

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

June 18, 2019
6:00 p.m.

B E F O R E:

JOHN SALADINO - CHAIRMAN

DAVID CORWIN - MEMBER

JACK REARDON - MEMBER

DINI GORDON - MEMBER

ARTHUR TASKER - MEMBER

ROBERT CONNOLLY - ZONING BOARD ATTORNEY

PAUL PALLAS - VILLAGE ADMINISTRATOR

KRISTINA LINGG - CLERK TO THE BOARD

CHAIRMAN SALADINO: This is the Village of Greenport Zoning Board of Appeals meeting, revised meeting.

Item Number 1 is a motion to accept the minutes of the May 21, 2019 Zoning Board of Appeals meeting.

So moved.

MEMBER TASKER: Second.

CHAIRMAN SALADINO: All in favor?

MEMBER GORDON: Aye.

MEMBER CORWIN: Aye.

MEMBER REARDON: Aye.

MEMBER TASKER: Aye.

CHAIRMAN SALADINO: And I'll vote aye.

Item Number 2 is a motion to approve the minutes of the April 16, 2019 Zoning Board of Appeals meeting.

So moved.

MEMBER TASKER: Second.

CHAIRMAN SALADINO: All in favor?

MEMBER GORDON: Aye.

MEMBER CORWIN: Aye.

MEMBER REARDON: Aye.

MEMBER TASKER: Aye.

CHAIRMAN SALADINO: And I'll vote aye.
Any abstentions?

MEMBER CORWIN: Abstain.

CHAIRMAN SALADINO: One abstention.

Item Number 3 is a motion to schedule the next Zoning Board of appeals meeting for July 16, 2019 at 6:00 p.m. at that Third Street Fire Station, Greenport, New York 11944.

So moved.

MEMBER TASKER: Second.

CHAIRMAN SALADINO: All in favor?

MEMBER GORDON: Aye.

MEMBER CORWIN: Aye.

MEMBER REARDON: Aye.

MEMBER TASKER: Aye.

CHAIRMAN SALADINO: And I'll vote aye.

I'm just gonna go out of order here to get this little bit of business out of the way. There is a public hearing scheduled, but Item Number 6 a the motion to accept various documents regarding findings and determinations.

The first one we he have is for the

property of Michael and Laura Nagen (phonetic),
Suffolk County Tax Map number is 1001-1-2-6-28.

So moved.

MEMBER REARDON: I'll second.

CHAIRMAN SALADINO: All in favor?

MEMBER GORDON: Aye.

MEMBER CORWIN: Aye.

MEMBER REARDON: Aye.

MEMBER TASKER: Aye.

CHAIRMAN SALADINO: And I'll vote aye.

The second one is the matter of to accept
the findings and determinations of Jack
Martelotta and the Suffolk County Tax Map Number
is 1001-6-1-7.

So moved.

MEMBER TASKER: Second.

CHAIRMAN SALADINO: All in favor?

MEMBER GORDON: Aye.

MEMBER CORWIN: Aye.

MEMBER REARDON: Aye.

MEMBER TASKER: Aye.

CHAIRMAN SALADINO: And I'll vote aye.

Item Number 4 is the public hearing
regarding area variances requested by Florence
P. Roth and Stacey Tesseman for the property

located at

512 Second Street, Greenport, 11944.

The Suffolk County Tax Map number is
1001-2-6-25.

For the members of the public that are
interested, the public notice is attached to the
agenda.

I have -- let me do this first.

We're gonna convene the public hearing,
we're gonna confirm the status the applicant to
make the application.

The public notice was published?

MS. LINGG: Yes.

CHAIRMAN SALADINO: I'll read the
mailings. Shawn Roger (phonetic),
611 First Street Greenport, New York 11944.
Michael Negan (phonetic), 164 Madison Street,
Brooklyn New York.
H. Rettta (phonetic), 8337 Wood Station Road,
Alton, Illinois. Julian Wood (phonetic), 110
North Street, Greenport, New York. Sarah Cumming
(phonetic),
47 North 69th Street, New York, New York. Rose
Retta (phonetic), 8337 Wood Station Road, Alton,
Illinois. Carolyn Dowling (phonetic), 617

First Street, Greenport, New York. Tracy Wittingham (phonetic), 516 Second Street, Greenport, New York. Maryanne Thompson, 78 Montgomery Street, Jersey City, New Jersey. Robert Gessner (phonetic) the second, Post Office Box 333, Greenport, New York.

I'm going to ask the applicant to come up.

MS. TESSEMAN: I'm Stacey Tesseman, 512 Second Street, Greenport, New York.

MR. PETERS: Jason Peters, Northfork Poolcare, builder.

CHAIRMAN SALADINO: Is there something you would like to tell us?

MR. PETERS: As we went over, on the property, we're asking for two setbacks for a fiberglass pool. The location of equipment we also spoke about being outside versus inside, inside being the application right now. We went over fencing, water mitigation at the previous meetings.

That's all I have.

MS. TESSEMAN: The pool is 12 by 26 fiberglass. We are compliant, not needing a variance to the back of the property, it's to the

two sides.

CHAIRMAN SALADINO: And just not to bring you up here again, you had mentioned the filter backwash is gonna be, there's not gonna be any filter backwash?

MS. TESSEMAN: Yeah. The filter is a cartridge filter, so it doesn't get backwashed.

MR. PETERS: It gets broken down and cleaned, inside the filter itself, traditional sand filters or diatomaceous earth filtration systems need a backwashing area to alleviate the water. This is not gonna be that.

Inside are four paper cartridge. To clean them, we disassemble the system itself, the water is then pushed back in the tool. We remove those cartridges and clean them separately, so no need to backwash.

MS. TESSEMAN: There was a question last time about [\[whether\]](#) it would be hooked up to the Greenport sewer system or we would have a dry well; and we had conversations with Mr. Paul Pallas. He came back saying that the preferred way would be a dry well. He was asking Jason to say what the size of the dry well would be proportionate to the pool and it's a small pool,

so Jason has now determined the dry well that would be necessary for it and we're placing that onto the survey, we'll give you a new survey before permits are recorded.

CHAIRMAN SALADINO: And that's okay with the Building Department?

MR. PALLAS: Yes.

MR. PETERS: The dry wells themselves is a four by eight precast concrete with a six inch traffic bearing lid being placed foot-and-a-half, two feet below top of surface, i.e. where the grass is now lower than, it will be installed lower than that.

CHAIRMAN SALADINO: Could you just -- if it's okay with the Building Department, I'm kind of thinking -- could you just tell us where on the property?

MR. PETERS: The back southeast corner, so if you were looking, if the pool was set in front of you, the back right-hand corner of the property.

MS. TESSEMAN: Back past the garage in that back opened corner.

MEMBER TASKER: The dimensions will be.

MR. PETERS: Four feet high by eight

feet diameter.

MEMBER TASKER: Eight feet diameter?

MR. PETERS: Correct.

It's a bit oversized, so we can bring that back down to Southold town is minimum four by eight and Riverhead town is four by six is the minimum, so we could be anywhere within that, I thought that's all acceptable, so four by eight will be larger, it will accommodate more water.

The other thing I would look to achieve with that four by eight is the downspout off the gutter right there, I would probably pipe to the same location to mitigate water in that corner, so as not to place water into the pool or onto the pool cover itself but to kind of redirect it.

CHAIRMAN SALADINO: Okay.

My question to the Building Department is, the size of the dry well is okay with the Building Department and the proximity to the property lines, that's okay?

MR. PALLAS: I don't think there's any issue with the property size, if they're saying it's adequate, it certainly sounds adequate, I would have no issue.

CHAIRMAN SALADINO: Any member have any

questions?

MEMBER CORWIN: I have a couple questions.

When you're cleaning the chlorine generated, what are byproducts when you're cleaning and where do they go?

MS. TESSEMAN: The only byproduct -- so basically what we're doing is using electrolysis over titanium to denature salt, it's a chlorine gas, so we're taking a saltwater body, and by saltwater, I mean a salted body of water. The surrounding bay that we have are about 40,000 parts per million, given on rain and things of that nature, the dilute, we're dealing with water that's 3,000 parts per million. So for all intents and purposes it's a pothole. The only byproducts that happens within salt generation is when electrolysis causes that salt to scale, i.e. the calcium is deposited. When we clean that cell, it is done in a vessel unto itself, so it's detached via two unions and it's brought into a different body, i.e. a plastic bucket with water, and normally we do a light metriotic acid wash to erode the calcium that may be present. In the northeast, it's very uncommon for that to

happen. In places like Arizona, California, Phoenix things of that nature where the water coming from the ground is very hard right off the bat, it's extremely common. In the northeast, our water itself, i.e. the water that we're providing to the public, calcium levels aren't high enough for that to happen, although, it may happen in 1 out of 20 pools during the summer, that water itself is contained, those byproducts are taken. And it's calcium, it's the only thing that's taken out of that, so not necessarily something that is hazardous.

MEMBER CORWIN: It's calcium mixed with muriatic acid.

MR. PETERS: Solution, yes, but muriatic acid in a very small dose, so in a five gallon bucket, we're using four or five ounces.

MEMBER CORWIN: So you haven't answered my question.

Where does the calcium and muriatic acid go.

MR. PETERS: Normally it comes with me back to my shop and it's disposed of in a dry well, septic more or less.

MEMBER CORWIN: What is the waste for

the pool -- you want to put in a dry well, what water is going to waste?

MS. TESSEMAN: The only time we have an issue where we need to waste water, the pool is gonna be equipped with an automatic safety cover, so as the cover is pulled across the pool onto itself, the only water on top of it is going to be rainwater. We provide a small sump pump that sits on top of the cover equipped with a valve system that when the water on top of the cover exceeds its expectation, it's fed via garden hose into the dry well itself. That would be just rainwater.

If the cover were left open for any reason and rainwaters fill the pool, that rainwater entering the pool would be directed back to the dry well as well.

MEMBER CORWIN: My research indicates that sometimes these pools can be poisoned with sulfates and have to be emptied; is that the fact?

MS. TESSEMAN: Sulfates, on the Northfork, the only thing I combat day-to-day would be phosphates, very similar in nature. Phosphates are driven by fertilizers, i.e. if someone were to walk past the pool with a spreader

that was spreading fertilizers onto the lawn, it enters the water. That detracts the chlorine levels, but that is manually removed via phosphate remover or something that binds to the phosphates and drops it out. But sulfates, I haven't encountered; phosphates, I have.

MEMBER CORWIN: As you adjust the PH, if rather than nitric acid, you use sulphuric acid, my research say that happens sometime.

MS. TESSEMAN: Sodium bisulphate is what we use, sodium bisulphate in 99 percent it's a granular that we buy in bags, the only other way that we drop ph levels is with muriatic acid, but it's very seldom we use that. Normally, when we use muriatic acid when apply plaster to a pool, sodium bisulphate is a solid, it will sink to the bottom and harden the plaster. As muriatic acid is liquid, we normally mix it with a large volume of water as not the detriment the plastic.

Within this pool we have here, as it is plastic and fiberglass in base, we could use either of the two, but normally sodium bisulphate is the only thing we would use locally to drop ph levels, so the ash on the other end, which is

another solid to raise.

MEMBER CORWIN: Thank you.

CHAIRMAN SALADINO: Any other questions?

MEMBER REARDON: No questions.

CHAIRMAN SALADINO: Thank you.

I have two letters before I open to the public, I'll read these letters from the neighbors. Are the neighbors here?

(No response.)

I have a letter from Lauren and Michael Nagen, 114 North Street, Greenport, New York 11944.

Our neighbors at 512 Second Street, Florence Roth and Stacey Tesseman, are applying to construct a pool on their property. We are writing to say that our backyard shares a fence with their yard with -- I guess, propose to put the pool, we support their request. Lauren and Michael Nagen.

We have another letter from Maryanne Thompson, and it's to whom it may concern, I live at 122 North Street and have been the next door neighbor to Stacey for six year now. They're respectful, courteous, and kind neighbors to

have and welcome in the neighborhood. They informed me in writing of their wanting to put a pool into their large backyard, I immediately said that it was absolutely fine with me. I've never had an issue with noise or any other bother from them and hope that the Village will see their way to agree to all the necessary permits. If you would like to speak to me, I'd be happy to phone in during the Village town hall meeting. I'm sorry I could not be there in person to offer my support. Sincerely, Maryanne Thompson.

At this time is there any member of the public that would like to speak?

(No response.)

No.

What's the pleasure of this board, close the public hearing?

MEMBER CORWIN: I move that we close the public hearing.

MEMBER GORDON: Second.

CHAIRMAN SALADINO: All in favor?

MS. GORDON: Aye.

MR. CORWIN: Aye.

MR. REARDON: Aye.

MR. TASKER: Aye.

CHAIRMAN SALADINO: And I'll vote aye.

Item Number 5 is a discussion and possible motion on the area variance applied by Florence P. Roth and Stacey Tesseman for the property located at 512 Second Street, Greenport, New York 11944.

Suffolk County Tax Map number is 1001-2-6-25.

Do any members have any comments?

(No response.)

CHAIRMAN SALADINO: No.

I'll make a motion that the Zoning Board of Appeals declares itself lead agency for purposes of SEQRA.

So moved.

MR. TASKER: Second.

CHAIRMAN SALADINO: All in favor?

MS. GORDON: Aye.

MR. CORWIN: Aye.

MR. REARDON: Aye.

MR. TASKER: Aye.

CHAIRMAN SALADINO: And I'll vote aye.

I will suggest we do SEQRA and then go through these five conditions perhaps vote on the variance; is that okay?

MEMBER GORDON: Yes.

CHAIRMAN SALADINO: I make a motion that the Zoning Board of Appeals declares itself lead agency for purposes of SEQRA.

So moved.

MEMBER GORDON: Second.

CHAIRMAN SALADINO: All in favor?

MS. GORDON: Aye.

MR. CORWIN: Aye.

MR. REARDON: Aye.

MR. TASKER: Aye.

CHAIRMAN SALADINO: And I'll vote aye.

We'll go through the five conditions.

Whether an undesirable change will be produced in the character of the neighborhood to a detriment to nearby properties will be created by the granting of the area variance.

David?

MEMBER CORWIN: No.

CHAIRMAN SALADINO: Dini?

MEMBER GORDON: No.

CHAIRMAN SALADINO: Jack?

MEMBER REARDON: No.

CHAIRMAN SALADINO: Arthur?

MEMBER TASKER: No.

CHAIRMAN SALADINO: No.

Whether the benefits sought by the applicant could be achieved by some method feasible for the applicant to pursue other than the area variance.

David?

MEMBER CORWIN: No.

CHAIRMAN SALADINO: Dini?

MEMBER GORDON: No.

CHAIRMAN SALADINO: Jack?

MEMBER REARDON: No.

CHAIRMAN SALADINO: Arthur?

MEMBER TASKER: No.

CHAIRMAN SALADINO: No.

Whether the requested area variance is substantial.

David?

MEMBER CORWIN: No.

CHAIRMAN SALADINO: Dini?

MEMBER GORDON: No.

CHAIRMAN SALADINO: Jack?

MEMBER REARDON: No.

CHAIRMAN SALADINO: Arthur?

MEMBER TASKER: No. []

Whether the proposed variance will have

an adverse effect or impact on the physical or environmental conditions in the neighborhood or district.

David?

MEMBER CORWIN: No.

CHAIRMAN SALADINO: Dini?

MEMBER GORDON: No.

CHAIRMAN SALADINO: Jack?

MEMBER REARDON: No.

CHAIRMAN SALADINO: Arthur?

MEMBER TASKER: No.

CHAIRMAN SALADINO: No.

Whether the alleged difficulty was self created which consideration shall be relevant to the decision of the Board of Appeals and shall not necessarily preclude the granting of the area variance.

David?

MEMBER CORWIN: Yes.

CHAIRMAN SALADINO: Dini?

MEMBER GORDON: Yes.

CHAIRMAN SALADINO: Jack?

MEMBER REARDON: Yes.

CHAIRMAN SALADINO: Arthur?

MEMBER TASKER: Yes.

CHAIRMAN SALADINO: Yes.

Before I make a motion to grant the area variance, does any member have a condition or suggestion for this application?

(No response.)

No.

I'll make a motion that the Zoning Board of Appeal grant the area variance.

MEMBER GORDON: Second.

CHAIRMAN SALADINO: David?

MEMBER CORWIN: Yes.

CHAIRMAN SALADINO: Dini?

MEMBER GORDON: Yes.

CHAIRMAN SALADINO: Jack?

MEMBER REARDON: Yes.

CHAIRMAN SALADINO: Arthur?

MEMBER TASKER: Yes.

CHAIRMAN SALADINO: I'll vote yes.

MEMBER GORDON: They should all be so easy.

CHAIRMAN SALADINO: Item Number 7 then, any other Zoning Board of Appeal business that might properly come before this board.

Anybody have anything?

(No response.)

CHAIRMAN SALADINO: Building
Department?

MR. PALLAS: No.

CHAIRMAN SALADINO: Item 8, motion to
adjourn.

MEMBER TASKER: John, excuse me, before
you do that, I will not be present in July.

CHAIRMAN SALADINO: That's
Unacceptable.

MEMBER TASKER: Can't help it.

CHAIRMAN SALADINO: We'll muddle
through without you.

MEMBER REARDON: No motion to accept
these?

CHAIRMAN SALADINO: I'm sorry. We had
a motion, an item on the agenda -- I thought you
knew, I apologize. We had an item on the agenda
for -- actually it's not on -- there was an item
on the previous agenda to accept an application
for the Peconic Land trust for some minor work
at the Mobile property on Fourth Street, because
of discussion with the Building Department, the
applicant and the Village Zoning Board attorney,
there's ongoing discussion, so they withdrew the
application from our agenda. We may or may not

see it in the future.

That's for someone that read the agenda prior to the revised agenda.

I'll make that motion to adjourn again.

MEMBER TASKER: Second.

CHAIRMAN SALADINO: All in favor?

MEMBER TASKER: Aye.

MEMBER GORDON: Aye.

MEMBER CORWIN: Aye.

MEMBER REARDON: Aye.

CHAIRMAN SALADINO: I'll vote aye.

Thanks, folks.

(Time noted: 6:22 p.m.)

