIEWICZ: There's another  
15          spot where it lists if you had to go to any  
16          other agency, Board of Health, DEC, EPA, but  
17          --

18          CHAIRMAN SALADINO: Not here, but  
19          we can ask about that too.

20          MR. PALLAS: I will confirm.

21          MR. OLINKIEWICZ: So then yes, we  
22          would need to go for another permit. The  
23          answer is yes.

24          CHAIRMAN SALADINO: It says,  
25          question number 7 is the site of the

1           Zoning Board of Appeals 12/17/2019  
2           proposed action located in or does it adjoin  
3           a state listed critical environmental area,  
4           if yes, identify.

5                     You said no.

6                     I would have to ask if the  
7           freshwater wetlands, perhaps David would  
8           know --

9                     MEMBER CORWIN: Well, I don't  
10          think that that area is designated as  
11          critical, but I believe the western side of  
12          that property is swamp or wetlands.

13                    MR. OLINKIEWICZ: It was sent to  
14          the Village architect that reviews all the  
15          plans and in his response back, it said it  
16          did not need any DEC or any other  
17          applications.

18                    CHAIRMAN SALADINO: Well, again,  
19          if we go down the page a little bit, does  
20          any portion of the site of the proposed  
21          action or land adjoining the proposed action  
22          contain wetlands or water bodies regulated  
23          by state, federal or local agency?

24                    I'm positive that that's  
25          freshwater wetlands.

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2 MR. OLINKIEWICZ: Is it regulated  
3 by the state? I'm just --

4 CHAIRMAN SALADINO: Or local  
5 agency. The freshwater wetlands would be  
6 state and --

7 MEMBER CORWIN: And Village.

8 CHAIRMAN SALADINO: And the  
9 Village.

10 MEMBER TASKER: John, I can tell  
11 you that I'm sure it's wetlands.

12 There used to be a stream running  
13 through there and we used to walk along it  
14 on the way to school.

15 CHAIRMAN SALADINO: First of all,  
16 we're all familiar with the property. The  
17 reason I'm so sure about it is that I went  
18 to the Southold Town interactive tax map and  
19 they give you the percentage of wetlands for  
20 a particular piece of property, so the  
21 property that borders that to the west is  
22 like 97 percent wetlands, so Southold Town  
23 has it on their tax map as wetlands. Plus  
24 we're all familiar with the property, so  
25 that would be something that you can work

1           Zoning Board of Appeals 12/17/2019

2           out --

3                   I don't think it's something we're  
4           gonna hold up the application for, it's just  
5           something we want to bring out and --

6                   MR. OLINKIEWICZ: We'll verify  
7           that and amend the application before the  
8           public hearing.

9                   CHAIRMAN SALADINO: With the  
10          Building Department.

11                   Another question on the EAF, will  
12          the proposed action create storm-water  
13          discharge either from point or non-point  
14          resources?

15                   You say no.

16                   And I'm not sure --

17                   MR. OLINKIEWICZ: On the site  
18          plan, there's a drywell for the gutters so  
19          there wouldn't be any storm water runoff  
20          from the building, it wouldn't --

21                   CHAIRMAN SALADINO: Wouldn't the  
22          answer be yes, and then the answer would be  
23          proposed drywell.

24                   MR. OLINKIEWICZ: I guess you  
25          could list it both ways, right. If that's

1           Zoning Board of Appeals 12/17/2019

2           the way you would like it.

3                   CHAIRMAN SALADINO:   Okay.

4                   That's something you might want to  
5           talk to them about too.

6                   The last thing I have, and again,  
7           maybe somebody can refresh my memory, maybe  
8           you or maybe David, has the site of the  
9           proposed action or adjoining property been  
10          subject to remediation ongoing or completed?

11                   I remember that property when it  
12          burned, there was asbestos remediation on  
13          the property.

14                   MR. OLINKIEWICZ:   That's news to  
15          me but okay.

16                   CHAIRMAN SALADINO:   Do you  
17          remember that?

18                   MR. PALLAS:   My memory is the  
19          same, there was.

20                   CHAIRMAN SALADINO:   There was a  
21          problem and they did the asbestos with the  
22          burned-out building, so the answer there  
23          would be yes and you would have to describe  
24          it.

25                   MR. OLINKIEWICZ:   I'll have to

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1 find that out with --

2 CHAIRMAN SALADINO: I'm sure  
3 somebody in the Village would know about  
4 that.  
5

6 MR. OLINKIEWICZ: Okay. I was  
7 told that the Village tore it down.

8 CHAIRMAN SALADINO: I think they  
9 did the remediation.

10 MEMBER CORWIN: They had a crew  
11 there with the whole outfit on, spraying the  
12 water, the whole nine yards for the asbestos  
13 siding.

14 MR. OLINKIEWICZ: For the hard  
15 asbestos siding.

16 MEMBER CORWIN: What happened was  
17 because everything fell in and got  
18 bulldozed, I guess that made a mess of the  
19 whole siding thing. I'm assuming. I don't  
20 know.

21 But at any rate, there was  
22 abatement.

23 CHAIRMAN SALADINO: Again, for me,  
24 it's just not a problem, just to make the  
25 application correct.



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2 MR. OLINKIEWICZ: Correct. Sure.

3 CHAIRMAN SALADINO: That's what I  
4 had.

5 I'll open to the members.

6 Any questions?

7 MEMBER CORWIN: Is there a survey  
8 in the file?

9 MR. OLINKIEWICZ: There was a  
10 survey that was sent to the --

11 CHAIRMAN SALADINO: We have a site  
12 plan, we don't have --

13 MR. OLINKIEWICZ: The Building  
14 Department has the survey.

15 CHAIRMAN SALADINO: We're gonna  
16 ask them for that.

17 MR. PALLAS: I don't think I have  
18 it in this pack. I'll check in the permit  
19 file. If we have it, it would be in the  
20 permit file.

21 MEMBER GORDON: I have just one  
22 question.

23 CHAIRMAN SALADINO: Excuse me one  
24 second.

25 David, are you done?

1 Zoning Board of Appeals 12/17/2019

2 MEMBER CORWIN: Yes.

3 MEMBER GORDON: What did you do to  
4 try to find the record of whether there had  
5 been a two-family house there?

6 MR. OLINKIEWICZ: What I had done  
7 is I actually called the past building  
8 inspector that was pretty familiar with it,  
9 she had informed me that to her knowledge  
10 there had been a two-family there prior.

11 CHAIRMAN SALADINO: Funny you  
12 should mention that because I spoke to the  
13 former building inspector yesterday, and she  
14 told me she had no recollection if it was a  
15 two-family house or not.

16 MR. OLINKIEWICZ: Okay.

17 CHAIRMAN SALADINO: So instead of  
18 worrying about recollections and stuff, why  
19 don't we leave it to the --

20 MR. OLINKIEWICZ: Building  
21 Department.

22 CHAIRMAN SALADINO: To the current  
23 building department.

24 MEMBER GORDON: I just thought  
25 there must be some records there.

1                   Zoning Board of Appeals 12/17/2019

2                   MR. OLINKIEWICZ: There was also  
3 many times that people converted their house  
4 to two families without going to the  
5 Village. There's still a lot of them in the  
6 Village right now that aren't even on the  
7 Village records.

8                   CHAIRMAN SALADINO: No.

9                   MEMBER GORDON: I don't like to  
10 hear that, but okay.

11                  MEMBER TASKER: Mr. Chairman, is  
12 the concern here, and I'll direct this to  
13 Mr. Olinkiewicz as well, that because there  
14 may have been a two-family house previously  
15 on the property that has now been removed  
16 and been gone for more than a year that it's  
17 somehow grandfathered in to have a  
18 two-family house there?

19                  CHAIRMAN SALADINO: I think that  
20 would be better discussed at the public  
21 hearing.

22                  MEMBER TASKER: Well, is that what  
23 this revolves around?

24                  CHAIRMAN SALADINO: I didn't  
25 consider that.

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2 MEMBER TASKER: Because I'm asking  
3 why is it being asked.

4 CHAIRMAN SALADINO: I didn't ask.  
5 I don't know. I think it's a vacant lot,  
6 it's unimproved property.

7 MEMBER GORDON: I'm the one who  
8 asked about it and I did because I thought  
9 in that case, there might be pre-existing,  
10 non-conforming, if not building, an  
11 improvement on that lot, therefore, 150-13  
12 wouldn't be relevant at all.

13 MEMBER TASKER: Because --

14 MEMBER GORDON: But maybe not.  
15 You're right, this is something we  
16 should discuss at the hearing.

17 CHAIRMAN SALADINO: I think we  
18 should just keep this conversation to the  
19 application as far as if the application is  
20 complete and correct. All the other  
21 discussions we could do for the record at  
22 the public hearing.

23 How is that?

24 Jack, anything?

25 MEMBER REARDON: Jimmy, I have a

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1 question about the wording that you wanted  
2 to change in the interpretation. You said  
3 you want to change one word.  
4

5 MR. OLINKIEWICZ: It just seems  
6 that --

7 TRUSTEE MARTILOTTA: You would  
8 like that?

9 MR. OLINKIEWICZ: It just seems  
10 that in my mind, my interpretation,  
11 everybody's interpretation is different --

12 MEMBER REARDON: I just want to  
13 mark it so I know which word you're talking  
14 about.

15 MR. OLINKIEWICZ: Which has a  
16 total area and lot width less than  
17 prescribed.

18 MEMBER REARDON: So in paragraph  
19 E, second line, the word or to and?

20 MR. OLINKIEWICZ: Or to and, and  
21 that's, I mean and that's -- I'm not sure if  
22 that's what they meant at all or not but it  
23 just seems like interesting that an  
24 eleven-and-a-half-thousand square-foot  
25 property couldn't put a two-family on where

1           Zoning Board of Appeals 12/17/2019

2           a seventy-five-hundred square-foot property  
3           could because there is so much more room for  
4           parking and family to have area and stuff  
5           like that, it' seems like it wasn't thought  
6           about extra-large properties that may be  
7           influenced by that.

8                   MEMBER REARDON: You could have a  
9           significantly large property that's  
10          bottlenecked, you know, at a particular  
11          point, so you really couldn't accurately  
12          access the back for parking.

13                   CHAIRMAN SALADINO: Again, maybe  
14          we'll make this part of the public hearing  
15          this way it's on the record.

16                   MEMBER TASKER: We can, I would  
17          specifically address that at tonight's  
18          meeting with regards to how that came about,  
19          whether or not the intention was or or and,  
20          and the way it's written is or, and I don't  
21          think we should take lightly a question that  
22          asks us to amend the Zoning Code.

23                   CHAIRMAN SALADINO: Well, we can  
24          let the --

25                   MR. OLINKIEWICZ: I'm asking for

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1 an interpretation whether it's gonna be a  
2 use or area.  
3

4 CHAIRMAN SALADINO: We can let the  
5 applicant make his point, ask that question,  
6 we can hear from the public, there's gonna  
7 be a public hearing and we can hear from the  
8 public and we can make the decision based on  
9 what we know and what we hear.

10 MEMBER TASKER: I'm content with  
11 that.

12 CHAIRMAN SALADINO: I'd rather not  
13 get into the meat now without the benefit of  
14 the public being able to speak. Right now  
15 the question in front of us is, are we gonna  
16 accept this application.

17 MEMBER CORWIN: I second the  
18 motion you made to accept it.

19 CHAIRMAN SALADINO: I'm gonna make  
20 the motion that we accept the application  
21 for --

22 I'm sorry, one last thing, and I'm  
23 sure that it's relatively minor but again to  
24 make the application correct, you're the  
25 contract vendee, I have a note from the

1           Zoning Board of Appeals 12/17/2019

2           owners that they have your, you have their  
3           permission to progress this application.

4           These are usually notarized, maybe that  
5           instead of just, so we know it's the owners  
6           that are saying okay as opposed to you,  
7           like, writing this up in your truck before  
8           you came in.

9                        We're not going to take care of  
10           that tonight, we're gonna give you a month  
11           to take care of that, just so you know.

12                       MR. OLINKIEWICZ: Okay.

13                       And I'll get in touch with the  
14           Building Department and how they want the  
15           couple items amended so the application is  
16           correct.

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

20                       So moved.

21                       MEMBER CORWIN: Second.

22                       CHAIRMAN SALADINO: All in favor?

23                       MEMBER GORDON: Aye.

24                       MEMBER TASKER: Aye.

25                       MEMBER CORWIN: Aye.



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2 MEMBER REARDON: Aye.

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

5 I don't think we need a site  
6 inspection, right, it's a vacant lot. We're  
7 all kind of familiar with it; is that okay  
8 with the members?

9 MEMBER CORWIN: For the  
10 interpretation, we don't need a site  
11 inspection.

12 CHAIRMAN SALADINO: Okay. But  
13 just for the process. Okay, so we don't  
14 need a site inspection.

15 We're gonna set the public hearing  
16 for 6 o'clock, we set them all for 6 o'clock  
17 on January 21 and that will be for the  
18 interpretation. Okay.

19 MR. OLINKIEWICZ: Thank you.

20 Have a Merry Christmas, everybody.

21 CHAIRMAN SALADINO: You too.  
22 Thank you.

23 Item Number 5 is 326 Front Street,  
24 it's a continuation of a public hearing  
25 regarding the area variances requested by

1           Zoning Board of Appeals 12/17/2019  
2           ANVK Holding Trust, the Greenporter Hotel,  
3           for the property located at 326 Front  
4           Street, Greenport, New York 11944.

5                    The Suffolk County Tax Map number  
6           is 1001-4-8-29-30-31.

7                    MR. CUDDY: Good evening. My name  
8           is Charles Cuddy, C-U-D-D-Y. I have an  
9           office at 445 Griffing Avenue, Riverhead,  
10          New York.

11                   I'm here specifically to discuss  
12          -- I want to make sure, I have a low voice,  
13          you can hear me -- the parking at this site.  
14          I understand that's an issue that's going  
15          back and forth.

16                    It's a little bit strange to me to  
17          discuss parking for this site when you look  
18          at the site and see the parking that it has.

19                    I've been in Southold Town, and  
20          I've lived in Southold Town since 1969.  
21          Every year, Greenport talks about parking.  
22          People talk all summer long about parking.  
23          This site has parking but we're here to  
24          discuss does it have adequate parking to go  
25          forward with this application.

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2 I think the exemption that you  
3 have at 150-12(C) applies. The reason I  
4 think it applies is that this is a single  
5 parcel. You don't use the term lot in that  
6 definition, you use the term parcel.

7 The Town itself, the Village,  
8 excuse me, has for years recognized this as  
9 one single site. The COs that were given to  
10 the new owner --

11 By the way, there have been only  
12 two owners since 1957. The Levins were the  
13 owners and they used parcel, as many of you  
14 know, as the Greenporter Hotel now for years  
15 and years. In 2000, it was taken over by  
16 the present owner, so there's just been two  
17 owners.

18 The Village itself, when it gives  
19 out the COs it recognizes that this site is  
20 just one site. So I'd like to give you  
21 three of the COs that were issued in 2000,  
22 2001 which identified the three lots 29, 30  
23 and 31 as one unit. So if it's recognized  
24 for the last 20 years that it was one unit,  
25 the question I guess here is, we go to 1991,

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2 which is the date of the code provision that  
3 I just talked to you about, was it a parcel  
4 then. The Levins thought it was because  
5 they relayed it as one parcel to the present  
6 owner in 2000.

7 I'm also going to bring up to you  
8 a certified copy of the deed to the present  
9 owner showing they treated it as one parcel.

10 There is a question, apparently,  
11 physically as to how the parcel was used.  
12 It was used for the hotel and it was used,  
13 the two lots which is 29, 30, 31 was hotel  
14 lot, those lots we are saying to you were  
15 used for parking.

16 I have an affidavit from David  
17 Kapell, who, as you know, he has an office  
18 right across the street from the site.  
19 Mr. Kapell is saying in effect, and I'll  
20 hand it up to you, that the off-street  
21 parking is contiguous to the hotel, and it's  
22 been used continuously since he came in  
23 1981.

24 So we're saying to you that as far  
25 as we're concerned, this site has had

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1 parking as it is now for many, many years.  
2  
3 In fact, if you add that time '81 to now,  
4 we're talking about 29 years, excuse me,  
5 more than would have. We believe that the  
6 exclusion, the exemption set forth 150-12(C)  
7 applies.

8 For the first time I was told this  
9 afternoon that there seemed to be contrary  
10 evidence, I had never seen that and never  
11 heard that before. I would like the hearing  
12 to stay open so we can get adjoining owners  
13 besides Mr. Kapell to verify exactly what he  
14 is saying in his affidavit. If there is a  
15 problem with what he is saying then he is  
16 away at this point, I would say bring him  
17 back, so he can testify because I think  
18 there should be no question in your mind as  
19 to what the actual use of the site is. I  
20 believe the exemption applies.

21 Even more importantly, if the  
22 exemption didn't apply, it seems to me that  
23 this site has three lots to it. Two of the  
24 lots, the vacant lot measures 17,000 feet, a  
25 little more than 17,000, one is six five,

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1 the other is ten six. The hotel lot is over  
2 20,000 square feet. If you take even 1,000  
3 or 2,000 feet from that lot which could be  
4 used for parking, you have over 18,000 feet.  
5 Your code says 300 square foot for a park  
6 area, that's not the parking space, that's  
7 the area so you can have an aisle coming out  
8 of there. If you take that and you put it  
9 in 18,000, you get 60 spaces.  
10

11 So here are 60 spaces off-street  
12 that can be used for parking, and I couldn't  
13 understand why there would be a problem in  
14 seeing that and granting any variance that  
15 they're looking for.

16 CHAIRMAN SALADINO: Just to  
17 interrupt, have you been to the property?

18 MR. CUDDY: Yes.

19 CHAIRMAN SALADINO: Your  
20 contention is there is 60 --

21 I'm sorry?

22 MEMBER REARDON: No. Sorry.

23 CHAIRMAN SALADINO: Your  
24 contention is, just so it's clear in my  
25 mind, I'm not disputing your contention, but

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2 just so it's clear in my mind, your  
3 contention is, there's area on that site for  
4 60 parking spaces?

5 MR. CUDDY: Using that  
6 mathematics, I'm saying it is.

7 CHAIRMAN SALADINO: How about the  
8 reality of the situation? You have a  
9 building that occupies some of that space --

10 MR. CUDDY: I understand not all  
11 of it though. And I'm thinking at that  
12 point there is enough space for cars and  
13 there always has been. They have not had  
14 cars parking outside, they have cars parked  
15 in there, that's what I understand.

16 CHAIRMAN SALADINO: Nobody is  
17 disputing that the current configuration of  
18 the hotel, there is ample parking, there's  
19 32 rooms for 32 parking spaces. There is a  
20 variance to reduce the size of the space to  
21 nine feet so that would increase the demand  
22 by four if they don't get that variance, but  
23 I don't think that's what's in front to  
24 Board now. What's in front of the Board now  
25 is twenty additional hotel rooms.

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2 MR. CUDDY: I understand that.

3 What I'm saying to you is, it  
4 would appear to be mathematically that it  
5 would be appropriate to have that many  
6 spaces.

7 What I'm also saying to you, going  
8 past is that is 150-12(C) applies for this  
9 site, it's a parcel.

10 You don't use the term lot in the  
11 code, you use the term parcel and parcel is  
12 not defined in the code. Parcel is usually  
13 thought of as a contiguous amalgam of lots.  
14 That's what the term here is, it's parcel;  
15 so it's not just the lot we're talking  
16 about, we're talking about these lots  
17 together as one parcel. They were conveyed  
18 that way, they were used that way, so this  
19 exemption should apply.

20 I would like to hand up to you the  
21 affidavit I have. I would like the hand up  
22 to you certificates of occupancy. I also  
23 have the statements from the Town of  
24 Southold assessors, the assessor's cards  
25 which show that this parcel was put together



1           Zoning Board of Appeals 12/17/2019  
2           in 1957, 1958 and 1967. It's been used  
3           simultaneously, I think, by both owners, all  
4           of it, and that's our contention, therefore  
5           the exemption should apply.

6                   CHAIRMAN SALADINO: Okay.

7                   If I may, I'll hand this up to  
8           you.

9                   (Mr. Cuddy handing up documents.)

10                  CHAIRMAN SALADINO: We're going to  
11           give this to the clerk so they can make  
12           copies I just wanted to --

13                  MR. CUDDY: I also have for you a  
14           certified copy of the deed to the present  
15           owner which shows that the lots were  
16           conveyed as one unit, so I would hand that  
17           up to you too.

18                  (Mr. Cuddy handing up documents.)

19                  CHAIRMAN SALADINO: We had asked  
20           for it twice also, for, as long as you're  
21           providing COs, because I had looked in the  
22           Village's building file and I don't, I  
23           couldn't find a current CO for the property.  
24           I found a temporary CO that expired. It had  
25           a six-month lifespan to it and expired, but

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2           I couldn't find a current CO for the  
3           property.

4                   MR. CUDDY: I was trying to find  
5           the pre-existing CO which I though probably  
6           issued many years ago. I had to foil it,  
7           I've only don't that a day ago, but I  
8           haven't received it yet.

9                   CHAIRMAN SALADINO: Is it our  
10          understanding you're going to ask to  
11          continue the public hearing?

12                   MR. CUDDY: Yes because I would  
13          like to get additional affidavits from  
14          adjoining owners.

15                   CHAIRMAN SALADINO: If it's okay  
16          with the Board, I'm gonna give these to the  
17          Building so they can make copies for us  
18          unless we want to look at them now, we can  
19          hear anything else Mr. Cuddy has the offer.

20                   MR. CUDDY: No.

21                   CHAIRMAN SALADINO: Anybody want  
22          to look now or wait for the copies.

23                   MEMBER CORWIN: No.

24                   CHAIRMAN SALADINO: Thank you.

25                   MR. CUDDY: Thank you.

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2                   CHAIRMAN SALADINO: Before I open  
3 it up to the public again, I have some  
4 comments from the Planning Board.

5                   We had asked the Planning Board to  
6 weigh in on this application and they did.  
7 I was prepared to read them.

8                   So they had asked, the Village of  
9 Greenport Planning Board had asked that this  
10 be read into the record, their comments on  
11 the application and then after I read this  
12 into the record, we'll open it up to the  
13 public for whoever wants to weigh in.

14                   This is to the Village of  
15 Greenport Zoning Board of Appeals from the  
16 Village of Greenport Planning Board and it's  
17 dated November 19, and it's re. application  
18 of ANVK Holdings Trust.

19                   Please accept the following  
20 comments with respect to the  
21 above-referenced application as requested on  
22 October 15, 2019 by the Zoning Board of  
23 Appeals. Request for area variances from  
24 150-12(B) Bulk and Parking Regulations.

25                   As per the plan provided by the

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1 applicant, the proposed structure will stand  
2 37 feet from grade requiring a variance of  
3 two feet from 150-12(B) of the Village Code.  
4 Additionally, a proposed structure  
5 containing three stories where only two  
6 stories are permitted by Village code.

7 Although the Planning Board understands that  
8 other hotels have gotten an approval from  
9 the Zoning Board of Appeals to exceed the  
10 maximum permitted height for 35 feet and to  
11 include the third story, it should be noted  
12 that none of those hotels were adjacent to  
13 abutting residential properties. The  
14 Planning Board is concerned that the grant  
15 of the requested height variances will  
16 create a looming effect on the abutting  
17 residential properties and set a precedent  
18 for future development along Front Street.

19 Furthermore, some members of the  
20 Board feel that once the now two separate  
21 buildings are connected, the aesthetics of  
22 Front Street may suffer by becoming  
23 overwhelmed by the proposed monolithic  
24 structure.  
25

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2                   The Planning Board appreciates  
3                   that the applicant took into account the  
4                   comments at the pre-submission conference  
5                   with regard to stepping back the third story  
6                   and attempting to soften the appearance from  
7                   Front Street; however, the Planning Board  
8                   still has significant concerns about the  
9                   proposed request for area variance from  
10                  150-16 paragraph 1 bulk and parking  
11                  regulations. In addition to the variances  
12                  needed in respect of the additional third  
13                  floor per the plans provided by the  
14                  applicant a total of 31 parking spaces are  
15                  indicated therein, thereby requiring a  
16                  variance of 27 spaces for the additional  
17                  hotel rooms. As all are aware, perhaps the  
18                  single greatest planning obstacle confronted  
19                  by the Village of Greenport is parking or  
20                  the lack thereof. It's hard to imagine that  
21                  the granting of a variance will not compound  
22                  or exacerbate the parking problem. The  
23                  Planning Board believes that the required  
24                  parking should be considered, assuming that  
25                  that restaurant is operating, as it is

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1           likely at some point in the future, someone  
2           may desire the reopen the restaurant. At a  
3           minimum, the Planning Board believes that  
4           payment in lieu of parking provisions 150-12  
5           and 150-16 of the Village code should apply  
6           in respect of any shortage of parking spaces  
7           from that required.  
8

9                         This is just the cover letter. So  
10           having read that -- did the applicant get  
11           this? Did the Planning Board send this to  
12           the applicant also?

13                         MS. PITTORINO: I didn't see it.

14                         CHAIRMAN SALADINO: If you want  
15           the Village to make copies or you can get it  
16           off the --

17                         MR. PALLAS: I'll check with your  
18           attorney to see if that's -- I think that  
19           was classified as internal communication, if  
20           I recall correctly; but I'll confirm that  
21           with the Planning Board attorney if that was  
22           releasable.

23                         CHAIRMAN SALADINO: Okay.

24                         Is there anyone else from the  
25           public that would like to speak?

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2 MS. BERRY: Can I add a couple  
3 comments.

4 I would like to -- Glynis Berry,  
5 Studio a/b Architects.

6 I would like to add another  
7 comment in support of what Mr. Cuddy said,  
8 in the past application, the Village did  
9 view this as one parcel because the setbacks  
10 are designed, the whole thing is designed  
11 with setbacks as though the outer edge were  
12 of the parcel, not to individual lot lines;  
13 so it's yet another example how historically  
14 these lots have always been looked at as one  
15 parcel. It's just another --

16 I don't understand why this  
17 project is being denied the same  
18 consideration for as-built conditions  
19 relative to parking, why there is discussion  
20 of, you know, requiring purchase of  
21 additional lots when that's not required for  
22 the previously developed parcel and it's in  
23 your code, again, that they're exempt from  
24 parking regulations, so I don't know why  
25 people aren't recognizing the code.

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2 Again, the height is not from the  
3 grade right at the -- it's from  
4 the center of the road, it's actually less,  
5 and the only thing is really the railing and  
6 the chimney so, you know, I really don't  
7 think it's an impact.

8 I'm happy to continue to answer  
9 questions. I think we have designed it so  
10 it's not monolithic at all. It's in pieces  
11 and has varying setbacks and has always been  
12 that and it has always been setback, so I  
13 don't think that's an issue. We have done  
14 multiple drawings for you to show that. So  
15 I think we have gone out of our way to  
16 answer those issues and really incorporated  
17 in the design.

18 CHAIRMAN SALADINO: The Building  
19 Department is here. We might ask them the  
20 reasoning behind the requirement that they  
21 feel the applicant need for parking without  
22 stepping on the Building Department's toes,  
23 it was my understanding it was because it  
24 was three separate lots and two of them  
25 weren't previously improved that --



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2 But the head of Building  
3 Department is here, maybe ask him.

4 MR. PALLAS: Mr. Chairman, what  
5 you just stated is exactly right, that was  
6 the process that we want through. We  
7 received documents from the applicant a  
8 prior survey dated year 2000 which do, in  
9 fact, show two of the three lots unimproved.

10 MS. BERRY: Should I read it again  
11 for the record?

12 MEMBER TASKER: Mr. Chairman,  
13 can --

14 MS. PITTORINO: This is --

15 CHAIRMAN SALADINO: Excuse me.

16 MEMBER TASKER: Can I interject  
17 regarding specific points with respect to  
18 what is required for this. I think we may  
19 have been overlooking in our consideration,  
20 which may have been in the thought process  
21 at some point, if you look at section 150-16  
22 talking about parking and loading  
23 regulations, that's the section that waives  
24 parking for pre-1991 buildings, but it also  
25 goes on to say as follows, any and -- here

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1 I'm confused between the suggestion that  
2 there is another type of land, we've got  
3 land, we've got parcel, we've got lot, I  
4 think there was another term, but the  
5 village ordinance reads "any land which is  
6 developed as a unit under single ownership  
7 and control" which is what I believe we have  
8 here, "shall be considered a single lot for  
9 the purpose of these parking regulations."  
10

11 I don't know whether that's been  
12 considered in the past before. I can't be  
13 the only one who's ever looked at that.

14 CHAIRMAN SALADINO: I think that's  
15 the point that Glenys is trying to make.

16 MS. BERRY: Exactly.

17 MEMBER TASKER: By I hadn't heard  
18 the ordinance.

19 MS. BERRY: I read it a number of,  
20 numerous times, maybe you weren't here.

21 MEMBER TASKER: I missed -- the  
22 important meeting, I don't I was here.

23 MS. BERRY: Right. I don't think  
24 you were here.

25 MS. PITTORINO: Hi. Deborah

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2           Rivera Pittorino for the Greenporter.

3                   So, you know, we're discussing  
4           here whether or not my property qualifies  
5           under the provisions for properties for land  
6           developed prior to 1991. The Greenporter  
7           three lots were all used for the  
8           Greenporter; they were never used for  
9           anything else. I don't believe there is  
10          anything in the code that says this tree has  
11          to be there and this green space has to be  
12          here and this parking has to -- it was all  
13          used for the Greenporter.

14                   So in the old plan, the exterior  
15          parts were the green areas, and the interior  
16          part was parking lot. Basically, what we  
17          did was we flipped that model, so where the  
18          pool the now used to be parking lot, the  
19          center of the property used to be the  
20          parking lot. That parking lot extended out  
21          quite a way and then people used to park on  
22          the lawn whenever we had events there. We  
23          had to rip out a lot of the grassy area that  
24          was there because it was clearly being used  
25          for parking. I guess they didn't want to

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1 spend additional money to put additional  
2 blacktop on it, but it was being used for  
3 parking. And I have the affidavit from Dave  
4 Kapell, and I also have two other neighbors  
5 here that can tell you and will sign the  
6 affidavit that says they have been there  
7 since the early 60s and all three lots were  
8 used for the Greenporter.  
9

10 It's funny because one night I was  
11 dreaming and I remembered that I had the  
12 plans that Jack Levin gave me when I bought  
13 the hotel and I have the original plans from  
14 1957 that show that all three lots were part  
15 of the original plan and actually, it shows  
16 that two of the spaces were developed  
17 because where the original building is one  
18 development, that big black asphalt was the  
19 other lot, and then the thin piece around  
20 the edge where it's green, that was used as  
21 like, you know, people would put tents there  
22 for events, or people could put their lawn  
23 chairs out there and take sun, but it was an  
24 amenity for the guest. It was all part of  
25 the hotel.

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2           I have the original, but they're  
3           in really bad shape. I have had copies  
4           made, may I give you one of these.

5           (Ms. Pittorino brings up a  
6           document and speaks from the dais.)

7           So this is the original plan.

8           Right here you have, this is the  
9           hotel. This is where the black asphalt  
10          parking was, here. One development, two  
11          developments. Then here at Fourth Avenue,  
12          it sort of cuts in strangely which is why we  
13          only use part of it for parking and we left  
14          green space on the outside, but if I had to  
15          take those back to create more parking that  
16          I don't need, I don't need it, my customers  
17          don't need the parking, I will if that's  
18          what you want me to do.

19          This is from 1957 and I'm happy  
20          to, if any of you want to come look at the  
21          original plans, I have them, I just didn't  
22          want to leave them here because they're --  
23          these are copies, you can have them but I  
24          think it's quite clear.

25          I also have -- from the closing

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1 documents I also have the description of the  
2 property in the closing documents and there  
3 were very interesting descriptions as part  
4 of the closing documents. So it describes,  
5 it has three parcels and one of them, where  
6 it charged me for the tax, it says combined  
7 real estate transfer tax, so it was always  
8 treated, those three lots, as one property.

9  
10 (Ms. Pittorino returns to the  
11 podium and continues speaking.)

12 So that land, and I believe it's  
13 very important that we use that term, that  
14 land was always for the Greenporter, it  
15 wasn't for any other purpose. If it was for  
16 any other purpose, I would like to know what  
17 it was and then we can look into it further.

18 Can anyone tell me what that other  
19 purpose was?

20 CHAIRMAN SALADINO: Us, you mean?

21 MS. PITTORINO: Yeah.

22 CHAIRMAN SALADINO: I don't want  
23 to guess for the public record, but if you  
24 have three separate tax maps, if you have  
25 three separate tax lots and according to

1 Zoning Board of Appeals 12/17/2019

2 this, the original hotel was on one of them

3 --

4 MS. PITTORINO: It was on two of  
5 them because it shows you where the parking  
6 was.

7 CHAIRMAN SALADINO: I'm looking at  
8 building and the lot.

9 MR. PALLAS: The square next to it  
10 is where the parking was. The parking was  
11 in the center.

12 CHAIRMAN SALADINO: No.

13 My point is you asked me to  
14 venture a guess --

15 MS. PITTORINO: Um-hum.

16 I think, if I have to follow the  
17 law, then you have to follow the law and the  
18 law refers specifically to the land, it  
19 doesn't refer to the lot, it refers to the  
20 land.

21 CHAIRMAN SALADINO: Can we read  
22 that again. I am not sure that's the case.

23 MS. PITTORINO: Please read it  
24 again, I would welcome it.

25 MEMBER TASKER: Any land which is

1           Zoning Board of Appeals 12/17/2019  
2           developed as a unit under single ownership  
3           and control shall be considered a single lot  
4           for the purpose of these parking  
5           regulations.

6                        So it kind of comes at it both  
7           ways in terms of those terms.

8                        MS. PITTORINO: Also, in this  
9           schedule here, it part of the deed, it tells  
10          you when they purchased every lot which  
11          significantly pre-dates 1991.

12                      CHAIRMAN SALADINO: Do you want me  
13          to review all this now? There's is a big  
14          silence, I have to read all this now and  
15          four other members are going to have to read  
16          it.

17                      We're going to give this to the --  
18                      Are these for the Board?

19                      MS. PITTORINO: Yes.

20                      CHAIRMAN SALADINO: We're going to  
21          give this to the Building Department,  
22          they're gonna look at it, they're gonna make  
23          copies for us.

24                      I think, I think you requested  
25          that the public hearing stay open, so we



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2           have some time with this. It will give the  
3           Building Department a chance to look at  
4           this, make copies, distribute them to the  
5           Board and give us a chance to read them and  
6           we can go from there.

7                     MR. ARIZUMI: Hideaki Arizumi,  
8           Studio a/b/ Architects.

9                     Just maybe it's repetition, but in  
10          terms of height description about the  
11          Planning Board report, is not really fair at  
12          all because actual building is like 31 feet  
13          if you really measure from bottom of the  
14          building because it is 33 feet, not 37 feet  
15          in the drawings from the elevation of the  
16          road to the top of the roof, it's 33 feet,  
17          not even 35 feet, so I don't know where the  
18          37 came from so just attacking, it's not  
19          fair, so I think we need to clarify that.

20                    CHAIRMAN SALADINO: I think we got  
21          that number from your application.

22                    MR. ARIZUMI: No.

23                    MS. BERRY: Well --

24                    CHAIRMAN SALADINO: I think you  
25          two should talk.

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2 MS. BERRY: Yeah.

3 There is a difference between the  
4 height of a building and the height as  
5 measured from the crown of the road  
6 because -- the average crown because her  
7 parcel -- I forgot -- it's a couple of feet,  
8 like about three feet or even four feet  
9 higher than the road, so the building itself  
10 is not 37-feet tall, but I have, we have to  
11 measure it from the road, so we've got that  
12 extra feet; but the actual building is, like  
13 he said, 33 feet even with the railings, you  
14 know, and the facade is even less, so  
15 it's -- the building itself -- that  
16 description makes it seem like the building  
17 is that tall, and it's not; it's the height  
18 relative to the road which is very different  
19 because of the site.

20 CHAIRMAN SALADINO: You have  
21 explained that to us and we kind of know  
22 that, but we also know that the Building  
23 Department considers anything affixed to the  
24 building at the roof should be included in  
25 the height.

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2 Also, didn't you revise, ask for  
3 an additional four-foot variance for --

4 MS. BERRY: Yes.

5 Just for the chimney for the  
6 kitchen just in case because we're hoping we  
7 can get it below that, but we looked at some  
8 and some of them have an extra piece on the  
9 bottom, so we're not the mechanical  
10 engineers for this, so we wanted to make  
11 sure that the chimney could go up.

12 And technically, we still don't  
13 think that those should be considered  
14 because even in your own code, you say  
15 things like antennas and stuff like that are  
16 exempt, usually it's bulkhead that are  
17 included, so we think --

18 CHAIRMAN SALADINO: You don't  
19 think an exhaust system --

20 MS. BERRY: No.

21 CHAIRMAN SALADINO: -- permanently  
22 affixed to the building.

23 MEMBER GORDON: No, it's not the  
24 roof.

25 MR. ARIZUMI: Obviously it's not

1           Zoning Board of Appeals 12/17/2019  
2           the roof. The code is saying top of the  
3           roof.

4                   CHAIRMAN SALADINO: We don't have  
5           the international fire and building code in  
6           front of us.

7                   MR. ARIZUMI: No, it's zoning  
8           codes.

9                   MS. BERRY: Both. In fact, when I  
10          started, I give references because the  
11          definition is roof, and I think we comply,  
12          quite frankly, with the height.

13                   CHAIRMAN SALADINO: The example  
14          you give us is antennas.

15                   MS. BERRY: And --

16                   CHAIRMAN SALADINO: --

17                   MS. BERRY: If you look at state  
18          code and other codes, those things are not  
19          considered part of the height, so there are  
20          pertinences, you know.

21                   But anyway, I'm repeating myself  
22          but it seems -- we don't want it -- the  
23          language that is used makes it seem bigger  
24          than it is, so that's why we're trying to  
25          correct that.

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2 CHAIRMAN SALADINO: Are you  
3 referring to the Planning Board's comments?

4 MS. BERRY: Yes.

5 CHAIRMAN SALADINO: Well, that's  
6 their comments and they gleaned their  
7 information from the pre-submission  
8 conference and the site plan that you  
9 submitted to them.

10 MS. BERRY: But they sited it  
11 slightly differently so it reads  
12 differently. So it makes the bulk seem  
13 bigger than the fact, that's why we're  
14 trying to correct the image.

15 MR. ARIZUMI: Even the drawing  
16 submitted, there is no number that says 37  
17 feet, it's 33 feet that the drawing says. I  
18 just reconfirming that.

19 CHAIRMAN SALADINO: Is there  
20 anyone else from the public that would like  
21 to speak.

22 (No response.)

23 CHAIRMAN SALADINO: No.

24 Any members for those comments,  
25 questions.

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2 (No response.)

3 No.

4 I'll make a motion that we  
5 continue this public hearing at the  
6 request of the applicant.

7 MEMBER GORDON: Second.

8 CHAIRMAN SALADINO: All in favor?

9 MEMBER GORDON: Aye.

10 MEMBER REARDON: Aye.

11 MEMBER TASKER: Aye.

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

14 David, did you vote?

15 MEMBER CORWIN: I don't see why we  
16 have to have a motion, but I'll vote aye.

17 CHAIRMAN SALADINO: We'll continue  
18 this to our next meeting.

19 The only thing I would ask if from  
20 the applicant or the applicant's attorney  
21 is, from looking at what you gave us about  
22 the previous CO, I still don't, and we have  
23 asked twice before, I still don't see a  
24 current CO. The only CO addressing the  
25 hotel was a temporary CO that was the

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2           lifespan was six months, it expired six  
3           months after the date it was issued.

4           MS. PITTORINO: The one you have,  
5           the one he gave was the temporary one?

6           CHAIRMAN SALADINO: I didn't see  
7           the current CO.

8           MS. PITTORINO: The one that we  
9           have is not a temporary CO, and also there  
10          seems to be an issue with the  
11          documentation of the Village. The Village  
12          also misplaced our original site plan, they  
13          couldn't find it, so luckily, we had a copy  
14          of it, so I'm happy to give you a copy of my  
15          CO, I will provide additional copies, but we  
16          have copies of COs that are not temporary.

17          CHAIRMAN SALADINO: Are they  
18          included in the package that --

19          MS. PITTORINO: I believe they  
20          are.

21          CHAIRMAN SALADINO: Okay.

22          I just say that because when the  
23          application first came in front of us, we  
24          had looked, I had looked, we had looked at  
25          the Building Department file and we didn't

1           Zoning Board of Appeals 12/17/2019

2           see a current CO; so there was a temporary  
3           CO that expired, there was not a current CO.

4                   Okay. That's it.

5                   Nobody else, no comments?

6                   (No response.)

7                   Item Number 6, we're gonna put a  
8           pin in because we're going to continue the  
9           public hearing for the Greenporter Hotel.

10                  Item number 7 is any other Zoning  
11           Board of Appeals that might come before the  
12           Board.

13                  If anyone from the public has a  
14           question or comment.

15                  (No response.)

16                  I'm going to propose something to  
17           members that the Planning Board had a  
18           meeting, their last meeting and a few of  
19           their members had expressed concern about  
20           150-12 and 150-16, and it was suggested by  
21           them that the Planning Board write a letter  
22           to the Village Board to consider modifying  
23           that code. They also suggested, perhaps, a  
24           joint meeting between the Planning Board and  
25           the Zoning Board.



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2 Some of my colleagues will tell  
3 you I'm not a big fan of joint meetings,  
4 they tend to -- it's hard enough for us five  
5 the agree at times, now it would be ten  
6 opinions trying the form a consensus, but I  
7 think this suggestion kind of has merit, so  
8 we can suggest to the Planning Board that  
9 we're on board with a joint meeting or we  
10 can compose a letter ourselves to the  
11 Village Board about how this Board might  
12 feel about modifying Chapter 150-12, 150-16.

13 So I would ask us to -- I know the  
14 trustee has it on her work session report,  
15 she's gonna to address the Village Board at  
16 the work session on Thursday, this Board  
17 might think about some comments or perhaps  
18 composing a letter to either support or not  
19 that modification to the code.

20 So do we have any thoughts about  
21 that at all?

22 MEMBER CORWIN: I'm not in favor  
23 of a joint meeting, I will tell you that.

24 CHAIRMAN SALADINO: How about the  
25 portion of the code that we would like to

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1  
2 modify?

3 MEMBER CORWIN: I don't know what  
4 modification they're going to propose, and  
5 I'm not too big on the idea of modifying the  
6 code in the middle of an application.

7 CHAIRMAN SALADINO: It wouldn't  
8 affect this application.

9 MEMBER CORWIN: Then we've got  
10 plenty of time, so we don't have to worry  
11 about it.

12 MEMBER GORDON: There is no code  
13 committee these days, right?

14 CHAIRMAN SALADINO: No.

15 MEMBER GORDON: That would really  
16 be, to my mind, the proper process.

17 CHAIRMAN SALADINO: There is no  
18 code committee. There's suggestions from  
19 the statutory boards, the decision is  
20 ultimately to the Village Board. We don't  
21 draft code, we don't modify code.

22 MEMBER TASKER: Part of the fact  
23 that we're going to be potentially in the  
24 position of suggesting changes to the code  
25 which we are then going to have to enforce,

1           Zoning Board of Appeals 12/17/2019

2           I think there might be a moderate conflict  
3           there; otherwise, I'm in support of  
4           Mr. Corwin's concerns and feelings about  
5           such a joint meeting.

6                   CHAIRMAN SALADINO: Well, if you  
7           guys recall, I was never in favor of joint  
8           meetings, but --

9                   MEMBER TASKER: I'm with you,  
10          John.

11                   CHAIRMAN SALADINO: But if it --

12                   All I think is that in -- the law  
13          was passed in 1990, they refer to the  
14          buildings that were improved, properties  
15          that were improved prior to 1991. All I  
16          think is that Greenport is a really, really  
17          different place today than it was from 1990,  
18          and I think a discussion about that portion  
19          of the code in this day and age is  
20          justified, so however we add our opinion, if  
21          we choose to add our opinion to the  
22          discussion is one thing and how we add our  
23          opinion is plan B.

24                   So if the members don't feel it's  
25          appropriate to comment about this, we won't,

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if we have an opinion, we'll offer it.

Kinds of like easy.

No. Okay.

Item number 8 is a motion to  
adjourn.

So moved.

MEMBER TASKER: Second.

CHAIRMAN SALADINO: All in favor.

MEMBER GORDON: Aye.

MEMBER TASKER: Aye.

MEMBER CORWIN: Aye.

MEMBER REARDON: Aye.

CHAIRMAN SALADINO: I'll vote aye.

Thank you, folks.

(Time noted: 7:20 p.m.)

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C E R T I F I C A T E

STATE OF NEW YORK )  
                                  ) ss:  
COUNTY OF SUFFOLK )

I, STEPHANIE O'KEEFFE, a Reporter and Notary Public within and for the State of New York, do hereby certify that the within is a true and accurate transcript of the proceedings taken on December 17, 2019.

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.

IN WITNESS WHEREOF, I have hereunto set my hand this 17th day of December, 2019.

*Stephanie O'Keefe*

---

STEPHANIE O'KEEFFE

|   |  |  |
|---|--|--|
| <p><b>CHAIRMAN SALADINO: [108]</b><br/> <b>MEMBER CORWIN: [19]</b> 2/11<br/> 3/5 3/19 12/8 13/6 16/9 16/15<br/> 17/6 17/25 23/16 24/20 24/24<br/> 25/8 34/22 54/14 57/21 58/2<br/> 58/8 60/11<br/> <b>MEMBER GORDON: [17]</b> 2/12<br/> 2/21 2/23 3/17 17/20 18/2<br/> 18/23 19/8 20/6 20/13 24/22<br/> 51/22 54/6 54/8 58/11 58/14<br/> 60/9<br/> <b>MEMBER REARDON: [12]</b><br/> 2/13 2/24 3/15 3/20 20/24<br/> 21/11 21/17 22/7 24/25 30/21<br/> 54/9 60/12<br/> <b>MEMBER TASKER: [22]</b> 2/10<br/> 2/14 3/3 3/18 13/9 19/10 19/21<br/> 19/25 20/12 22/15 23/9 24/23<br/> 41/11 41/15 42/16 42/20 47/24<br/> 54/10 58/21 59/8 60/7 60/10<br/> <b>MR. ARIZUMI: [5]</b> 49/6 49/21<br/> 51/24 52/6 53/14<br/> <b>MR. CUDDY: [10]</b> 26/6 30/17<br/> 31/4 31/9 31/25 33/12 34/3<br/> 34/11 34/19 34/24<br/> <b>MR. OLINKIEWICZ: [39]</b> 4/8<br/> 7/11 7/19 7/24 8/10 8/15 8/22<br/> 9/3 9/7 9/12 9/17 9/21 10/11<br/> 11/10 11/13 11/20 12/12 12/25<br/> 14/5 14/16 14/23 15/13 15/24<br/> 16/5 16/13 16/25 17/8 17/12<br/> 18/5 18/15 18/19 18/25 21/4<br/> 21/8 21/14 21/19 22/24 24/11<br/> 25/18<br/> <b>MR. PALLAS: [6]</b> 11/19 15/17<br/> 17/16 38/16 41/3 47/8<br/> <b>MS. BERRY: [14]</b> 38/25 41/9<br/> 42/15 42/18 42/22 49/22 49/25<br/> 51/3 51/19 52/8 52/14 52/16<br/> 53/3 53/9<br/> <b>MS. PITTORINO: [12]</b> 38/12<br/> 41/13 42/24 46/20 47/3 47/14<br/> 47/22 48/7 48/18 55/3 55/7<br/> 55/18<br/> <b>TRUSTEE MARTILOTTA: [1]</b><br/> 21/6</p> | <p><b>1</b><br/> <b>1,000 [1]</b> 30/3<br/> <b>1,180 [2]</b> 10/17 10/18<br/> <b>1,200 [1]</b> 10/19<br/> <b>1,300 [1]</b> 10/15<br/> <b>1001-4-1-6 [1]</b> 4/8<br/> <b>1001-4-8-29-30-31 [1]</b> 26/6<br/> <b>11 [1]</b> 10/15<br/> <b>11,400-square [1]</b> 4/23<br/> <b>11944 [2]</b> 4/6 26/4<br/> <b>12 [8]</b> 27/3 29/6 32/8 35/24<br/> 36/4 38/5 56/20 57/12<br/> <b>13 [2]</b> 4/18 20/11<br/> <b>15 [2]</b> 2/19 35/22<br/> <b>150-12 [8]</b> 27/3 29/6 32/8 35/24<br/> 36/4 38/5 56/20 57/12<br/> <b>150-13 [2]</b> 4/18 20/11<br/> <b>150-16 [5]</b> 37/10 38/6 41/21<br/> 56/20 57/12<br/> <b>16 [5]</b> 37/10 38/6 41/21 56/20<br/> 57/12<br/> <b>17 [2]</b> 1/8 61/10<br/> <b>17,000 [2]</b> 29/24 29/25<br/> <b>17th [1]</b> 61/16<br/> <b>18,000 [2]</b> 30/5 30/10<br/> <b>19 [2]</b> 2/8 35/17<br/> <b>1957 [4]</b> 27/12 33/2 44/14<br/> 45/19<br/> <b>1958 [1]</b> 33/2<br/> <b>1967 [1]</b> 33/2<br/> <b>1969 [1]</b> 26/20<br/> <b>1981 [1]</b> 28/23<br/> <b>1990 [2]</b> 59/13 59/17<br/> <b>1991 [5]</b> 27/25 41/24 43/6<br/> 48/11 59/15</p> | <p><b>3</b><br/> <b>30 [2]</b> 27/22 28/13<br/> <b>300 [1]</b> 30/6<br/> <b>31 [5]</b> 26/6 27/23 28/13 37/14<br/> 49/12<br/> <b>32 [2]</b> 31/19 31/19<br/> <b>326 [2]</b> 25/23 26/3<br/> <b>33 [4]</b> 49/14 49/16 50/13 53/17<br/> <b>35 [2]</b> 36/11 49/17<br/> <b>37 [4]</b> 36/3 49/14 49/18 53/16<br/> <b>37-feet [1]</b> 50/10</p>   |
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