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VILLAGE OF GREENPORT
COUNTY OF SUFFOLK STATE OF NEW YORK

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ZONING BOARD OF APPEALS

REGULAR SESSION

-----x

Third Street Firehouse
Greenport, New York

August 21, 2018
6:00 p.m.

B E F O R E:

JOHN SALADINO - CHAIRMAN

DAVID CORWIN - MEMBER

ELLEN NEFF - MEMBER

DINI GORDON - MEMBER

ARTHUR TASKER - MEMBER

ROBERT CONNOLLY - Attorney

KRISTINA LINGG - BUILDING CLERK

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2 CHAIRMAN SALADINO: Folks, this is the
3 Regular Meeting of the Greenport Village
4 Zoning Board of Appeals.

5 Item number 1, just to preface this,
6 Item number 1, is to accept the minutes of
7 the July 17, 2018 Zoning Board of Appeals.

8 Just to correct the record, in those
9 minutes, the comments made last month for
10 the property of 150 Sterling Avenue were
11 attributed Laura Dicapua; and they were
12 really made by the contractor for the
13 applicant Vector East.

14 I'm gonna make that motion with that
15 correction to accept the minutes of the
16 July 17, 2018 Zoning Board of Appeals
17 meeting.

18 So moved.

19 MR. TASKER: Second.

20 CHAIRMAN SALADINO: All in favor?

21 MR. TASKER: Aye.

22 MS. NEFF: Aye.

23 MR. CORWIN: Aye.

24 MS. GORDON: Aye.

25 CHAIRMAN SALADINO: And I'll vote aye.

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2 Item number 2 is a motion to approve
3 the minutes of the June 19, 2018 Zoning
4 Board of Appeals meeting.

5 So moved.

6 MR. TASKER: Second.

7 CHAIRMAN SALADINO: All in favor?

8 MR. TASKER: Aye.

9 MS. NEFF: Aye.

10 MS. GORDON: Aye.

11 CHAIRMAN SALADINO: I'll vote aye.

12 Abstentions?

13 MR. CORWIN: Abstain.

14 CHAIRMAN SALADINO: Item number 3 is,
15 motion to schedule the next Zoning Board of
16 Appeals meeting for Tuesday, September 18,
17 2018 at 6:00 p.m. at the Third Street Fire
18 Station, Greenport, New York.

19 So moved.

20 MR. TASKER: Second.

21 CHAIRMAN SALADINO: All in favor?

22 MR. TASKER: Aye.

23 MS. NEFF: Aye.

24 MR. CORWIN: Aye.

25 MS. GORDON: Aye.

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2 CHAIRMAN SALADINO: And I'll vote aye.

3 We have an addition to the agenda.

4 It's a motion the accept the findings and
5 determinations in the matter of the
6 application of Vector East for the property
7 at 150 Sterling Avenue, Suffolk County Tax
8 Map number is 1001-3.-4-27.

9 So moved.

10 MS. NEFF: Second.

11 CHAIRMAN SALADINO: All in favor?

12 MR. TASKER: Aye.

13 MR. CORWIN: Aye.

14 MS. GORDON: Aye.

15 MS. NEFF: Aye.

16 CHAIRMAN SALADINO: And I'll vote aye.

17 Item number 5 is a public hearing
18 regarding an area variances to the property
19 located at 416 South Street, Greenport, New
20 York 11944.

21 Suffolk County Tax Map number
22 1001-4-5-12.

23 The public notice is attached and
24 couple things we have to do and we'll let
25 the applicant speak.

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2 We have the applicant's affidavit that
3 she is the applicant. The public notice was
4 published, we saw the sign and it was
5 published in the newspaper.

6 MS. LINGG: Correct.

7 CHAIRMAN SALADINO: I have a list of
8 mailings here, I'll read the mailings.

9 Teresa Gaged (phonetic), 304 Fifth
10 Avenue Greenport, New York 11944; William
11 Frances (phonetic), 248 Fifth Avenue,
12 Greenport, New York 11944; North Fork
13 Housing Alliance, 116 South Street,
14 Greenport, New York 11944; North Fork
15 Housing Alliance 116 South Street Greenport,
16 New York 11944; Anne Court (phonetic), 409
17 South Street, Greenport, New York 11944;
18 William Donohue (phonetic), 312 Fifth
19 Avenue, Greenport, New York 11944; Kevin
20 Heany (phonetic), 311 Fourth Avenue,
21 Greenport, New York; and Chris Holland 415
22 South Street, Greenport, New York 11944.

23 I'm gonna open the public hearing.

24 Is the applicant here?

25 MS. DICAPUA: Yes.

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2 CHAIRMAN SALADINO: Name and address
3 for the stenographer.

4 MS. DICAPUA: Laura Dicapua, 416 South
5 Street, Greenport.

6 So do you want me to say what it is I'm
7 looking to accomplish? I think some of my
8 neighbors are here and know exactly, but for
9 everybody else. I'd like to put a carport
10 outside my mudroom and, hopefully, a
11 wraparound porch in the front. I think some
12 of you who know my house, I took it a long
13 way from when I bought it, so these
14 additions will be mirroring the architecture
15 that's already existence; and hopefully it
16 will be aesthetically pleasing and it will
17 be very practical for me. I have some
18 mobility issues, so to have this outside my
19 door with the car would be a great help to
20 me.

21 That's about it.

22 CHAIRMAN SALADINO: Thank you.

23 MS. DICAPUA: Okay.

24 CHAIRMAN SALADINO: Do any members have
25 any questions for the applicant?

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2 MR. CORWIN: I have a question in terms
3 of you're calling for the carport at
4 fourteen and a half feet. I don't know how
5 wide carports are usually, but is there a
6 reason for fourteen-and-a-half feet?

7 MS. DICAPUA: You're talking the width,
8 not the length?

9 MR. CORWIN: Right.

10 MS. DICAPUA: I have an SUV; they have
11 very big doors. I need for it to be that
12 wide -- I back into the driveway, there are
13 children on that block and I need to see
14 when I come out. So the driver side is on
15 the outer side, if you will, and if it's
16 just enough for the car, I'll be standing in
17 the rain and my car will be nice and dry; if
18 it snows, they'll be snow outside the door,
19 so it needs to cover the area.

20 Again, it's an SUV, so it has big
21 doors, so you need clearance for the doors
22 to open on both sides.

23 MR. CORWIN: Do you know how wide the
24 vehicle is?

25 MS. DICAPUA: With the doors open?

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2 MR. CORWIN: Without the doors open and
3 with the doors opened.

4 MS. DICAPUA: I don't know. I
5 concentrated on the length when I bought --
6 it's a new car, new addition and I
7 concentrated on the length that it wouldn't
8 exceed the length of the -- because a car
9 door is a car door, and I had an SUV before
10 that, and I park there every day, so I know
11 how much, how close I come to that side when
12 I open the door. That's why I need it that
13 big.

14 CHAIRMAN SALADINO: Good, David?

15 MR. CORWIN: Yes.

16 CHAIRMAN SALADINO: I have a small
17 question about the front steps to the porch.
18 The setback that's being requested is
19 twenty-three point eight feet, but that
20 doesn't include the steps; so is there
21 something you could tell us about the front
22 steps?

23 MS. DICAPUA: Actually, I relied on the
24 architect for that part of it, the technical
25 part of it, but I mean the outline, that

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2 part of the porch would have to be in line
3 with the rest of porch; otherwise, there
4 would be this big drop if the steps were
5 kind of in the position they're in right
6 now. It would have to be where the porch
7 ends is where the steps would be going down.

8 CHAIRMAN SALADINO: We certainly
9 understand that, but if we give you, if the
10 variance requested is to the end of the
11 porch and doesn't include the steps, it's
12 feasible that you would have to come back at
13 another time for a variance for the steps.

14 MS. DICAPUA: Six months.

15 MS. NEFF: This is showing thirty feet.

16 MS. GORDON: Can you incorporate the
17 steps into this area on your --

18 MS. DICAPUA: I was saying if you do
19 that, it's going be a fall at the porch,
20 usually where the steps are is even with the
21 rest of the porch and then the steps go
22 down.

23 CHAIRMAN SALADINO: No, we understand
24 that. We're going by your application.

25 MS. DICAPUA: It's his drawing, so I

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1
2 can't answer for him. I trusted in his
3 ability.

4 MS. GORDON: I have a question about
5 the relationship to the building, that house
6 to the east of you. It looks as though the
7 front of that house is just about where the
8 front of your porch would be. Have you
9 measured that; do you know that it
10 corresponds to that neighboring building?

11 MS. DICAPUA: I did not take that into
12 consideration.

13 MS. GORDON: Okay.

14 CHAIRMAN SALADINO: Anyone else have
15 questions for this applicant?

16 (No response.)

17 Thank you.

18 MS. DICAPUA: Okay.

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

21 MS. POLLACK: Karen Pollack, 630 First
22 Street.

23 I can understand a person wanting to
24 improve their house, to add onto the house
25 to make it more livable, more comfortable,

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2 to suit their needs better and such;
3 however, the house is the house. If the
4 house doesn't come with a carport, I don't
5 think that, even though that would be a
6 convenience for you, I don't think that's a
7 requirement of the Village to grant such a
8 large variance to accommodate a carport that
9 isn't there.

10 We're talking about a proposed sideyard
11 setback of two feet with, combined with
12 proposed combined sideyard of five point
13 five feet, so you're allowing, this proposal
14 would allow what, twenty-seven inches on
15 each side of the house. I think that is an
16 excessive amount to ask for.

17 And I'm glad you, Mr. Saladino, I'm
18 glad you pointed out that the front yard
19 setback, the variance doesn't, as applied
20 for doesn't include the steps, which, of
21 course, is going if increase the amount.

22 I would respectfully ask that you deny
23 this application.

24 Thank you.

25 CHAIRMAN SALADINO: Thank you.

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2 Is there anybody else from the public
3 that would like to speak?

4 (No response.)

5 We have four letters, if the Board
6 agrees, I'll read them or we can enter them
7 into the record since there is no one that
8 wishes to speak.

9 Read these letters, is that the
10 pleasure of the Board?

11 MR. TASKER: You might note they were
12 all favorable to the applicant.

13 CHAIRMAN SALADINO: They were all
14 favorable.

15 MS. DICAPUA: Can I point out those are
16 immediate neighbors, those four letters, the
17 ones that are on both sides of me and
18 directly across from me.

19 CHAIRMAN SALADINO: Okay.

20 We'll note that they're the adjacent
21 neighbors.

22 MS. DICAPUA: Um-hum.

23 CHAIRMAN SALADINO: We're going to give
24 this to the stenographer.

25 What is the pleasure of the board, are

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1 we going to close this public hearing, keep
2 it open?

3 MR. TASKER: I don't see a need to keep
4 it open.

5 CHAIRMAN SALADINO: David? Dinni?

6 MS. GORDON: Fine.

7 CHAIRMAN SALADINO: Ellen?

8 MS. NEFF: Close it.

9 CHAIRMAN SALADINO: I'll make a motion
10 to close the public hearing.

11 MR. TASKER: Second.

12 CHAIRMAN SALADINO: All in favor?

13 MR. TASKER: Aye.

14 MS. NEFF: Aye.

15 MR. CORWIN: Aye.

16 MS. GORDON: Aye.

17 CHAIRMAN SALADINO: And I'll vote aye.

18 Item number 6 is discussion and
19 possible motion on the area variance sought
20 by Laura Dicapua for the property located at
21 416 South Street, Greenport, New York 11944.

22 Suffolk County Tax Map number
23 1001-4-5-12.

24 Members, anyone, any comments about
25

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1
2 this application?

3 MR. TASKER: Well, like David, I am
4 concerned about the overall width of that
5 carport because it essentially, although it
6 may not be counted on the west side, there
7 is the bow widow and it essentially means
8 that the building is pretty close to the lot
9 line.

10 MS. NEFF: Two feet.

11 CHAIRMAN SALADINO: I didn't have a
12 concern about the carport. I had planned to
13 ask that perhaps we condition it, if it goes
14 that far, that it not be enclosed. Right
15 now it says it's not going to be enclosed,
16 but down the road, that can, kind of,
17 happens, so that would be my comment.

18 The front steps are an issue for me
19 also. I would like to see either an
20 explanation, a plan, a construction plan.
21 Are they going to be concrete? Are they
22 gonna be wood? How wide and how deep the
23 step are going to be. How long the steps
24 are going to be. The front yard setback is
25 an issue without the steps, and then to add,

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2 I'm guessing, five feet, six feet to the
3 setback is an issue for me.

4 MS. GORDON: I feel very sympathetic to
5 the desire to make those changes to
6 accommodate the applicant's real needs, and
7 I think it's a wonderful house, and will
8 continue to be a wonderful house.

9 I'm a little troubled because it's such
10 a wonderful house, and I do feel as though
11 these changes will effect sort of the
12 aesthetics of the house in it's historical
13 context with those wonderful Victorian
14 decorations on it; and I guess I feel
15 especially that way about the carport. So I
16 guess I'm making a comment that really is a
17 sort of urging of the applicants to provide
18 justifications that are aesthecially as well
19 as sort of for their own convenience.

20 I think I would have felt more
21 comfortable if the architect, Mr. Ulendal
22 (phonetic) had come and explained this to
23 me. I don't have enough imagination to
24 figure out how the porch will fit into this
25 basically Victorian construction.

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2 That's really a comment for the future.

3 MS. DICAPUA: May I come to the podium?

4 CHAIRMAN SALADINO: Sure.

5 MS. DICAPUA: I can say something about
6 the porch and the stair material as well. I
7 know some things, not all they things.

8 The porch and the stairs, the side
9 stairs where I was standing when you come to
10 my property is made out of composite, so the
11 front will also be made out of that material
12 and the step as well. The current steps are
13 made out of wood and they need to be
14 replaced regardless.

15 In term of the aesthetics, I'm right on
16 board with you. I have no intentions of --
17 if you noticed that house was all white when
18 I bought it, and I made contrasting colors
19 to make it more, all that beautiful
20 shingling stand out; so I have no intention
21 of deterring from that.

22 I see this as an enhancement and
23 historically it doesn't -- it's of historic
24 note, most of these house had front porches,
25 so I don't think that's taking anything

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2 away.

3 And we're calling this a carport, but
4 in days of old, the carriages would pull up
5 there and ladies would step out to a
6 platform under the coverage not to get their
7 gowns wet or if there's snow, so I don't see
8 that this is taking away from the historic
9 of the house at all.

10 MS. GORDON: Okay.

11 Thank you.

12 MS. DICAPUA: I hope that helped
13 clarify in Frank's absence.

14 Thank you.

15 MS. NEFF: I think that in the drawings
16 that I have -- I think my set is complete,
17 we don't really -- we see the area variance
18 very clearly, but we don't see what it looks
19 like except for the roof line -- I mean
20 unless I'm mistaken -- how exactly it looks,
21 and I know that that's not our job, but I
22 think it would help.

23 The other thing I'd like to --

24 MS. DICAPUA: Did you have this page
25 (indicating)?

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2 MS. NEFF: I don't think I have that
3 page.

4 MS. DICAPUA: I put it in everybody's
5 folders. She has one.

6 (Handing.)

7 MS. NEFF: Thank you.

8 So that the carport is open, I think as
9 you suggested, Mr. Chairman, that that
10 become a requirement.

11 And I just like to point out that it's
12 nineteen-feet long and given that's a very
13 long lot line and it's next to the driveway
14 or access to the rear of the house next
15 door, it doesn't seem to me to be a
16 significant interference with that property.
17 And the housing alliance has stated that
18 they're in favor of it.

19 I think in terms of what's happening in
20 the rest of the block on both sides, that
21 the step don't add significantly, although
22 we don't know exactly how many, what the
23 measurements are.

24 Okay, that's my point.

25 CHAIRMAN SALADINO: Just to comment on

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2 that, I don't think David's concern was the
3 length of the carport; I think his concern
4 was width of the carport.

5 And as far as the front steps, I mean,
6 we can only grant relief for what she asks
7 for. She asks for a twenty-three point
8 eight foot front yard setback. She's asking
9 for relief from thirty feet to twenty-three
10 point eight.

11 The steps, I don't know how we -- we're
12 not the Building Department, I don't know
13 how we would get around that.

14 MR. TASKER: The code does not appear
15 to exempt front steps. It should be checked
16 more closely, but it doesn't appear to.

17 CHAIRMAN SALADINO: It was always my
18 understanding that steps attached to the
19 building were considered part the structure
20 so that would be --

21 MS. GORDON: Something that's
22 interesting to me is that this drawing looks
23 to me as though the step are included in the
24 additional space, but not on the survey; and
25 I'm wondering than if it's possible simply

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2 to include the steps in that, the pink part
3 on the survey.

4 CHAIRMAN SALADINO: I understand what
5 you're saying --

6 MS. GORDON: Here, this makes it look
7 as though it's part of the --

8 CHAIRMAN SALADINO: That's true, but
9 that's an architectural rendering, this is
10 the site plan, this the actual drawing of
11 how the site is gonna be. If the
12 applicant -- if the steps are going to be
13 inside the line of the porch, that's
14 twenty-three point eight feet from the
15 street, than it's a nonissue. If we're
16 gonna have these steps, than we're gonna
17 have to rethink this.

18 MS. DICAPUA: How can you get to the
19 porch if there's steps there, the front door
20 --

21 CHAIRMAN SALADINO: We're gonna give
22 you a little latitude and allow you to talk
23 and ask questions, but your gonna --

24 MS. DICAPUA: Oh.

25 CHAIRMAN SALADINO: You're gonna have

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2 to --

3 MS. DICAPUA: You want me there?

4 CHAIRMAN SALADINO: Anything that
5 you're saying, you're going to have to do
6 from there for the stenographer because she
7 can't see behind her.

8 MS. DICAPUA: What I'm saying is, I'm
9 envisioning in my head what you're saying,
10 so if you came out the front door and step
11 -- so I have this little front porch right
12 now, and then if the steps were basically
13 the way they are now and the porch is built
14 jogging up to that, you wouldn't be able to
15 get from the front door onto the porch,
16 there would be step there.

17 CHAIRMAN SALADINO: Actually, the porch
18 is not a little front porch, the porch is
19 gonna be --

20 MS. DICAPUA: The little front porch
21 that exists now is flush with the building,
22 so basically what you're saying is that if
23 that stays the same and the steps come from
24 that little porch which is where the big
25 porch would be starting, than you wouldn't

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2 be able to get from the front door onto the
3 porch because the steps will be there where
4 the porch is starting.

5 I see it clearly in my head because I
6 live there.

7 CHAIRMAN SALADINO: I see other things
8 in my head.

9 MS. DICAPUA: -- the porch has to come
10 out to meet the rest of porch and then the
11 stairs so you have access to the porch from
12 the front door.

13 MR. TASKER: If I may, I'm looking at
14 the photographs submitted with the
15 application of the front of the house, there
16 are some before and after, and I presume
17 that's before your purchase and after you've
18 done the initial round of work that you have
19 done. With regard to the change that is
20 going to occur in the overall appearance of
21 that building, if you look at these pictures
22 here, clearly the design of this house had a
23 big bay window on the right-hand side as you
24 face it, and the very typical kind of porch
25 entryway which is underneath the second

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1 story.

2 MS. DICAPUA: Exactly.

3 MR. TASKER: What is proposed is gonna
4 be, and I'm not talking aesthetics or purity
5 of essence or historical or anything like
6 that, it's going to be a completely
7 different appearance of the overall building
8 with that porch in at all, whether it's
9 twenty-three feet shy or twenty-seven feet
10 shy of the front line.

11 CHAIRMAN SALADINO: I'm not raising the
12 question of aesthetics. My concern not as
13 far as how the house looks, I think it's a
14 really nice house --

15 MS. DICAPUA: I agree. Thank you.

16 MS. GORDON: We all do.

17 CHAIRMAN SALADINO: As far as front
18 yard setback, that's not my concern, how
19 well the house fits into the neighborhood.

20 This the not Historic District, is it?

21 MS. DICAPUA: No.

22 CHAIRMAN SALADINO: That wouldn't even
23 be their concern.

24 So for me, it's only about the extra
25

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2 four feet or the five feet or three-and-half
3 feet that the stairs would measure from the
4 front of the porch to the front property
5 line.

6 MS. DICAPUA: So what would you like
7 for me to do to help move this along and
8 have it happen, hopefully?

9 MS. GORDON: Is it possible to
10 condition the setback on the architect's
11 revision of the position of the front stairs
12 to be included within that setback that we
13 approved?

14 CHAIRMAN SALADINO: Absolutely. I
15 think so.

16 MS. NEFF: I think more likely, from
17 what I've heard from the applicant, what the
18 amendment would be that the steps be part of
19 the application; in other words, they extend
20 from that line out an additional, as you
21 said, four of five feet.

22 MS. GORDON: It would be a larger
23 variance.

24 MS. NEFF: If you try to step on a
25 porch which has -- it's out here, but the

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1
2 steps start here, it's complicated to
3 navigate for people that the porch comes out
4 here, but the steps start down here
5 (indicating).

6 MS. DICAPUA: Thank you. That's what
7 I've been trying to convey.

8 MS. NEFF: And I think asking for it to
9 be amended or revised or whatever, that they
10 be part of the request for an area variance
11 for the steps because they were coming into
12 the space.

13 CHAIRMAN SALADINO: We don't get to
14 write the application.

15 MS. GORDON: You would have to rewrite
16 the Notice of Disapproval.

17 CHAIRMAN SALADINO: Right.

18 MR. CONNOLLY: I just want to see what
19 the language in public notice says.

20 I mean, we could ask that a survey be,
21 or the site plan be revised to show what the
22 setback is to tie the determination to the
23 revised site plan that show it, but you need
24 to know exactly what the calculation is and

25 --

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2 CHAIRMAN SALADINO: Well, let me ask
3 the applicant, I understand that you want
4 the get this done. So you know, we have
5 sixty-two days to make a decision from
6 tonight.

7 MS. DICAPUA: I didn't know that. I
8 told you I was a rookie last time.

9 CHAIRMAN SALADINO: We have sixty-two
10 days to make a decision about this
11 application. It never takes us that long.

12 What I would suggest to you is and what
13 I think we're all willing to do -- the
14 public hearing is closed, normally we would
15 not take any more testimony after the public
16 hearing is closed from the public, but if
17 the Board agrees, we would be willing to
18 listen to your architect next month to have
19 him come here next month and explain the
20 alternatives that he could present to us.

21 MS. DICAPUA: I would love that because
22 I entrusted the technical part of this to
23 him, and he did the work that you saw at the
24 house, so we worked together before. You
25 know I can't answer to technical questions;

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2 I thought everything was hokey dokey and now
3 I'm hearing different.

4 CHAIRMAN SALADINO: If you don't -- if
5 you're agreeable and the Board is agreeable,
6 we can postpone our decision until next
7 month, and if your architect can come and
8 explain about additional feet or front yard
9 setbacks.

10 MS. DICAPUA: I'll contact him as soon
11 as I get home.

12 So both things are on hold, both
13 structures?

14 CHAIRMAN SALADINO: The application
15 would be on hold; we wouldn't make a
16 decision on the application.

17 MS. GORDON: But we wouldn't reopen the
18 hearing?

19 CHAIRMAN SALADINO: I don't think we
20 need to reopen --

21 MR. CONNOLLY: If you're gonna accept
22 additional testimony, you have to --

23 CHAIRMAN SALADINO: Reopen --

24 MR. CONNOLLY: -- which you can do
25 right now, you can vote to reopen it.

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2 MR. CORWIN: Let's do that. Let's
3 reopen the hearing, and I have a couple
4 thoughts I think would like to interject.

5 MR. CONNOLLY: You can even just reopen
6 the hearing, leave it open for written
7 submissions from the architect.

8 CHAIRMAN SALADINO: If we're going to
9 hear from the architect, it's best to hear
10 from him, I think, in person --

11 MS. DICAPUA: Yes, I would prefer that.

12 CHAIRMAN SALADINO: -- so it's not lost
13 in translation. Is that agreeable to the
14 Board to reopen the public hearing, take
15 additional testimony?

16 MR. TASKER: I'll so move.

17 CHAIRMAN SALADINO: Okay.

18 So I'll make that motion that we reopen
19 the public hearing in the matter of 416
20 South Street.

21 So moved.

22 MR. TASKER: Second.

23 CHAIRMAN SALADINO: All in favor?

24 MS. NEFF: Aye.

25 MR. TASKER: Aye.

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2 MR. CORWIN: Aye.

3 MS. GORDON: Aye.

4 CHAIRMAN SALADINO: And I'll vote aye.

5 MR. TASKER: And there are two issues
6 we got to, the width of the carport and the
7 depth of the porch.

8 MS. NEFF: Including the steps.

9 MR. TASKER: And the stairs.

10 CHAIRMAN SALADINO: My concern is not
11 so much the depth of the porch, not in those
12 words, the additional front yard setbacks
13 that would be needed in the variance, if
14 that can be resolved without -- if the
15 architect can resolve that without a new
16 application. We don't want you to file a
17 new application.

18 MS. NEFF: Would it be a new
19 application if we're talking about the
20 stairs and her carport?

21 CHAIRMAN SALADINO: Well, she's asking
22 for, in any mind, she is asking for
23 twenty-three point eight feet, if we add
24 five feet worth of steps, then the variance
25 request becomes eighteen point eight feet.

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2 Am I getting that right?

3 MR. TASKER: No.

4 What does the notice say for front yard
5 variance request?

6 CHAIRMAN SALADINO: Twenty-three point
7 eight feet.

8 MR. TASKER: No, that's the dimension
9 not the variance.

10 CHAIRMAN SALADINO: No, I believe that
11 was the variance. I don't have --

12 MR. CONNOLLY: If you add five feet to
13 that, assuming it's five feet, the setback
14 would be eighteen.

15 MR. TASKER: Okay. I'm with you.

16 CHAIRMAN SALADINO: We're gonna keep
17 the public hearing open. We'll resume it
18 next month. Hopefully your architect will
19 be here.

20 MS. DICAPUA: I hope.

21 CHAIRMAN SALADINO: He can address --

22 MS. DICAPUA: Do you want the revised
23 blueprints?

24 CHAIRMAN SALADINO: Only if you're
25 going to change it.

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2 MS. DICAPUA: Well, the steps --

3 CHAIRMAN SALADINO: We thought we
4 would take conversation.

5 MS. DICAPUA: Oh, just conversation. I
6 want to get everything right.

7 CHAIRMAN SALADINO: We thought we would
8 take testimony from the architect; and he
9 would either incorporate the steps into the
10 porch or we would have to go the plan B.

11 MS. DICAPUA: Okay.

12 CHAIRMAN SALADINO: Also, the members
13 have concerns about the carport.

14 MR. CORWIN: I do.

15 When you look at this rendering of the
16 front of the house, the carport is wide, it
17 become overwhelming in my mind.

18 And just note about the steps, I
19 wouldn't encourage somebody to put steps
20 inside a porch structure like that because
21 it's not a common practice, and I would be
22 afraid somebody would trip and fall down the
23 steps they didn't know they were there.

24 CHAIRMAN SALADINO: Well, we just
25 reopened the public hearing to hear the

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2 architect's comment, maybe he --

3 MR. CORWIN: Just as long as he knows
4 what the concern are.

5 MS. DICAPUA: Can I point out since I'm
6 standing here?

7 As far as the width and the neighboring
8 house, essentially what's on the other side
9 of that fence is an alleyway with the, all
10 the utilities of the house, it's not living
11 space. It's not an imposition on the house,
12 and she very nicely wrote a letter on her
13 stationary and agrees with me that it's no
14 imposition because it's really dead space on
15 that side of that house and it's an open
16 structure. We're only talking about two
17 columns with the roof; and the roof is gonna
18 be reworked to counterbalance. I didn't
19 realize that - to your request when you were
20 on the site - that the roof is going to be
21 reworked to be one be straight structure for
22 strength and then the two columns. It's
23 wide open. It's just a cover.

24 CHAIRMAN SALADINO: Arthur, you had a
25 question about the carport.

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2 MR. TASKER: I'm concerned about the
3 overall width, yes.

4 MS. DICAPUA: I got to open the car
5 doors on both sides.

6 MR. CORWIN: You only need to open the
7 car door on one side.

8 MS. DICAPUA: I have to empty the
9 groceries and what have you on the other
10 side; I do it every week.

11 MR. TASKER: I'm looking at other parts
12 of the plan, and I'm seeing some
13 inconsistency, what I think maybe
14 inconsistency in the site plan as regarding
15 the back of the building and some of the
16 drawings in here that show the plans
17 apparently for expanding the width of the
18 back portion of the house from roughly half
19 the width of the house to the full width of
20 the house, which is not evident in the site
21 plan that you're presenting. I'm looking at
22 drawing number A3 and drawing number A2 that
23 show, kind of, before and after of the
24 first-floor plan, expanded full width and
25 the second floor of the flat roof. Not the

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2 second floor, the flat room on it, which is
3 not apparent in any of site plans that I
4 see.

5 MS. DICAPUA: Hopefully, Frank will be
6 able to come and he could address that, I
7 wouldn't --

8 MR. TASKER: The inconsistency of the
9 drawing is what I'm suggesting.

10 MS. DICAPUA: He's the drawer.

11 MR. TASKER: He's the man.

12 MS. DICAPUA: So hopefully I can get
13 the man to come next month and all of your
14 concerns and questions will be addressed at
15 that time.

16 CHAIRMAN SALADINO: Okay.

17 Thank you.

18 MS. DICAPUA: Thank you for the extra
19 time.

20 CHAIRMAN SALADINO: Is there anyone
21 from the public that would like the add to
22 the conversation?

23 MR. KEEL: Robert Keel 242 Fifth
24 Avenue.

25 Kind of a question, what would stop

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1
2 them from, say she sells the house, the next
3 person comes along and says, I'm gonna close
4 it in? Your setbacks have already been
5 established on this piece of property
6 because of the side carport, so legally they
7 can get a building permit and close it in.

8 CHAIRMAN SALADINO: I'm kind of
9 thinking we could set conditions, and if the
10 applicant agrees that she would have to, the
11 new applicant would have to come in front of
12 the ZBA and request that.

13 MR. KEEL: That's what I was trying to
14 get at.

15 CHAIRMAN SALADINO: Absolutely.

16 MR. KEEL: Thank you.

17 CHAIRMAN SALADINO: Anyone else?

18 (No response.)

19 Okay, we're going keep this public
20 hearing open, and we'll put it on the agenda
21 for next month.

22 Just let me get all these papers out of
23 the way.

24 Item number 7 is a public hearing
25 regarding the area variance for the property

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located at 412 Third Street, Greenport, New York 11944.

Suffolk County Tax Map number 1001-4-2-4.6.

This is outside what I normally do, but just so everybody knows, the public notice is attached to the agenda, but I'm going to read the public notice just so everybody is on the same page about what's going on here.

Notice of Public Hearing of Greenport Zoning Board of Appeals, 412 Third Street Greenport Inc., 412 Third Street, Greenport, NY 11944. Suffolk County Tax Map number 1001-4.-2-4.6.

The applicant proposes to subdivide the property located at 412 Third Street, Greenport, New York 11944. The property is located in the R-2, One- and Two-Family Residential District. The property is not located in the Greenport Village Historic District.

The proposed lots are formed from a lot already occupied by a building that does not comply with the requirements of the district

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2 in which it is located, requiring a
3 variance.

4 Lot 1: Item 1, the proposed front yard
5 setback is six point three feet, requiring
6 an area variance of twenty-three point seven
7 feet.

8 Section 150-12A of the Code of the
9 Village of Greenport requires a minimum
10 setback of thirty feet for front yards.

11 Item 2, the proposed rear yard setback
12 is ten point four feet, requiring an area
13 variance of nineteen point six feet.

14 Section 150-12A of the Code of the
15 Village of Greenport requires a minimum
16 setback of thirty feet for rear yards.

17 Item 3, the proposed lot area is
18 4,615.305-square feet, requiring an area
19 variance of 2,884.695-square feet.

20 Section 150-12A of the Code of the
21 Village of Greenport requires a minimum lot
22 area of 7,500-square feet for a one-family
23 dwelling in the R-2 District.

24 Lot 2: Item 1, the proposed side yard
25 setback is three point four feet, requiring

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an area variance of six point six feet.

Section 150-12A of the Code of the Village of Greenport requires a minimum setback of ten feet for side yards.

Item 2, the proposed combined side yard setback is twenty-four point five feet, requiring an area variance of zero point five feet.

Section 150-12A of the Code of the Village of Greenport requires a minimum setback of twenty-five feet for combined side yards.

Item 3, the proposed rear yard setback is three point one feet, requiring an area variance of twenty-six point nine feet.

Section 150-12A. of the Code of the Village of Greenport requires a minimum setback of thirty feet for rear yards.

Item 4, the proposed lot area is 3,393.18-square feet, requiring an area variance of 4,106.82-square feet.

Section 150-12A of the Code of the Village of Greenport requires a minimum lot area of 7,500-square feet for a one-family

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2 dwelling in the R-2 District.

3 We're going to convene the public
4 hearing. We know Ms. Moore is the
5 representative of the applicant.

6 The public notice was complete,
7 published in the newspaper, we saw the
8 placard.

9 I have the mailings. Maureen Shellborn
10 (phonetic), Post Office Box 237, Greenport,
11 New York 11944; 415 Second Street, LLC, 44
12 Wall Street, New York, New York 10005;
13 Claudette Melch (phonetic), 112 Third
14 Street, Greenport, New York; Village of
15 Greenport, 238 Third Street, Greenport, New
16 York; 112 Third Street Greenport,
17 Incorporated, Post Office Box 591, Shelter
18 Island, New York, 11915; Frank Swan
19 (phonetic), 18300 Charity Lane, Accokeek,
20 Maryland 20607; Julia English (phonetic),
21 417 Second Street, Greenport, New York;
22 James Morrison (phonetic), 421 Sixth Street,
23 Greenport, New York; Karen Holms (phonetic),
24 Post Office 416, Glenhead, New York 11545;
25 414 Third Street Greenport, Incorporated,

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2 Post Office Box 591, Shelter Island, New
3 York 11915.

4 MS. MOORE: Can I start?

5 CHAIRMAN SALADINO: Sure.

6 MS. MOORE: Good evening. Patricia
7 Moore on behalf of Mr. Olinkiewicz. I'm
8 sorry he couldn't be here, but he's
9 recovering from surgery, and is not supposed
10 to have any stress; so I guess this is the
11 wrong place to be.

12 To give some background to this for the
13 public who is not as familiar with this
14 application, this property received, in
15 1998, variances for the identical home on
16 the identical property which would enable
17 them to then be split into two properties.
18 That variance in 1998 was granted; but for
19 whatever procedural reasons, the Board did
20 not notify the applicant that it was
21 actually approved. He based on rumor, he
22 could not be at the hearing, so he did not
23 hear directly, and he was not aware that the
24 variance had, in fact, been granted.

25 Thereafter, I've given you, last time I

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2 was here, I gave you the title of the
3 properties. He acquired the property in
4 '98, got the variances in '98 and
5 thereafter, he and his wife divorced. He
6 sold the property in 2002, and then
7 repurchased it in 2004 and has held it again
8 in his name since 2004.

9 Since 2004 to the present, there have
10 been deed transfers, but they are all
11 internal transfers among different entities,
12 corporate or LLC entities that Mr.
13 Olinkiewicz has, so it has been in his
14 ownership since 2004 after a brief period
15 from '98 to 2002 where he was not the owner.

16 In 2004, when he, or thereafter he
17 sought a FOIL on the property to start
18 considering what to do with this; and he
19 learned for the first time it was, in fact
20 that the variance had been granted. And at
21 that point, his attorney at the time
22 contacted the Planning Board and said,
23 Planning Board -- because now the Planning
24 Board had jurisdiction over the
25 subdivisions. The Planning Board didn't

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1 know what to do with it. He waited over a
2 year or more in asking for a response. No
3 response was forthcoming; and ultimately he
4 filed a subdivision application. The
5 Planning Board sent it back to the Zoning
6 Board and said we need variances. They
7 couldn't make the determination as a board
8 whether or not the variances were still in
9 effect.
10

11 So we came to this Board and in my
12 original application, my presentation to the
13 Board, I give Memorandum of Law and the
14 Memorandum of Law explained that variances
15 run with the land. Mr. Tasker, your words,
16 and very eloquent words were, what we were
17 looking for is the Board to ratify what had
18 been done in 1998. And in my application it
19 was recognized or ratified the ZBA variance
20 granted because, again, it was, it's the
21 same property, the same set of facts, the
22 same setbacks, the same house, the same
23 houses, one house is two-family and the
24 other house is a single-family. The
25 properties as they are presently and how

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1 they were in 1998 are two perpendicular
2 flags, so an L for the public, like this
3 (indicating), so one house sits on one L and
4 the other house sits on the other L; so the
5 properties, again, all the setbacks
6 everything remains the same.
7

8 At the time that the variance in '98
9 was granted, the Board considered the
10 character of the neighborhood and all of the
11 standards that you have to consider, and
12 they recognized, probably more importantly,
13 that while it remains a multifamily because
14 that is what it is presently, it's a
15 pre-existing, nonconforming multifamily,
16 while it remains a multifamily, it is
17 unlikely that you would have owner occupancy
18 where that house might be acquired by one
19 individual, get financing, standard
20 residential financing and be able to improve
21 the property. What you have is what it
22 currently is today, where you have a
23 nonowner who acquires the property as an
24 investment property for rental and will fix
25 up the house, but it's not leading to owner

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2 occupancy. And certainly the Village
3 prefers, if at all possible -- certainly
4 there's a need for rentals, but it's also
5 nice if you can have owner occupancy within
6 the Village.

7 So my client has come back to the Board
8 again, a ratification would mean that we
9 don't have to go through all of the area
10 variance criteria. It has been approved
11 since '98 and continues to be valid, and we
12 will return to the Planning Board and
13 complete the subdivision process.

14 Now, if you do address the variances,
15 when I received the Notice of Disapproval, I
16 really questioned it several times, and the
17 area variance, the setbacks that you
18 identified, I believe are not accurate, and
19 I will tell you why. When you create a
20 subdivision, when you create two lots, you
21 create a building envelope and you establish
22 what is the front yard, what is the side
23 yard, what's the rear yard. In this case,
24 we have two exiting building envelopes with
25 two existing homes; and the reason that the

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2 setbacks were issued the way they were is
3 because the code said setbacks are measured
4 from the street. Well, that would be the
5 case if you had a single lot. In this case
6 we have essentially two separate building
7 envelopes equivalent if you had a
8 subdivision creating lots off of a
9 cul-de-sac.

10 CHAIRMAN SALADINO: Could I just
11 interrupt one second?

12 MS. MOORE: Sure.

13 CHAIRMAN SALADINO: The code says that
14 it's a parallel line --

15 MS. MOORE: Right, from the street,
16 correct.

17 CHAIRMAN SALADINO: -- from the street,
18 so it's not so much how far back it is.

19 MS. MOORE: No. No. So when we take
20 this lot (indicating) and this is a
21 perpendicular parcels. When you take a line
22 from the street, that is the setbacks that
23 you were reading off. What is, in fact, on
24 Lot Number 1. A sideyard for the house
25 because the front door the right there

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1 (indicting), you call that a front yard, so
2 it creates these anomalies and huge
3 variances where if, in fact, you took the
4 lot as it's been developed, you would find
5 that the front yard setback is actually
6 twenty-three feet; and the area variance
7 that would be required would be only seven
8 feet. The front yard, the rear yard set
9 back of Lot 1 would be fifty-two feet, not
10 ten point four feet which is conforming; so
11 no area variance is required. On Lot 2, the
12 proposed side yard setbacks remain three
13 point four, that's where the house is and
14 that's where the house remains; but when we
15 have the proposed combined side yards, we
16 have twenty-two plus three point four, so we
17 have twenty-five point four; therefore, no
18 variance is required for that. And as far
19 as the minimum setbacks, because a minimum
20 setback is twenty-five, we have twenty-five
21 point four.

22
23 CHAIRMAN SALADINO: But you realize, we
24 don't have the power to change the
25 definition of front yard in the code.

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2 MS. MOORE: I'm addressing the fact
3 that the way that this area variance has
4 been requested is with what would be very
5 sizable variances by the way that building
6 inspector has looked at this as parallel to
7 the roads; but what I'm saying is, when you
8 look at actual dimensions of the property,
9 the position of the property and the
10 position of homes, you're looking at
11 property that, in fact, that variances
12 numerically based on the street are large,
13 but when you look at the property as it's
14 been developed, it gives you what would be
15 otherwise a more a conforming building
16 envelope.

17 So this is the problem with it, it's
18 unique to a problem where you have improved
19 properties on subdivisions because the
20 improvements are in place. In fact, if you
21 tried to develop Lot 1 any way other than
22 how it's been developed presently as
23 existing conditions, it would make no sense
24 because the lot width is forty-six point
25 nine, the lot length is a hundred, so you

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2 wouldn't generally place the longest -- you
3 would a railroad in the front door, putting
4 it on the inside; so in reality, what I
5 suggesting to you or what I'm saying to you
6 is that these area variances, while
7 numerically are large when you look at how
8 the parcel, in fact, has been developed and
9 how these lots are, in fact, being split,
10 the parcels are much more conforming than
11 the numerical comparison that you're making
12 to the, what would be the typical front
13 yard, rear yard, side yard. So I'm raising
14 that as something that factually this
15 property has more conformity than
16 nonconformity.

17 I've given you, I think, in the
18 paperwork that I gave you, I actually gave
19 you my notes I crossed out and given the
20 actual dimensions because when I contacted
21 the Building Department, I said, I don't
22 understand what are you're giving me here;
23 and the building inspector said, well, I've
24 got to consider it from parallel to the
25 street. Even though the lots are not

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1 parallel to the street, the sides are
2 parallel to the street. So it just doesn't
3 fit this scenario.
4

5 The other issue I want to also
6 clarify because, again, I don't know how the
7 building inspector calculated this. I have
8 Lot 1 that the 5,773-square foot, and Lot 2
9 which is 4,575-square feet. Yes, they do
10 both need variances, but the numerical
11 variances that were calculated, again, were
12 not -- they did not match my map and I don't
13 know if they removed -- or when they
14 calculated the area of the lot, did they
15 exclude the common driveway? That's the
16 only way I can come to a conclusion that
17 numerically they're not giving me the
18 numbers that my survey shows, so there's a
19 whole bunch of, like, I would say technical
20 clarification here that I just want to be
21 sure it's on the record because if I show
22 this to, you know, I present this to someone
23 else, they're gonna say, where did they come
24 up with these setbacks, it doesn't quite
25 match the property.

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2 So when we deal with the actual
3 area variance criteria, the first issue is
4 whether an undesired change will be produced
5 in the character of the neighborhood or
6 detriment to nearby properties will be
7 created. It's interesting I got a phonecall
8 from a neighbor from the rear of one of the
9 these properties, I forgot her name, she
10 said, well, when are you building there? I
11 said, we're not building anything; we are
12 doing a subdivision with the lots with the
13 houses that are there. Oh, fine. No issue.

14 The houses that are there, remain
15 there, and they are in need of renovations;
16 it's time for a renovation again. They
17 could be renovated as they are today, but in
18 a better way, it would be putting a
19 conforming single-family dwelling. And I
20 believe there was a comment in one of the
21 hearings whether or not he would convert,
22 that the single-family home will remain a
23 single-family home; and the answer to that
24 is, yes, the single-family home will remain
25 as a single-family home. The other one is a

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1 two-family house; and it is, again,
2 nonconforming now, so we would not be
3 creating any greater nonconformity. As it
4 is today, you have got three families on one
5 parcel; and we clearly do not comply with
6 the multifamily code, both in size of
7 parcels and dimensions and pretty much every
8 variance that you listed here will be
9 equally, if not greater, as a multifamily.
10

11 Again, whether the variances --
12 whether an undesirable change will be
13 produced in the character of the area, we
14 have -- I have in writing, I have provided
15 you the lot coverage of each lot and Lot 1
16 would only be eleven-percent lot coverage
17 and Lot 2 would be fifteen-percent lot
18 coverage for both. Both of these proposed
19 lots are reasonably, they're small houses,
20 but the houses are reasonably sized for each
21 of the parcels.

22 Whether the benefit sought by the
23 applicant can be achieved by some other
24 method feasible for applicant to pursue.
25 Well, again the variances were granted in

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2 1998; we would then finish the process and
3 subdivide.

4 If we were not granted the
5 variances today, I really question why not
6 because there have been no change in
7 circumstances, whether either to the
8 property or to the law; and it would be just
9 based on a difference of opinion of a Board;
10 but, quite frankly, you are to be
11 considering the same area variance
12 standards, so when one Board says yes,
13 you're fine and then you as another Board
14 comes along, when there is no change in the
15 circumstances --

16 CHAIRMAN SALADINO: You don't think the
17 dynamic of the Village might change in
18 nineteen years?

19 MS. MOORE: Actually, if anything, the
20 Village, there is more owner occupancy and
21 less investment property. I would say that
22 there are fewer of these type of -- In my
23 opinion, you have your own opinion. There
24 are less multifamily developments. You have
25 more single-family homes that are being

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1 improved and renovated and occupied, whether
2 as second homes or primary homes; but the
3 Village has been changing but certainly for
4 the better; and I think -- my opinion for
5 the better.
6

7 In this case we would be making a very
8 nonconforming property a more conforming
9 property and certainly making this parcel,
10 improving it for the better; so it would be
11 consistent with the direction the Village is
12 going, not inconsistent.

13 Whether the variance is substantial.
14 Again, that's where I go back to those
15 numerical numbers because if I go back to
16 what the Board read in those numbers, those
17 are substantial variances. The fact is that
18 the houses are there, so they were created
19 prior to zoning and the setbacks
20 individually as lots, as front, side, rear
21 yard setback. The lots would actually be
22 very reasonable because Lot 1 would have a
23 conforming thirty-foot front yard and
24 conforming rear-yard setback and the side
25 yards are ten point four and six point

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2 three, you just heard variances today with
3 much smaller setbacks. That's a very
4 reasonable setback for the proposed building
5 that's there or the existing building that's
6 there.

7 CHAIRMAN SALADINO: If we use your
8 formula.

9 MS. MOORE: Even if you close your
10 eyes, don't use a formula, use logic, use
11 common sense. Your front door is the front
12 yard. To most people, your front door is
13 the front yard.

14 CHAIRMAN SALADINO: But not to the
15 code.

16 MS. MOORE: Well, but the code is not
17 intended to not make sense, it's supposed to
18 make sense; and that's why I said that the
19 way it's being applied here is, in a sense
20 disregarding that it's being subdivided. I
21 would say I would agree with you if, -- if
22 you were trying to develop this property
23 new, it was vacant, okay, and it would
24 still -- well, the creation of those lots in
25 their narrowness of fifty feet by a hundred

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1 feet, most people do not make their -- for
2 purposes of open space, making your rear
3 yard larger than your side yards and so on,
4 you would generally develop your property
5 facing or accommodating the longer, so you
6 would have a front yard and you would have a
7 rear yard. Most people prefer to have a
8 front yard and rear yard, rather than large
9 side yards; but again in this case when you
10 apply the code, you're disregarding that
11 it's a subdivision and it's two separate
12 lots and your building envelope -- it would
13 have been easier for the Planning Board to
14 say to us, here is your building envelope,
15 how do you fit within that building
16 envelope? And any building envelope would
17 generally have the front yard being thirty
18 feet and the rear yard being thirty-five.
19 In this case, we comply, it's just the fact
20 that the parcel is parallel to the street
21 that creates that inconsistency when you're
22 reading code.

23
24 CHAIRMAN SALADINO: Nonconformity.

25 MS. MOORE: Well, it's not -- it would

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1
2 be a greater nonconformity than logically is
3 required; so you would have to look at the
4 lot and its positioning. Common sense would
5 tell you that the way to develop a lot of
6 this length and this width is to make the
7 front door facing the flag; and, in fact,
8 many codes that are accustomed to dealing with
9 subdivisions, and the Village of Greenport
10 hasn't, it didn't really create subdivision
11 ordinance until more recently and there are
12 very few lots that you can subdivide in the
13 Village. There are codes that say that the
14 flag is, in fact, the street which gives it
15 a more common sense approach when you're
16 creating setbacks. And that was one of the
17 things I asked the building inspector. I
18 said, wouldn't you consider the flag to be
19 your street frontage? And it's not in your
20 code. Logic doesn't prevail; if it's not in
21 the code, he doesn't apply, but you as a
22 board do have the authority to look at it to
23 make it make sense, that's what the Board --
24 you don't plant your brain at the door and
25 follow the code, that's what the variances

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2 are intended for.

3 As far as the difficulty being self
4 created, it's a one, very nonconforming lot
5 so to that extent, he owns a very
6 nonconforming parcel both the dimension and
7 its -- essentially, it looks like two lots
8 stuck together which at one time probably in
9 the 1800s map, it would have been, but today
10 it's one piece of property with two
11 different building areas and two separate
12 homes. Again, that does not preclude the
13 granting of the variance and, if anything,
14 again, 1998 when he thought he had -- at
15 this point in time thinking he has a
16 variance, we proceed in that scenario go to
17 the Planning Board and that's when the
18 Planning Board, again, doesn't know what to
19 do with this.

20 So I believe I've raised all the issues
21 that were either in writing or previously
22 presented to you, and I will certainly
23 entertain any questions you might have.

24 MR. TASKER: I have several questions,
25 if I may.

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2 I'm sorry, Mr. Chairman, please go
3 ahead.

4 CHAIRMAN SALADINO: No. No.

5 MR. TASKER: Thank you.

6 Do you have any knowledge or any way of
7 gaining knowledge of the history of
8 information of this parcel? I.e., it looks
9 to me, when you look at the map showing the
10 parcel square, essentially, squarely
11 centered on the block, it looks to me like
12 it's left-over chunks that somebody
13 assembled up and somehow got a flag; and I'm
14 speculating, somehow got a flag and created
15 a lot and threw up a couple of buildings.

16 MS. MOORE: Right.

17 Well, if they threw up the buildings,
18 it was in the, prior to the '70s, so it
19 would have been the '60s.

20 MR. TASKER: That was my next question.
21 Some time in the '60s?

22 MS. MOORE: Yeah, they were --

23 MR. TASKER: After the zoning code in
24 the Village was introduced in 1949, yes?

25 MS. MOORE: Yes, the building -- I know

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2 you always say there was a zoning code, but
3 the Building Department in the COs, only
4 identified from '71 on, but I think you know
5 more of the history --

6 MR. TASKER: They're not old enough
7 to --

8 MS. MOORE: These houses are certainly
9 pre-existing. Now, how far back, I don't
10 know.

11 But I do have some --

12 MR. TASKER: You suggested --

13 MS. MOORE: You asked me a question,
14 and I'm gonna -- give me a second to answer.

15 MR. TASKER: I was looking for a very
16 short answer; yes, no, I don't know.

17 MS. MOORE: No, there is no, yes or no,
18 sorry.

19 I had given you -- at the
20 pre-submission, the prior meeting, I give
21 you a copy because there was a question
22 about the title history, and I believe I
23 gave you the deeds at that time.

24 MR. TASKER: No, you give us the
25 property card record.

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2 MS. MOORE: Oh, the property card.

3 I did ask the title company to get me
4 the prior deeds, and he want back to --

5 Let me see.

6 He want back to -- sorry -- 1951 where
7 it describes part of premises. So part of
8 this property was from Lense and Rebecca
9 Jones, so Lense Jones (phonetic) and that
10 was back in, again, it's part of premises
11 because my title search is giving me pieces
12 of this puzzle, so the description has -- so
13 it's -- and I can give you those deed
14 descriptions, I haven't done the actual
15 metes and bounds of each of the Schedule As;
16 but it's very interesting in that then Lense
17 Jones sells to Constance Martha Jones in
18 1952, also again part of premises, a parcel
19 that is forty-five, excuse, one hundred and
20 six bound on the east by other land of party
21 of the first part forty-five feet on the
22 south, it gives a -- I'd have to do a metes
23 and bounds picture; and then again in July
24 '55, Lense Jones gets another part the
25 premises. There's a lot of pieces being

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2 conveyed to different family members in the
3 '50s. Then what is quite interesting --
4 Well, let's see. Premises and more, that
5 means that this property plus some
6 additional land was owned by William Stilly
7 (phonetic). William Stilly then somehow or
8 another gets from the Village of Greenport
9 part of the premises, so the Village gives
10 Mr. Stilly some more land. So it's pieced
11 together from the Village and other parts,
12 and it kind of comes together, I want to
13 say, kind of, pretty much what it looks like
14 now, which is one big piece of parcel. Lot
15 1 which is a more normal size lot; and then
16 it pieces together the other parcel which is
17 the perpendicular parcel that I'd have to
18 follow each of the Schedule As to figure out
19 what was bitten off and added on over the
20 years.

21 But it's been like this since Mr.
22 Stilly sold the property to my client, who
23 was at the time Stinky and wife; so it's
24 been Tax Lot 4.6 since 1998, so when he
25 acquired it in '98.

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2 MR. TASKER: It certainly would
3 interesting if you could kind of graphically
4 portray, not, you know, precise, but
5 graphically how this parcel came to be
6 because I think what you're describing in
7 some of these transactions is consistent
8 with my very overgeneralization that it's
9 bits and pieces of people's backyards that
10 were made to make these lots and the Jones
11 family was all over in various guises,
12 names, generations and so forth for a long
13 period of time, so that would help in
14 understanding how we got to where we are.

15 Next question I have is, you mentioned
16 that this was nonconforming multifamily use.

17 MS. MOORE: Yes.

18 MR. TASKER: Is it truly multifamily or
19 is it simply filled with lots of residents;
20 and by that I mean, multifamily requires a
21 kitchen, a bedroom, a bathroom and a living
22 space or something like that.

23 MS. MOORE: No. No. It has separate
24 living -- No. No. The multifamily came
25 from somewhere the Town, the Village's

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2 records, somebody called it a multifamily.

3 MR. TASKER: It is, in fact, built as
4 subdivide, apartments, for lack of a better
5 word.

6 MS. MOORE: Well, one is a
7 single-family, the other one is clearly two
8 separate living quarters, so kitchen,
9 living, the whole separate --

10 MR. TASKER: Do you know how long
11 it's -- can you ascertain how long it's been
12 used as multifamily, when those two
13 apartments were subdivided off the
14 single-family house?

15 MS. MOORE: It was before my client to
16 my knowledge, but I don't know how far --

17 MR. TASKER: I'm sure of that.

18 Is there any way you can ascertain
19 that?

20 MS. MOORE: I mean, I can ask my
21 client. I can try to find out. I don't
22 know.

23 MR. TASKER: The building department in
24 Southold?

25 MS. MOORE: The property card doesn't

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2 really say.

3 MR. TASKER: Again, those would be
4 interesting things to see.

5 Thank you.

6 MR. CORWIN: I can tell you Arthur and
7 Pat, that in 1969, I believe it was still a
8 barbershop and hang out.

9 MS. MOORE: Did you say barbershop and
10 what?

11 MR. CORWIN: Barbershop and hangout.

12 MS. MOORE: And hangout.

13 MR. CORWIN: The black population
14 hangout at the barbershop, that's all over,
15 not just there.

16 MS. MOORE: Which one is the barber
17 shop?

18 MR. CORWIN: The one you're talking
19 about, the two-family house.

20 MS. MOORE: Oh, the first one was the
21 barbershop. Okay.

22 MR. CORWIN: The first one was the
23 barber shop up until -- it was after 1969.

24 MS. MOORE: It might have been when
25 Stilly acquired it then because the prior

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2 owner, I think -- was it Jones family that I
3 mentioned?

4 MR. CORWIN: Yeah, Jones.

5 MS. MOORE: Yeah, Jones to Stilly,
6 Amacar (phonetic) and Jones, they put in
7 parentheses, so maybe in the same family
8 just different, Amacar and Jones were
9 related.

10 It shows a building permit in 1971 for
11 demolition, so it might have been in '71
12 that they did some alterations to one of the
13 properties; but I don't know which or what.

14 On the property card, it shows demo of
15 the Village, maybe the property -- there was
16 another structure on this property that
17 belonged to the Village, and the Village
18 demolished it because there were three
19 structures on this property and maybe you're
20 thinking the Barber shop was the building
21 that got demolished because it shows it
22 being in front of or in the area where
23 we were all standing, kind of between the
24 house and the two-family house.

25 MR. CORWIN: I don't think if we can

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ever put it together. It is what it is.

MS. MOORE: Thank you for saying that it is what it is. I really can't, you know -- it's before all of us.

CHAIRMAN SALADINO: I have a couple of questions.

In 1998, did Mr. Olinkiewicz have a lawyer?

MS. MOORE: No.

CHAIRMAN SALADINO: Was he represented by a lawyer?

MS. MOORE: No.

CHAIRMAN SALADINO: He represented himself?

MS. MOORE: Yes.

Put it this way, I didn't see evidence. It was all done by him and the hearing transcript didn't present a lawyer, so I think it was him.

CHAIRMAN SALADINO: Okay.

And you said he filed a FOIL after reacquiring the property in 2004.

MS. MOORE: Yes.

CHAIRMAN SALADINO: And then you went

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2 on to say he applied to the Planning Board.

3 Do you know what year that was; was that

4 right after 2004?

5 MS. MOORE: Yeah.

6 He began by sending letters. There
7 were lots and lots of letters, some going to
8 the Village attorney, then the Planning
9 Board, never getting any response. I did
10 see a lot of correspondence, but I haven't
11 memorized it.

12 But yes, he started inquiring, saying,
13 I have a variance, where do I go from here,
14 and that's when --

15 CHAIRMAN SALADINO: You're saying in
16 2004, he found out, he believed -- he
17 started to believe he had the variance?

18 MS. MOORE: Honestly, I can't tell you
19 when the FOIL was submitted. I may be able
20 to but --

21 CHAIRMAN SALADINO: I have it here,
22 2004.

23 MS. MOORE: Okay. I don't have it.
24 Where did you get that?

25 CHAIRMAN SALADINO: Those were your

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2 words.

3 MS. MOORE: From me. Okay. If I said
4 it, it must be true.

5 CHAIRMAN SALADINO: The other thing I
6 have here is, as far as front yard setbacks,
7 I personally don't believe we have the
8 latitude to -- front yard setbacks, as
9 defined in the code is how the notice
10 violation is written.

11 Me personally, I would have to go with
12 that.

13 MS. MOORE: As far as substantiality of
14 the -- when you're analyzing whether it's
15 substantial, you can use common sense and
16 say, well, if you turn the property this
17 way, you know, rather than this way, which
18 tells you --

19 CHAIRMAN SALADINO: But also common
20 sense tells us from previous applications,
21 it's not necessarily the shape of the house
22 or where the door is or where a particular
23 window is; it's how the building is situated
24 on the lot sometimes, but it's also how the
25 lot is in relation to the street is what

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2 determines --

3 MS. MOORE: Perfect because that's
4 actually what I'm trying to point out, that
5 the lot as it is related to the placement on
6 the street is setback by a hundred feet and
7 it actually is parallel -- this is your
8 street (indicating). It's not the lot
9 that's over here (indicating), it's a lot
10 that's a hundred feet back; so when
11 you're -- even if it was over here
12 (indicating), you would kind of question --

13 CHAIRMAN SALADINO: But it doesn't say
14 that. It says the front property line of
15 the property, the front yard property line
16 is parallel to, is measured parallel to the
17 street; so regardless whether it's a hundred
18 feet back or two hundred feet back or five
19 feet back, the property line for the front
20 yard is parallel to the street. That's all
21 I'm saying here.

22 As far as the square foot of the lot,
23 could you explain that again, your problem
24 with the square footage of the lot?

25 MS. MOORE: If you look at the -- take

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2 a look at the little pointer here
3 (indicating).

4 CHAIRMAN SALADINO: I see it.

5 MS. MOORE: Lot 1 is identified as
6 5,773-square feet; Lot 2 is identified as
7 4,575-square feet?

8 CHAIRMAN SALADINO: Right.

9 MS. MOORE: So when you look at your
10 Notice of Disapproval, it doesn't say that.

11 CHAIRMAN SALADINO: Well, just from my
12 own --

13 MS. MOORE: It says the proposed lot
14 area is -- just by example, it says the
15 proposed lot area is, this is from Lot 1,
16 again, Lot 1 is closer to being accurate,
17 but Lot 1 says 4,615.305, I think that's
18 definitely a typo, square feet when the,
19 requiring an area variance of 2,884; but if
20 you look at the numbers I have, I have Lot 1
21 is 5,773-square feet, when you subtract that
22 from 7,500, my variance is 1,727.

23 CHAIRMAN SALADINO: What I'm seeing
24 here in the notes that I made is the
25 right-of-way is 2,378-square feet; and if

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1 you take half of that and deduct it from
2
3 5,773, you wind up with 4,565.

4 MS. MOORE: That was my guess. They
5 deleted the road or right-of-way, the common
6 access as far as lot area, but, in fact,
7 what we have here though is, we have titles,
8 we have the ownership of the, of this
9 property goes to Third Street and takes half
10 of that strip, of that flag and then both
11 parcels have right-of-way so that you don't
12 have two driveways next to each other, you
13 have a common driveway access and a common
14 entrance. I think one of the things that we
15 noticed when we were out in the field is
16 that that area, the common access should run
17 as far as possible because backing out of
18 the parking spaces, you obviously have to go
19 past your designated middle property line
20 because the driveway, you know, when you
21 want to do a proper backout and drive
22 straight down the flag.

23 CHAIRMAN SALADINO: And last is -- it's
24 not going be the last question I have, but
25 for now.

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2 MS. MOORE: Those are things Planning
3 Board addresses so --

4 CHAIRMAN SALADINO: You said the
5 neighbor to the rear called you, do you have
6 her name; do you know which property it was?

7 MS. MOORE: I took the phonecall but
8 I --

9 CHAIRMAN SALADINO: Is that Carol
10 Simons?

11 MS. MOORE: I don't recall. I
12 apologize. She called my office. I spoke
13 to her. I took the phonecall and she
14 introduced herself as I'm behind one of the
15 houses, so given the fact that one of the
16 other ones is the Village of Greenport, it
17 might be Carol Simons, but I couldn't swear
18 to it. I just thought that her comments
19 were very helpful.

20 CHAIRMAN SALADINO: Julia English?
21 Leroy Saxton?

22 MR. TASKER: I can tell you it's not
23 Carol Simons.

24 MS. MOORE: They might be here.

25 MR. TASKER: John, I can tell you it's

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2 not Carol Simons, she lives in Southold.

3 She sold her property some years ago.

4 CHAIRMAN SALADINO: I'm just reading it
5 off the map.

6 That's all I have.

7 Any other members have any questions
8 for Ms. Moore?

9 (No response.)

10 No.

11 MS. MOORE: I'll wait until the
12 comments -- I'll leave the survey right
13 here. If anybody has questions, they'll
14 have something in front of them.

15 CHAIRMAN SALADINO: Is there anyone
16 from the public that would like to speak?

17 Chatty.

18 MS. ALLEN: Chatty Allen, Third Street.

19 I'm going to ask the question that --

20 CHAIRMAN SALADINO: Go ahead.

21 MS. ALLEN: I've been at these meetings
22 and, is there actually anything in writing
23 about these variances from 1998? I haven't
24 seen it anywhere.

25 To me it's going around in circles,

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2 that's the elephant in the room with this
3 project.

4 CHAIRMAN SALADINO: The only thing from
5 the minutes from the Zoning Board was that,
6 from my reading of them here, is that they
7 never addressed variances, all they did was
8 approve the subdivision or address the
9 subdivision.

10 MS. ALLEN: Okay.

11 CHAIRMAN SALADINO: There was nothing
12 about area variance.

13 MS. ALLEN: But that's what I'm saying,
14 I've never seen it actually in writing where
15 it was officially approved and put out
16 there.

17 You made a comment about a one-family
18 is 7,500-square feet, what is it for a
19 two-family?

20 CHAIRMAN SALADINO: 7,500-square feet.

21 MS. ALLEN: So it's the same amount?

22 CHAIRMAN SALADINO: In the R-2
23 District.

24 MS. ALLEN: Okay. That's why I wasn't
25 sure if it was more.

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2 Basically, they want to, right now
3 they're going from two nonconforming lots
4 and they want to subdivide it and make the
5 existing two nonconforming lots -- I thought
6 the Village was trying to get away from
7 having any nonconforming lots.

8 And I also thought the Village, I don't
9 know if it has or not, was supposed to be
10 getting away from that. When you wanted to
11 subdivide a lot, one of the lots could not
12 have anything on it.

13 CHAIRMAN SALADINO: That's true.

14 MS. ALLEN: So as this lot stands right
15 now, according to the new code, if it went
16 through or not, I can't remember, the answer
17 right off the bat is, no it cannot be
18 subdivided because one lot cannot have any
19 building, any structures on one of the lots
20 if they're going to be subdivided or merged,
21 so that right there --

22 Also confused why it takes twenty years
23 for anything to go through on this.

24 And then a comment that, it's thrown
25 back and forth that if the application gets

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2 denied then basically, see you in court.

3 I'd like to ask the other question; this has
4 been a nonconforming lot for at least twenty
5 years, maybe the Village needs to go after
6 them knowing that it's a nonconforming lot
7 that they have two buildings with no written
8 proof that they are legal. Maybe it's time
9 the Village goes after them for that, for
10 twenty years of sitting there --

11 And, you know, I can't see adding more
12 back there. I can't see splitting up
13 something that's already a tiny space to
14 begin with. You know, you need to get away
15 from all the cramming.

16 As far as any kind of emergency or
17 anything, I'm not an expert, but I don't
18 feel that's a safe place to begin with. I
19 passed the other day because I actually
20 didn't remember what it actually looks like
21 and I'm amazed that there hasn't been an
22 accident with the three families that are
23 living back there trying the get in and out
24 of that teeny little driveway.

25 Thank you.

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2 MR. REID: Good evening. Mike Reid,
3 430 Front Street.

4 Got a couple of questions.

5 One, how long does variance last?

6 CHAIRMAN SALADINO: A variance runs
7 with the land, once granted, they run with
8 the land.

9 MR. REID: Wouldn't it behoove the
10 gentleman who owned it prior to have done
11 something with it, and Mr. Olinkiewicz same
12 as?

13 CHAIRMAN SALADINO: I'm note sure.
14 We're going to take --

15 MR. REID: I know it's the Village and
16 --

17 MS. NEFF: That' not what's before us.

18 CHAIRMAN SALADINO: Exactly, that's not
19 what we have here, we got a Notice of
20 Disapproval about front yard, rear yard --

21 MR. REID: If you're going by the sheer
22 dimensions of the place, it's still
23 undersized, that's why you put in these
24 codes for 7,500. If not, you're setting
25 dangerous precedent. That's why we put this

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2 in the code. The codes change. We have
3 gone through this how many time over the,
4 what, four year, you know, enough is enough.

5 I mean, Ms. Moore, you were a little
6 wrong on that, there's a lot of --

7 CHAIRMAN SALADINO: You got to talk to
8 us.

9 MR. REID: There's a lot of people
10 buying and then renting out and they're not
11 living here. They're just renting out, they
12 don't live here. We have some people that
13 don't, pardon my language, give a rat's ass,
14 just care about the paycheck. They don't
15 care about the dynamic of the neighborhood,
16 people around them, and the quality of life.
17 People work hard here, you know, that's got
18 to say something, you know.

19 It's not a hardship. What's he own
20 like thirty places around here? So I'm
21 gonna call a spade a spade, you know, it's
22 getting to be ridiculous.

23 Thank you.

24 CHAIRMAN SALADINO: Anyone else?

25 MR. KEEL: Robert Keel, 242 Fifth

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2 Avenue.

3 From what I'm understanding, Mr.

4 Olinkiewicz purchased this property in 1998,
5 then he sold it. Ms. Moore said he switched
6 it to a corporation or LLC. Corporation and
7 LLC is not the same as a subchapter S
8 corporation, it's a totally separate entity;
9 so from what I see on that, that wouldn't
10 count as still having it in your own
11 ownership. Maybe I'm wrong on that, but
12 that's the way I see it.

13 But it's gone on and him not following
14 up on this right away. He didn't come to
15 the meeting or whatever, he should have
16 followed up. I mean, there's a lot of time,
17 money and energy spent on surveys and stuff,
18 and it's really negligent on his part for
19 not showing up to find out from the head of
20 the Planning Board or Zoning Board at the
21 time if it was passed or not. I mean, this
22 can go on forever, arguing back and forth;
23 but he just didn't do his job. Then he's
24 trying the come and blame everything else.

25 I mean, then on top of that, keep

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1 getting this common sense, common sense, you
2 can take that like you were saying before,
3 if you go by where the front door is, anyone
4 who wants to subdivide a piece of property
5 can just say, oh, I'll put a front door on
6 the of the house, put the from door and come
7 down here and expect you to say that's the
8 front yard. That you have to go by what the
9 code says. If it says it goes parallel to
10 the street, it goes parallel to the street.
11

12 And also like you said even if this
13 other stuff -- things have changed in the
14 Village. I mean, the Village is far more
15 crowded than it was back in 1998, so it
16 really is make a difference, the quality of
17 life here, keep taking, making things
18 smaller and smaller and piling people on top
19 of each other.

20 Right now, there's only supposed to be
21 two families in there, now you actually have
22 a violation in there too. This isn't even
23 being addressed. And what happens if it
24 get's subdivided, they can take the other
25 lot, the other house, the single-family

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1 house and make that into a two-family house,
2 take the top off, put a bigger second floor
3 on. I mean, these are all questions that
4 have to be asked. And even if you were
5 gonna take the variance and switch the house
6 around, wouldn't that mean also that you
7 would have to refile everything and when you
8 refile it, it doesn't mean you should have
9 to give them the variance, even though
10 they're less, you're relooking at the whole
11 subject all over again. So according to the
12 law, the code, it says parallel to the
13 street, so right now until they change the
14 code, it's parallel to the street.

16 And the lots are way under 7,500-square
17 feet, they're not even close. It's
18 basically just an oversized legal lot.

19 Thank you.

20 CHAIRMAN SALADINO: Thank you.

21 Anyone else?

22 Joann.

23 MS. KEEL: Joann Keel, Fifth Avenue.

24 I just have a couple things I'd like to
25 give to the Board.

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2 (Handing).

3 First of all, before I begin, I'd like
4 to say that I really question the variances
5 that Pat Moore has set forth. I totally
6 disagree with the variances. I believe that
7 the right-of-way is a big issue of this part
8 of this parcel. I also disagree with the
9 subdivision approvals that were, that she
10 feels go back to 1998 and that were granted.

11 The things that I submitted to the
12 Board were the minutes of August 27, 2015,
13 pages 18 to 36. They were pertaining to the
14 subdivision and submitted as evidence of
15 Olinkiewicz's testimony. Not once did he
16 mention in 1998 a subdivision; although, he
17 did mention that in 1998, there was a
18 renovation. That's a little different. To
19 me that's pretty interesting. Then after
20 that, he withdrew. This is his practice of
21 withdrawing.

22 Also submitted to the Board were the
23 Planning Board Work Session notes of
24 11/19/2015; although, the top of the date on
25 the pages say 2016, these were pages 18 to

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2 55 of many neighbors speaking of the
3 concerns, and I'd like to make sure that
4 that gets into the evidence for this hearing
5 as well because those remarks have a lot do
6 with today's hearing.

7 The owner's request of multiple
8 variances is extremely excessive on this
9 irregular shaped lot. Village code 150-12A,
10 lot area minimum for each lot is 7,500. The
11 proposed Lot 1 lot area is 4,615 which is a
12 thirty-eight percent variance. Propose Lot
13 2, lot area is 3,393 which the fifty-five
14 percent variance. These are huge. The code
15 requires 15,000 feet, square feet in total,
16 Mr. Olinkiewicz is requesting only 8,000,
17 excuse me, 8,008-square feet of total lot
18 area for two lots when one lot is required
19 to be 7,500-square feet. The right-of-way
20 is approximately 2,379-square feet, plus or
21 minus, which cannot be calculated into the
22 square footage of these properties. Two
23 flag lots right-of-ways are being created
24 that are 153-feet long. These are far away
25 from, very distant from the proposed

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1
2 properties, lots or houses. 153 feet, you
3 can't take that into consideration in a
4 subdivision in the lot area of a home.

5 There are several front, side, backyard
6 setback Mr. Olinkiewicz is requesting. Lot
7 1, front yard setback has a seventy-nine
8 percent variance. Rear yard setback has a
9 sixty-five percent variance. Lot 2, side
10 yard setback is sixty-six percent variance.
11 Rear yard setback has a ninety percent
12 variances.

13 The survey states that the right-of-way
14 is fifteen-and-a-half feet wide, today,
15 actually today, I measured the distance
16 between the telephone pole that is on that,
17 in the way of that right-of-way; it actually
18 is about three to four feet within that
19 road; so if you measure the distance from
20 the telephone pole to the fence, it is
21 eleven-and-a-half feet wide. Now, taking
22 into consideration the grass that's there,
23 take away another foot or foot-and-a-half,
24 how is -- so now you have ten feet passage
25 for these cars; that is very dangerous. So

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2 you're taking into consideration each flag
3 lot is gonna be five feet, you cannot get
4 cars down there properly.

5 This newly formed inadequate
6 right-of-way will create a traffic hazard
7 and cause more problems when the lots are
8 sold separately. If more families move into
9 this, possibly they will park along the
10 basketball court. What happens when there's
11 a fire? A fire truck can't pass safely in a
12 ten-foot wide right-of-way, especially to
13 properly use their equipment when the hedges
14 and the fence on either side are in the way.
15 I believe the fire department should weigh
16 in own this subdivision.

17 What happens when the lots are sold
18 separately and the right-of-way need to be
19 plowed for snow? Whose responsibility will
20 that be, five foot for this person, five
21 foot for that person?

22 If subdivided, the newly subdivided
23 lots according to code will become a
24 two-family home, thus having four families
25 on these substandard lots. It would create

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2 more parking issues as there are several
3 cars parking there on a regular basis.

4 Those are the photos that I had handed you,
5 you will see that there are seven vehicles
6 in the overhead photos. I'm sorry I did not
7 give one to Pat Moore, I apologize. But
8 those seven vehicle are there, and that's a
9 lot of vehicles on this small lot.

10 In addition there will be more sewage
11 issues, garbage, right-of-privacy issues,
12 area crime, more over overcrowdedness,
13 hazards down the small road next to the
14 basketball court and, of course, our real
15 estate values you will be going down.

16 Our code, 118-7 is to protect the
17 adjacent properties, not create hardships to
18 other properties. The Board shall consider
19 the impact of the subdivision on public
20 health, safety and welfare and the impact on
21 the neighbors, community and adjacent
22 properties, traffic, views and other
23 enviromental considerations, the impact on
24 utilities, emergency and other services that
25 are provided by the Village. I know you are

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2 well aware of these, but many of the
3 residents are not.

4 Mr. Olinkiewicz purchased this home or
5 this property in 1998. He sold the property
6 in 2002 as one property with one deed, one
7 title and a certificate of occupancy that
8 for the buildings on one lot. It is not
9 sold as two lots, nor was it subdivided at
10 the time. Mr. Olinkiewicz repurchased this
11 lot in 2004. He knowingly and willingly
12 purchased this one lot with one deed, one
13 title and a certificate of occupancy for the
14 building on one lot. The evidence of this
15 is the transaction of the closing of title.
16 It is not purchased as two lots nor was it
17 subdivided at the time. Mr. Olinkiewicz was
18 well aware he was purchasing one lot in
19 1998, sold one lot in 2002 and repurchased
20 one lot in 2004.

21 He was going, of course, he was going
22 through marital issues, everyone does, I get
23 what he was going through, maybe those were
24 his issues and maybe that was the reason to
25 exit and not worry about it. If there is a

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2 way that Mr. Olinkiewicz is to find a loop
3 he will try.

4 Mr. Olinkiewicz's records reflect a
5 past of changing one-family homes to
6 two-family homes or has created accessory
7 use apartments. His two-family homes
8 somehow have three and four families living
9 in them.

10 Mr. Olinkiewicz self-created these
11 unnecessary variance. This is not a
12 hardship to him; this is a hardship for the
13 families that will be overcrowded in these
14 homes, should it subdivide and a hardship to
15 the neighboring community.

16 Mr. Olinkiewicz is self-creating this
17 nonconforming subdivision. Code 150-1F
18 states, gradually eliminate nonconforming
19 uses, not creating them.

20 Code 150-1C states privacies for
21 families especially the surrounding property
22 owners.

23 Code 151-1D states prevention and
24 reduction of traffic congestion so as to
25 promote efficient and safe circulation of

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1 vehicles and pedestrians, thus adding more
2 families, more traffic, unsafe circulation
3 of vehicles, unsafe for pedestrians
4 especially when many children and adults are
5 gathering on a regular basis at these homes
6 and at the basketball court. There are
7 currently no safe turns around at the
8 designated parking area. Code 150-1E states
9 maximum protection of residential areas.
10

11 Mr. Olinkiewicz is going back to what
12 he feels was an approved subdivision in
13 1998. Too much time passed, it is his
14 responsibility to follow through with filing
15 of this subdivision with the Suffolk County
16 Clerks office. He did not. He is making
17 excuses for something he did not follow
18 through with. He is well aware of how to
19 file, record deeds, mortgages and
20 subdivisions as he has bought and purchased
21 over and sold over one hundred properties.
22 He is well aware of what is required of him.
23 He leaves no stone unturned. Mr.
24 Olinkiewicz is not naive to this process.
25 He is once again manipulating our Village

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2 code. Mr. Olinkiewicz has withdrawn from
3 several applications and hearings of several
4 properties within this Village; possibly,
5 this why records were not finalized in 1998
6 for the subdivision request. With that
7 said, I know there have been missing
8 information and documents that I had been
9 searching from the Village files. Could
10 this be a possibility?

11 He certainly didn't care about the
12 subdivision when he sold it in 2002. If
13 this proposed subdivision is approved, the
14 doors will now be opened for subdivide other
15 substandard lots when the Village is trying
16 to eliminate nonconforming uses, not create
17 them. Mr. Olinkiewicz has recently filed a
18 subdivision application for 238 Fifth Avenue
19 property and to build another house on it.
20 This will be the third attempt for that
21 property, and with the forty or so
22 properties he owns in this Village, he may
23 attempt to subdivide many more of his
24 substandard lots.

25 With this said, I strongly disagree

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2 with this subdivision and any other proposed
3 subdivision in the Village of Greenport and
4 would ask that the subdivision be denied
5 tonight. Our community doesn't need any
6 more substandard lots than what we have
7 already.

8 Thank you.

9 CHAIRMAN SALADINO: Thank you.

10 MS. CHILTON-MILLER: Carol

11 Chilton-Miller (phonetic), 239 Fourth
12 Avenue.

13 I came into this with your facts
14 tonight, and was told lots of other facts
15 and told basically the Village has
16 everything wrong. I really think that there
17 is always a story to tell and a tale to
18 weave when it comes to any of the properties
19 that I have seen come before the Board for
20 Mr. Olinkiewicz on Fifth Avenue. We're
21 looking at going back to, you know, a third
22 time, as Joann said, where we have had -- my
23 husband who is the Chief of the fire
24 department saying this the not safe, you
25 can't do this. And he waits his allotted

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2 time and we do it again.

3 Now with this 1998 variance, a lot has
4 changed since 1998. The laws have changed.
5 The Board has changed. I'd like to think we
6 a smarter Board paying a little more
7 attention to the people in Greenport and not
8 just catering to people who are putting up
9 houses and filling them full of people
10 because I can tell you, from everything I've
11 seen, that's what's happening; and to have
12 another one of those houses or two tucked
13 back into beside that basketball court, God
14 forbid if anything ever happens back there,
15 you're not going to get the personnel you
16 need in there for any type of fire or rescue
17 or emergency, it's just gonna be a disaster;
18 and I feel like none of this ever actually
19 enters the realm of his conscious thinking
20 because it's all the all mighty buck in the
21 end and whatever he can make. Ye ha to him.
22 And he doesn't really care who and what he
23 puts in the properties or how it effects the
24 people surrounding them.

25 Thank you.

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2 CHAIRMAN SALADINO: Thank you.

3 MS. JACCO: Maryann Jacco (phonetic),
4 430 Front Street, Greenport.

5 When you have a meeting on variances,
6 right, and you approve it, is there any
7 legal document that goes into a file? I
8 know working, what I do for the County
9 Center, we could go back way to the 1800s on
10 properties and titles and everything else;
11 and I don't understand where all this
12 paperwork is. I mean if we did come here
13 for a variances, and we got the variance;
14 and I was notified by paper, and usually
15 said carbon copies. If this is case, the
16 Village has to have copies of all this.
17 This is where I'm getting confused, they're
18 saying oh, we had a variance.

19 CHAIRMAN SALADINO: I'm going to ask
20 the attorney to explain. The question here
21 this evening is a process question. And
22 certain things have to be done to complete a
23 process, and while part of the process was
24 completed, the contention of the Village and
25 other people is that the second half of the

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2 process wasn't completed.

3 We're in a position that we're faced
4 with what happened in 1998, and we're being
5 asked the address a question that really, in
6 my mind, is not in front of us. Right now
7 in front of this Board are certain area
8 variances.

9 What happened in 1998, we have a
10 partial record of what went on. We know
11 that certain things were acted on and
12 certain thing weren't; so in the Village's
13 mind, the process that happened twenty years
14 ago wasn't completed, so that brings us here
15 tonight. The applicant filed an application
16 for area variances, that's what we're
17 gonna --

18 MS. JACCO: So basically then, this
19 1998 so called ratification for a
20 subdivision is moot, doesn't exist. Unless
21 you physically handed somebody a piece of
22 paper stating you did get the permission to
23 subdivide, there's got to be a legal
24 document somewhere. I mean, if he had it
25 back then, he should have it now.

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2 MS. MOORE: Do you want me to answer
3 her?

4 CHAIRMAN SALADINO: She going to -- Ms.
5 Moore's position is not the same as the
6 Village's position.

7 MS. JACCO: Right. I understand that.
8 But somewhere in the Village has to be some
9 paper, some legal document saying we okayed
10 this subdivision.

11 CHAIRMAN SALADINO: Well, all I can say
12 is that the Village looked, the applicant's
13 attorney looked; the only thing we have is
14 partial minutes of the ZBA meeting, but we
15 don't have anything after that.

16 MS. JACCO: That in itself says
17 something's wrong somewhere, somebody made
18 up their mind before it was time.

19 MS. POLLACK: Karen Pollack, 630 First
20 Street. I have a number of comments about
21 this application.

22 In so far as 1998 goes, the variance
23 application process was part and parcel of
24 the subdivision. The buildings already
25 existed. No one was asking anybody to tear

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2 done the buildings, and so the variances are
3 a formality that come before the formal
4 subdivision of the lot. Now, if a
5 subdivision approval was granted in 1998,
6 there is no evidence that it was every filed
7 with the County, and that is required. From
8 the New York State Department of State
9 Division of Local Government Services, and I
10 quote, Counties act as filing agents for all
11 subdivision plats under the law. Once the
12 plat is signed, the subdivider has sixty-two
13 days to file the approved final plat or the
14 certificate in the Office of the County
15 Clerk or registrar. If the subdivider files
16 to do so, the approval automatically
17 expires.

18 So I would agree with the last speaker
19 that anything that happened in 1998 is moot.
20 It's not the obligation of the Village to
21 make notifications with regard to
22 applications; it's the obligation of the
23 applicant and the responsibility of the
24 applicant to follow through to find out what
25 the findings of the Boards were at the time,

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2 not years later.

3 With regard to this application as Mr.
4 Saladino pointed out, let's deal with this
5 application in front of us. Here we have
6 this wildly nonconforming parcel. It's got
7 an odd shape. It's got a flag lot type of
8 set up. I think it might be the only one in
9 Greenport. I mean when you look at the
10 zoning map, I only saw this one, I couldn't
11 find another. Now, being that this
12 situation was created some time in the
13 distant past that no one remembers or, you
14 know, we're kind of stuck with it, we're
15 stuck with this nonconforming, it
16 pre-existed the laws that we have now. Okay
17 we're stuck with it, that doesn't mean we
18 have to add to it or endorse it or put a
19 stamp of approval on it; and, in fact, in
20 crease the nonconformity by creating two
21 wildly nonconforming situations instead of
22 one wildly nonconforming situation, and
23 that's what subdividing this lot would do.

24 What we're talking about here is two
25 lots, plus the separate tax lot for the

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2 right-of-way, that's three parcels; so the
3 parcel that's the right-of-way is going to
4 shared joint ownership included in the deed
5 itself the deed will be for property as
6 stated blah, blah, blah --

7 CHAIRMAN SALADINO: We're gonna --

8 MS. POLLACK: I'm sorry. That was
9 inappropriate.

10 In any case, if anyone in this room is
11 familiar with two strangers owning something
12 and trying to determine who is supposed to
13 shovel the snow, who is supposed the fill
14 the pot holes, whose responsibility is it,
15 you know you in for nothing but trouble.
16 This is what is being created here.

17 If Ms. Moore wants to consider the
18 right-of-way sort of like a street in regard
19 to the orientation of the houses and what's
20 the front yard and what's the side yard,
21 then I would say it falls far short of being
22 a street, especially the facts pointed by
23 Mrs. Keel. A street, as far as what I have
24 read from the National Fire Prevention
25 Association is a street has to be

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2 twenty-feet wide for fire access. It's got
3 to be able to support 75,000 pounds of
4 equipment, so it has to be concrete or
5 asphalt, it can't be dirt road with a little
6 grassy split. It has to be improved fire
7 access, so it's either a street or it isn't;
8 it can't be both to suite the particular
9 situation at hand. So I would agree with
10 Mr. Saladino that we go by the code, that
11 the front lot line is parallel to the
12 street, and the street is Third Street, not
13 the right away.

14 Now, what I see here, we have an
15 existing situation where there's this wild
16 nonconformity, but the nonconformance is
17 favorable to the owner because we have legal
18 ability to have three rental units or three
19 dwellings on a lot that is
20 10,000-plus-square feet rather than the
21 required 15,000 for multifamily; so you have
22 already got the advantage. Now, the code
23 says that you can't have two houses on one
24 lot, but he's got two houses on one lot, so
25 the only unfavorable thing about it is when

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2 trying to sell, where you have to try to
3 find the right buyer who wants to buy two
4 houses on one lot; but it certainly should
5 be a lucrative situation to be able to rent
6 out these properties.

7 I have experience, it was brought up
8 that Mr. Olinkiewicz will agree to keep the
9 single, existing single-family house as a
10 single-family house, but there was an
11 interesting subdivision on First Street,
12 right nextdoor to where I live where the
13 Methodist Church property was subdivided
14 into three lots. One of the lots is
15 currently occupied and has been for many
16 many years as a single-family house. Mr.
17 Olinkiewicz agreed to keep that as a
18 single-family house, but there are two
19 families living in it right now as we speak.
20 He has claimed to either this Board or
21 possibly Planning Board, I don't recall,
22 that it's perfectly legal for him to have
23 these two families living there because the
24 male adults in these two families are
25 brothers; but I want to just bring to your

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1 attention that I've received mail mistakenly
2 for the people that live next door, and I
3 can pass this up if you'd like, but the men
4 have two different last names, so it seems
5 unlikely to me that they're brothers; I'm
6 not saying it's not possible, but how do we
7 ascertain people that are undocumented what
8 they're names really even are; so, I mean,
9 we can't even know that they're really are,
10 and we know that Mr. Olinkiewicz has a long
11 history of having many, many people in some
12 of rental properties, and I would just
13 respectfully request that you decline this
14 application on it's face, the variance being
15 requested are too huge, the flag situation
16 is cumbersome and difficult to manage and
17 also open the door to anyone with a big
18 backyard to come in here and ask to
19 subdivide their lot front to back into a
20 front lot and back lot with fifteen-foot
21 right-of-way. I ask you to consider that,
22 consider the future for anybody, any
23 applicant, particularly those who have been
24 buying properties here, not to live in but
25

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2 as investments for rentals, they would have
3 every reason in the world to come to the
4 Board and say hey, I've got a big backyard,
5 hey I've got 3,000-square feet I'm not using
6 in the back yard, let's call it a building
7 lot.

8 Thank you.

9 CHAIRMAN SALADINO: Ms. Moore, before
10 you respond and rebut, can we take five
11 minutes to the give the stenographer and the
12 Board a break.

13 MS. MOORE: Yes.

14 CHAIRMAN SALADINO: So, we're adjourned
15 approximately five minutes.

16 (Whereupon, a recess was taken at this
17 time.)

18 MS. KEEL: Can I say just on other
19 thing?

20 Joann Keel, Fifth Avenue.

21 I just wanted to say, on the plan I
22 have here, this stairways for the Lot 2, it
23 goes right into the right-of-way. If you
24 take a good look at it, it goes right into
25 the right-of-way. That's important to take

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2 into consideration.

3 CHAIRMAN SALADINO: Thank you.

4 MS. MOORE: All right.

5 Let me start with the first issue with
6 respect to the 1998 decision. Under Village
7 law, you have a notice, you have a hearing
8 and then you have a decision. The decision
9 in this case was the minutes of the
10 decision. What happens is, generally you
11 generate a decision that then the timeline
12 begins to run for appeals of that decision,
13 whether to a court or the Building
14 Department, whatever, disagreement with that
15 decision, that begins to run from the time
16 that the owner receives a copy and the
17 decision is filed with the Village Clerk.
18 So in 1998, they had the notice, they had
19 the hearing and they had the decision by way
20 of the minutes of that hearing; and in that
21 decision, they had the exact same facts
22 presented, the notice -- there was no
23 Notice -- the Notice of Disapproval just
24 said variance for the subdivision; but as
25 part of that application, the two houses

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2 were just as they are today and in the same
3 format with the same lots and the same
4 access and you're, what you do today is you
5 list, presently the practice is to list
6 everything that is required according to
7 your building inspector, but there are times
8 when a variance will describe generically
9 and all variances associated to make that
10 happen. You couldn't have subdivided this
11 property with these two properties without
12 the variances that went along with the
13 continued existence of these two homes; so
14 that's why we have been saying since the
15 beginning that the 1998 variance which runs
16 with the land covers this particular
17 application and just there is no change. So
18 that's one issue.

19 The second is that there were comments
20 by the young lady, I apologize, I don't know
21 your name, but she called these wildly
22 nonconforming properties with wildly
23 nonconforming variances, and what I'm going
24 to provide for you is a map that
25 Mr. Olinkiewicz took a very long time to put

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1 together, and it identifies in blue all the
2 lots that are less than 5,000-square feet,
3 in size, in yellow, all the lots between 5
4 and 6 all the lots that are between 6 and
5 7,500; so you can see that an awful lot of
6 the Village of Greenport is nonconforming,
7 so when we say this lot is wildly
8 nonconforming, I would respectfully
9 disagree, it is probably as conforming as
10 most of the, many of the parcels in the
11 Village. And as far as this particular
12 property, it's not setting a precedent
13 because it's so unique in its configuration.
14 And I think she's right, I don't that
15 there's another parcel that abuts this way
16 that would be separated one piece from
17 another. If you had many of these and you
18 were trying to dissuade people from
19 subdividing this kind of configuration,
20 well, yeah, you would have a precedent; but
21 in this case, you have one unique parcel and
22 what you will see throughout the Village is
23 some parcels that are unusual in their
24 configuration because they came from the old
25

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2 1800s and the piecemeal process that has
3 historically been how some of these, how
4 some of these lots have been put together
5 prior to the adoption of ordinance that makes
6 you come before your Boards to get approval
7 to do some of these things.

8 I'm gonna submit the map that shows
9 this.

10 CHAIRMAN SALADINO: I think --

11 MS. MOORE: I think I gave it to you
12 once already.

13 CHAIRMAN SALADINO: I have seen it.

14 MS. MOORE: You have seen it before.
15 Good.

16 I wanted be sure you had it in your
17 file, and I thought I had given it to you
18 last time, I wanted to be sure I'd referred
19 to it.

20 MR. CORWIN: I have one question about
21 that map.

22 MS. MOORE: Yes. Go ahead.

23 MR. CORWIN: Who made the map?

24 MS. MOORE: Mr. Olinkiewicz took each
25 of these and did the square footage. I

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2 mean, it's not that complicated, it's just
3 very --

4 MR. CORWIN: I have got the idea
5 somebody besides Mr. Olinkiewicz supplied
6 all that information to make that map.

7 MS. MOORE: I don't know. I know from
8 prior testimony, I think at the Planning
9 Board, he was there and he said that he
10 prepared it, so I don't know if he got help
11 from somebody.

12 MR. CORWIN: His attorney said she
13 prepared it, she said she went --

14 MS. MOORE: Okay.

15 I read the transcript, but I will stand
16 with whatever the transcript says. It's
17 here, I did not prepare it, I can tell you
18 that.

19 The third issue is with respect to some
20 of the comments about how the driveway
21 should be improved, sharing the road and
22 maintenance requirements. Those are the
23 kind of things the Planning Board will
24 address, so a common process of the Planning
25 Board is how the driveway, what the

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2 improvements of the driveway should be, a
3 road and maintenance agreement that is
4 recorded when you create two lots like this
5 that are sharing an access, that is filed as
6 a covenant so that the homeowners, when they
7 buy into a two lot, to the two lots know
8 what the respective responsibilities are
9 with regard to snow removal, road
10 improvements and things like that, so that,
11 again, is very common and it is a Planning
12 Board issue.

13 I have already stated that the owner is
14 willing to file a covenant with respect to
15 being used as a single-family. What she
16 raised is a code enforcement issue and code
17 enforcement exists, and they can go after
18 anybody they question is acting
19 inappropriately.

20 As far as parking on the driveway. I
21 truly agree with here that there should be
22 no parking along the driveway access. It is
23 what it is, it is like that for three homes,
24 three families living there now, and in the
25 future mit will be no different. Again with

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2 whatever modifications the Planning Board
3 requires, again also with the roads and
4 maintenance agreement, our conditions,
5 reasonable conditions as far as no parking
6 on the right-of-way, maintaining clearance,
7 parking in parking stall, not, again, not in
8 front of anything.

9 And as far as where the house and the
10 staircase falls, it's just at that point,
11 it's a property line, so the right-of-way
12 goes though, but I think what she was
13 seeing, Mrs. Keel was seeing is the property
14 line that's splitting the two parcels, and
15 the parking area ends where the parking,
16 where the lot -- they're going to fall into
17 their spaces, so there is going to be a need
18 for some improvements here as part of the
19 overall subdivision. There would be
20 landscaping, grassy area, whatever else that
21 the Planning Board would believe is
22 necessary here including buffers, if any are
23 required, so again --

24 CHAIRMAN SALADINO: So is that the
25 logical next step?

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2 MS. MOORE: That is the next step, you
3 have to go --

4 CHAIRMAN SALADINO: No. Not the
5 Planning Board.

6 What the Planning Board requires,
7 screening and buffers and so would that be
8 the logical next step?

9 MS. MOORE: If the Planning Board
10 considers the way the property is set up,
11 those are common conditions. The screening,
12 we have pretty well established fences, I
13 think on the other people's yard; but there
14 is a lot of natural high vegetation. The
15 requirement to maintain it is a condition
16 typically of a subdivision. It could
17 certainly be a condition of your area
18 variances. Reasonable conditions, you know,
19 as long as they're reasonable, they're
20 generally accepted, so if you deliberate and
21 say okay whether the Planning Board does it
22 or not, we think that the parties should
23 agree to a road and maintenance agreement,
24 of course that makes sense. The parties
25 should agree to that nobody should park

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2 along the hundred and six feet of common
3 driveway. Of course, I mean some of this
4 stuff is common sense that I don't think
5 anybody would fault either the Planning
6 Board or Zoning Board creating hose kind of
7 condition. Certainly we would not oppose
8 that.

9 Aside from that, I believe some of the
10 other arguments and comments for your
11 consideration; I'm not sure that there is a
12 need the respond.

13 The only one I thought was unclear was
14 there was an understanding somehow the
15 paperwork that was submitted to you was,
16 this application was previously withdrawn.
17 That is not the case. I think what they had
18 was the Planning Board minutes of the
19 application that started with the Planning
20 Board, and then the Planning Board said we
21 can't address this until you go to the
22 Zoning Board and then come back to us; so I
23 think that was the minutes.

24 CHAIRMAN SALADINO: I think we
25 understand that.

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2 MS. MOORE: Just for the record, you
3 know, some things you know, but I got to put
4 it on the record.

5 That's all I have, unless you have any
6 more questions for me.

7 CHAIRMAN SALADINO: Members, anything
8 else for Ms. Moore?

9 Arthur?

10 MR. TASKER: No, thanks.

11 CHAIRMAN SALADINO: David?

12 MR. CORWIN: No.

13 MS. NEFF: No.

14 CHAIRMAN SALADINO: Dinni.

15 MS. GORDON: I move to close the
16 hearing.

17 MR. CORWIN: I would rather leave the
18 hearing open until at least next month.

19 MS. GORDON: For what purpose?

20 MR. CORWIN: If somebody has input they
21 want to put in, give them the opportunity.

22 CHAIRMAN SALADINO: I think it's an
23 ambitious application, and I think that to
24 keep it open another month is not
25 unreasonable.

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2 But my opinion will be reflected in my
3 vote.

4 MR. TASKER: I agree with John and
5 David to keep it open.

6 CHAIRMAN SALADINO: Ellen, do you have
7 an opinion?

8 MS. NEFF: I think that to leave it
9 open is appropriate.

10 MS. GORDON: I can withdraw my motion.

11 CHAIRMAN SALADINO: Fine.

12 I'm gonna make a motion that we keep
13 the public hearing open until -- we're going
14 to keep the public hearing open.

15 MR. CONNOLLY: Do you want to keep it
16 open for a period of time for the public to
17 comments and then have Ms. Moore respond to
18 them?

19 CHAIRMAN SALADINO: I'm thinking that
20 we're going to keep it open and the public
21 can come and express their opinion.

22 MS. MOORE: Again?

23 CHAIRMAN SALADINO: Hopefully it will
24 be new information; it won't be repetitive.
25 I think everybody deserves the right to be

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2 heard, you know, some people are more
3 comfortable speaking at the podium than
4 submitting a letter.

5 So I made the motion that we keep the
6 public hearing opened.

7 Do I have a second?

8 MR. TASKER: Second.

9 CHAIRMAN SALADINO: All in favor?

10 MR. TASKER: Aye.

11 MS. NEFF: Aye.

12 MR. CORWIN: Aye.

13 CHAIRMAN SALADINO: And I'll vote aye.

14 MS. GORDON: I'm opposed.

15 CHAIRMAN SALADINO: And one no.

16 MS. MOORE: What was the September
17 date?

18 MR. CONNOLLY: The 18th.

19 MS. MOORE: 18th.

20 Thank you.

21 CHAIRMAN SALADINO: The hearing public
22 is continued, so if no one else has --

23 MR. CORWIN: Adjourned is the correct
24 term.

25 CHAIRMAN SALADINO: I'm gonna stick

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2 with continued; but to make David happy,
3 we'll say the public hearing is closed
4 because I don't want him angry.

5 MR. TASKER: It's continued.

6 CHAIRMAN SALADINO: Does anybody have a
7 zoning question other than this application?
8 If not, we're going to motion that number 9,
9 motion to adjourn.

10 So moved.

11 MR. CORWIN: Before that, what was the
12 status of the findings and determinations.

13 CHAIRMAN SALADINO: I thought we did
14 the findings and determinations.

15 MR. TASKER: We did.

16 MR. CORWIN: Okay.

17 CHAIRMAN SALADINO: All right. Made a
18 motion to adjourn.

19 All in favor?

20 MR. TASKER: Aye.

21 MS. NEFF: Aye.

22 MR. CORWIN: Aye.

23 MS. GORDON: Aye.

24 CHAIRMAN SALADINO: We're adjourned.

25 (Time noted: 8:32 a.m.)

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North Fork Housing Alliance, Inc.

(FORMERLY THE GREENPORT HOUSING ALLIANCE)

116 SOUTH STREET

GREENPORT, NEW YORK 11944

(631) 477-1070

FAX (631) 477-1769

SECTION 8 DEPARTMENT (631) 477-8888

NFHA@OPTONLINE.NET

ADEQUATE HOUSING FOR ALL



BARRY LATNEY, PRESIDENT

TANYA PALMORE, EXECUTIVE DIRECTOR

July 13, 2018

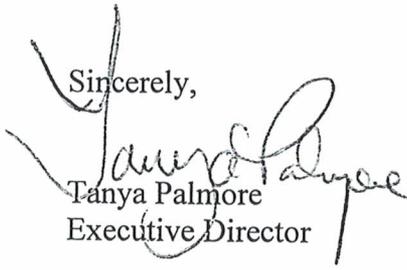
Village Zoning Board of Appeals
Village of Greenport
236 Third Street
Greenport, NY 11944

Re: 416 South Street Addition

Dear Ladies and Gentlemen:

The North Fork Housing Alliance, Inc. owns the property (412 South Street) next door to Ms. Laura DiCapua. Ms. DiCapua discussed the fact that she wanted to add a carport that would come close to the property line. We do not have any objections to Ms. DiCapua adding a carport.

Sincerely,


Tanya Palmore
Executive Director

June 21, 2018

To The Greenport Zoning Board:

I am in favor of Laura Di Capua's carport and front porch addition. An improvement to any house increases the value of all the homes in the area.

Bill Kranker
248 5th Avenue
Greenport, NY

Handwritten signature
248 FIFTH
RDS

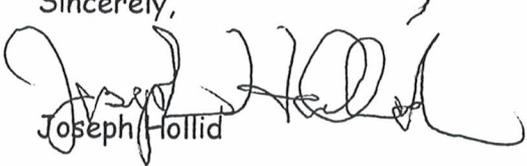
June 15, 2018

Dear ZBA Members,

I, Joseph Hollid, live directly across the street from the Di Capua residence. I have seen the transformation of Laura's house from the beginning. The original place was a dump when she bought it. She had the house renovated down to the studs, then replaced and rebuilt everything inside and out.

I am sure that she will make the additions look as beautiful as the house. I look forward to seeing it across the way.

Sincerely,

A handwritten signature in black ink, appearing to read "Joseph Hollid", written over a printed name.

Joseph Hollid

415 South Street

Greenport, NY

6/4/18

To Whom This May Concern:

I think the porch and carport is a good idea and will help the owner out. Laura has problems with her back and walking. She needs to pave her driveway because she parks her car in the driveway and uses her side door all the time.

She did a great job renovating her house. It was in really bad shape and she brought it back to life. I'm sure she will make this project look good too.

Thank you,

A handwritten signature in black ink, appearing to read "John Gagen", with a long horizontal flourish extending to the right.

John Gagen
304 5th Avenue
Greenport, NY 11944