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VILLAGE OF GREENPORT

PLANNING BOARD

WORK SESSION

&

REGULAR SESSION

March 12, 2015

5:00 p.m.

Meeting held at the Greenport Firehouse
236 Third Street, Greenport, New York 11944

Appearances:

Peter Jauquet - Chairman

Ben Burns

Chris Dowling

Devin McMahon

Joseph Prokop, Village Attorney

Eileen Wingate, Village Building Inspector

Glynis Berry, Planning Board Consultant

1 (Whereupon, the meeting was called to order at
2 5:09 p.m.)

3 CHAIRMAN JAUQUET: Okay. We're going to start
4 the meeting. This is the Village of Greenport
5 Planning Board. This is the March 12th alternate,
6 because of the snowstorm, meeting, 5:00, and this is
7 a work and regular session meeting agenda
8 combination.

9 The first thing on the agenda --

10 AUDIENCE MEMBER: Can you speak up into the
11 mic? We can't hear you back here.

12 CHAIRMAN JAUQUET: The first thing on the
13 agenda is a public hearing for 119 Main Street. The
14 applicant submitted an application for approval of a
15 conditional use and site plan. The property
16 owner/applicant is Marc LaMaina, and he proposes to
17 expand Lucharito's, the existing restaurant, into the
18 adjacent store in the same building, adding 52 seats,
19 among other improvements, at Section 5, Block 4, Lot

34.

20 So I guess with the public hearing, if anybody
21 wants to stand up and speak about this one, they can.

22 MR. MC MAHON: Do we want these letters read in
23 now or --

24 CHAIRMAN JAUQUET: I'm not going to read the
25 letter. We have a letter from Claudio's, and we'd

1 is. Okay.

2 MS. CORWIN: My name is Marilyn White Corwin.

3 I am a Greenport native/resident.

4 Handling of the refuge, okay. I believe that
5 Jan had some concerns about the dumpsters, because, I
6 guess, as it is now, the dumpsters are on her
7 property.

8 CHAIRMAN JAUQUET: Right.

9 MS. CORWIN: My family owns White's Hardware,
10 right across the street, and we have made
11 arrangements with Marc that he can put his dumpsters
12 on our property at the end of the alley. There's
13 plenty of room back there, you know, plenty of
14 property that belongs to us, and we have no problem
15 with him putting his refuge there. So, if that's one
16 of the problems that's going to cause him not to be
17 able to open, I feel that this is going to take care
18 of that problem.

19 MR. DOWLING: Yeah, and that's on his site
20 plan, he has it on there.

21 MS. CORWIN: I also just want to say one other
22 thing. You know, Marc is -- he's a young resident of
23 Greenport. He's been here for many, many years.
24 When you have a young guy like that who is trying to
25 have a business -- his business is I think a real

1 asset to Greenport, and I'll tell you why. How many
2 restaurants can you really go into and get a
3 reasonable meal? I'm talking about cost-wise. I
4 mean, yes, I've seen a lot in the 63 years that I've
5 been here, and the restaurants and all, I mean, we
6 have wonderful restaurants in Greenport, but how many
7 are really like affordable --

8 AUDIENCE MEMBER: And year-round.

9 MS. CORWIN: -- good food, fill you up, that
10 kind of thing? This is what Marc has in his
11 restaurant. It's family-friendly, you can walk in
12 there. If you just want to go in and have a little
13 cocktail, you can do that. If you want to have a
14 nice meal, you can do that, too. So I don't -- I
15 can't imagine why anyone would have any objections to
16 a young family man trying to start a business in
17 Greenport.

18 We've got all kinds of crazy businesses in
19 Greenport. I think it's really nice that we're
20 getting something that is really going to be useful
21 all year long to the residents, to the tourists, to
22 everybody. So I think, I mean, in my estimation,
23 it's a no-brainer that Lucharito's should be allowed
24 to expand, and he should be allowed to go on without
25 all these petty little reasons why not.

1 Competition is good, it's what's made America great.
2 And that's all.

3 (Applause)

4 MR. ROBERTS: Good evening. Doug Roberts, 133
5 Sixth Street.

6 You know, if only we had another cupcake shop
7 in town instead of a Mexican restaurant, maybe that
8 would be better, right? No. Listen, my only
9 objection to this expansion is the expansion it may
10 cause me.

11 This is important to me, though, because
12 Lucharito's, for all the reasons that she just said,
13 Lucharito's provides a great service here, and Marc
14 employs a lot of local folks. He's a local business,
15 employing local folks. Now he's going to be able to
16 give more jobs to people.

17 There are a whole bunch of reasons why you need
18 to approve this. We need to not get in Marc's way on
19 this. When the tide rises, all boats rise. So this
20 is good for Claudio's, it's good for the other
21 restaurants in town, it's really good for the town.
22 I hope you'll pass it through. Thank you.

23 (Applause)

24 MS. ALLEN: My name is Chatty Allen. I'm a
25 lifelong Greenporter. I'm on Fifth Avenue. I've

1 known Marc since he was born.

2 When Hurricane Sandy hit us, it basically
3 destroyed his business, okay? He's a young guy. He
4 could have said, "Screw this, I'm out of here, I'm
5 going to another place where I don't have to worry
6 about this, I don't have worry about flooding." What
7 did Marc do? He pulled up his bootstraps and opened
8 a business, not just for the tourists that come here.
9 How many places close up shop? They charge
10 outrageous prices, they close up shop all winter. He
11 stays open all winter long. And like they said, he
12 employs local people, people that grew up here. And
13 for someone who has been here 54 years, this is what
14 you want in your Village. You want someone who hires
15 locals, who has a family-friendly atmosphere.
16 Someone like myself that lives at the poverty line, I
17 can afford to go in and eat there.

18 And I'm glad Marilyn's family, which doesn't
19 surprise me, stepped up as far as the garbage goes.
20 But like someone else just said, it's a no-brainer.
21 This should have been approved from the get-go to let
22 him expand. You poll people in Greenport and they're
23 like, "God, I wish the place was bigger, because he's
24 always busy." You need that kind of business in
25 town. Thank you.

1 (Applause)

2 CHAIRMAN JAUQUET: Is that it? So --

3 MR. MC MAHON: There was another issue raised
4 in the letter, which was access. There's another
5 door that's going to be added, whether or not there's
6 a right-of-way, and whether or not that goes -- I
7 believe it's right next to an existing door that goes
8 to the second-story apartment. So there's already a
9 right-of-way on that driveway. Would that be --
10 would there be an issue with a second door being
11 right there?

12 MR. DOWLING: We can pull it with Item 4, then,
13 when we're pulling Item 4, right?

14 CHAIRMAN JAUQUET: Yeah. This is the public
15 hearing part.

16 MR. DOWLING: This is the public hearing part,
17 so.

18 CHAIRMAN JAUQUET: And then we're going to
19 discuss it.

20 MR. MC MAHON: Well, obviously, it was raised
21 in their letter, that's why.

22 CHAIRMAN JAUQUET: Yeah. Yeah, okay.

23 AUDIENCE MEMBER: Can all you guys use your
24 microphones? Thank you.

25 CHAIRMAN JAUQUET: All right. So we're going

1 to come back to this at Item #4.

2 MR. DOWLING: Is there anybody else who wants
3 to make comment on the public hearing part of it?

4 MS. SCHOTT: Michelle Schott, 517 Main Street.
5 I just want to echo some of the comments that have
6 already been made. We've had a lot of fabulous
7 additions in our dining options over the past decade,
8 but I think if you take stock of the direction we're
9 going in, there aren't very many affordable options
10 for families.

11 Marc's expanding because the market's spoken
12 and people want this. He's there year-round. He's
13 employing people. He's using local contractors for
14 the expansion.

15 I don't really understand what the right-of-way
16 issue is. I think maybe the Board needs to be
17 reminded that not too long ago, it was a restaurant
18 there. So, the fact that we have someone who is
19 going back to a use that was in place not too long
20 ago and they're responding to very local demands, I
21 think we should be paving the way for him, instead of
22 putting up roadblocks. Thank you.

23 (Applause)

24 CHAIRMAN JAUQUET: Thank you. Okay.

25 MR. SICHLING: Hi. Mark Sichling, 1090

1 Cedarfields Drive. I moved here four years ago. Met
2 Marc pretty much the first winter. And when I came
3 out here, I was used to the summers, because I was
4 always boating out here. And when his restaurant
5 opened, all winter we were in there had enjoyed it.
6 As soon as the summer came, it's kind of a little dig
7 between the two us. I don't think I dined there in
8 the last two summers. And I don't think it's fair
9 that the tourists get to go there and I can't get a
10 seat at the restaurant until it becomes November,
11 December. And this expansion would make it possible
12 for us to get in there during the summertime and
13 enjoy it, you know, bring my grandchildren down and
14 the family and be able to enjoy it as well.

15 So, hopefully, we can get this moving, because
16 I know time is of the essence and he needs to get
17 things moving. Thank you.

18 CHAIRMAN JAUQUET: Thanks.

19 MR. DOWLING: Thank you

20 (Applause)

21 CHAIRMAN JAUQUET: Okay. Last call.

22 MS. WILHELM: Can I just say that we're all in
23 favor of it?

24 (Laughter)

25 MS. WILHELM: And we're just going to echo what

1 everyone is saying.

2 MR. DOWLING: Yeah.

3 CHAIRMAN JAUQUET: Okay.

4 AUDIENCE MEMBER: Mr. Chairman, my apology. Is
5 this about the residences that are two, and three,
6 and four, and five family?

7 MR. DOWLING: No.

8 CHAIRMAN JAUQUET: No. We're talking about a
9 restaurant on Main Street.

10 AUDIENCE MEMBER: I beg your pardon, wrong
11 issue. Sorry.

12 CHAIRMAN JAUQUET: Okay. All right. So I
13 guess --

14 MR. DOWLING: Close the public hearing?

15 CHAIRMAN JAUQUET: Yeah. And how do we do
16 that, just close it?

17 MR. DOWLING: Yeah.

18 CHAIRMAN JAUQUET: All in favor?

19 MR. BURNS: Aye.

20 MR. DOWLING: Aye.

21 MR. MC MAHON: Aye.

22 CHAIRMAN JAUQUET: Aye.

23 Okay. So Item #1 on the agenda is a continued
24 discussion and possible motion on a site plan
25 approval for a new home to be constructed at 216

1 North Street. The applicants are Thomas Spurge and
2 Steve Sommer. The property is currently a vacant
3 lot.

4 So this is a work session, so we're -- this is
5 the point where we discuss this, right?

6 MR. DOWLING: Yeah. Is anybody here from
7 there?

8 CHAIRMAN JAUQUET: So I think we should discuss
9 this ourselves.

10 MR. DOWLING: Right. Do we have the applicant
11 here at all?

12 CHAIRMAN JAUQUET: I don't know. Is --

13 MR. BURNS: Did you want to talk?

14 MR. SPURGE: Tom Spurge, co-owner of the lot at
15 216 North Street.

16 MR. DOWLING: Can you tell us about the
17 project?

18 MR. SPURGE: So, originally, it was -- there
19 was an existing house on the property, which we
20 bought and tore down, with the expectation of being
21 able to rebuild the house as a two-family, because
22 it's in an R-2 Zone. That information was given to
23 us by the Building Department. We went on that
24 information, proceeded with the plans, submitted the
25 plans. They were ultimately denied, because there's

1 a section in the code that says you can't go from a
2 zero-family, which essentially is a lot, to a
3 two-family. So we accepted that resolution being
4 part of the code, and went back to the Building
5 Department and said, "So what can we build on this
6 property in terms of the size of the house?" And,
7 actually, the drawings that we submitted complied
8 with that. And so we resubmitted the plans as a
9 one-family house, and that was essentially the end of
10 that. Now it's in front of you.

11 CHAIRMAN JAUQUET: Now we have it, we have your
12 plan.

13 MR. DOWLING: So is your plan, after you build
14 a single-family house, to convert it to a two-family
15 home?

16 MR. SPURGE: It's a single-family house.

17 MR. DOWLING: Right. But do you plan to
18 convert it out later to a two-family?

19 MR. SPURGE: It can't be, can it?

20 CHAIRMAN JAUQUET: You know, the issue with me
21 is that, you know, you basically have your two -- you
22 know, it looks like you have your two-family, you
23 took out a kitchen, and it's -- you know, it's a very
24 intensive use on the interior. There's no backyard.
25 It's all three parking spaces.

1 The only part of the code that we can look at
2 is the part that says that for -- it is us to look at
3 the block, and how your building is going to change
4 the block. And everything above your building is on
5 the interior and the intensity of the use on the
6 interior, plus the balcony, and the lack of any real
7 play backyard.

8 MR. SPURGE: But is there anything in the code
9 that prevents that?

10 CHAIRMAN JAUQUET: The only thing in the code
11 is that, you know, the Planning Board, you know,
12 that's all we have to go on, is, you know, a couple
13 of little sentences that say -- you know, 150-30(A)
14 says, "The Planning Board shall take into
15 consideration public health, safety, welfare, and the
16 comfort and convenience of the public in general, and
17 of the residents of the immediate neighborhood in
18 particular." That's the only thing we have to go on
19 in discussing what you're doing on the block with
20 that -- what you're doing with the house.

21 And, you know, the only other thing -- excuse
22 me. The only other thing that we've got here is in
23 150-30(A)(2) -- (A)(3), sorry, is landscaping and
24 screening. And it talks about that all playground,
25 parking and service areas are reasonably screened at

1 all seasons of the year from the view of adjacent
2 resident lots and streets, and that the general
3 landscaping of the site is in character with --
4 prevailing in the neighborhood.

5 MR. SPURGE: I don't know that that applies to
6 a residence.

7 CHAIRMAN JAUQUET: Well, the only thing I see
8 in there is the balcony in the back that overlooks
9 three neighbors, which is something that no one else
10 has on the block.

11 And, you know, the thing about your building is
12 I don't know why they didn't give you a two-family
13 with just a couple of bedrooms up top and two on the
14 bottom. You know, I guess they X'd --

15 MR. SPURGE: I don't either.

16 CHAIRMAN JAUQUET: They started off with not
17 allowing a two-family, even though it's a small
18 footprint.

19 MR. SPURGE: The main objections from the
20 public to this house was the size and the placement
21 on the lot. All of the original objections had to do
22 with the fact of how close it was, how big it was,
23 etcetera, etcetera.

24 CHAIRMAN JAUQUET: And our -- you know, we're
25 not arguing --

1 MR. SPURGE: Except it is a Village lot.

2 CHAIRMAN JAUQUET: Right.

3 MR. SPURGE: There are houses in the Village
4 that are much closer than this one will be. There
5 are houses in the Village with porches that overlook
6 other neighbors. It's not -- it's not untoward
7 towards everything that's happening in the rest of
8 the Village.

9 CHAIRMAN JAUQUET: Right.

10 MR. SPURGE: It is, in fact --

11 CHAIRMAN JAUQUET: But, you know, I would say
12 this, that there are no other single-family houses of
13 that size in the Village that have four bathrooms,
14 five bedrooms, and two separate heating systems, and
15 two separate hot water -- I know there's nothing in
16 the code about it.

17 MR. SPURGE: I don't know -- I don't know how
18 any of that is germane to the house.

19 CHAIRMAN JAUQUET: Well, it's germane --

20 MR. SPURGE: What I can say -- what I can say
21 is --

22 CHAIRMAN JAUQUET: It's germane to the
23 intensity of the use and the way it's going to affect
24 the livability of the block. That's the only thing
25 we have to go on in the code.

1 MR. SPURGE: Because of the number of people?

2 CHAIRMAN JAUQUET: The potential number of
3 people, yeah. And what are you --

4 MR. SPURGE: Potential number of people.

5 CHAIRMAN JAUQUET: That's right. Well --

6 MR. MC MAHON: There's an intent of use.

7 CHAIRMAN JAUQUET: Well, the comfort is the
8 potential comfort, too.

9 MR. SPURGE: There's a presumption on the side
10 of the people who are opposed to this that it's going
11 to be a rooming house.

12 CHAIRMAN JAUQUET: Well, that's just an
13 adjective.

14 MR. SPURGE: Well, no. Every letter that I've
15 seen says there's a presumption that it's going to be
16 a rooming house. This is not, if I may --

17 CHAIRMAN JAUQUET: Well, if you look at the
18 plan, you know, and you're not a builder, or an
19 architect, or a law -- you know, a Building
20 Department looking at law, you know, a layperson is
21 going to say that.

22 MR. SPURGE: Okay.

23 CHAIRMAN JAUQUET: Okay.

24 MR. SPURGE: But as a builder, and as someone
25 who owns three other houses in the Village, all of

1 which, except one, were saved from the wrecking ball
2 and turned into viable rentals for families that live
3 here, to have an affordable nice place to live, I
4 would take all of you to tour them, they were dumps.
5 They had raccoons living in them, they were falling
6 down. I've invested over \$800,000 in renovating
7 those homes, employed local labor, put that money
8 into the economy, and have had long-term tenants. My
9 intention is not to have a rooming house.

10 CHAIRMAN JAUQUET: Okay.

11 MR. SPURGE: I'm not an Airbnb kind of guy.
12 But there's a need in this Village for affordable
13 housing, that's what I offer.

14 CHAIRMAN JAUQUET: Well, see, I disagree with
15 that.

16 MR. SPURGE: There's no need for affordable
17 housing?

18 CHAIRMAN JAUQUET: Well, there's a need for
19 affordable housing all across the North Fork, and
20 Shelter Island, and the South Fork.

21 MR. SPURGE: So what is it that you're
22 disagreeing with?

23 CHAIRMAN JAUQUET: It is not just Greenport,
24 that's what I'm disagreeing with. South, you know --

25 MR. SPURGE: I didn't say it was just

1 Greenport.

2 CHAIRMAN JAUQUET: Yes, you are.

3 MR. SPURGE: We're only talking about the
4 Village.

5 CHAIRMAN JAUQUET: Yes, you said -- you know, I
6 just -- I'm not going to argue with you. I just have
7 a bone to pick when people say that, you know, we
8 have a housing shortage, because there's a housing
9 shortage everywhere.

10 MR. SPURGE: Okay. So I'll amend my statement
11 to say that, in general, there's a housing shortage
12 for people of limited means to live somewhere nice.

13 CHAIRMAN JAUQUET: Okay.

14 MR. SPURGE: I've afforded three separate
15 families that opportunity in a big way, at great
16 personal expense, and I don't think that any of that
17 should be held against me in this case. I'm trying
18 to -- we're trying to provide --

19 CHAIRMAN JAUQUET: You know, here's what I'd
20 like. You know, I don't know where we stand legally
21 with this, you know, except for what I read --

22 MR. SPURGE: I know where you stand legally.

23 CHAIRMAN JAUQUET: I know you do. I know you
24 know better than I do.

25 MR. DOWLING: I think one of the problems that

1 we have is that when you look at the drawings, your
2 plans, it looks like you are building a two-family
3 home. You have, you know, completely redundant
4 systems for your hot water, your laundry, your
5 heating on both floors. I mean, it looks like you're
6 -- it looks like once you build it, there's going to
7 be -- and you have three parking spaces. In the
8 code, you only need one-and-a-half for a
9 single-family home. It makes it --

10 MR. SPURGE: It gives the appearance.

11 MR. DOWLING: You have the air here that you're
12 going to have a two-family home here and that's what
13 you're building.

14 MR. SPURGE: What would be -- what would be the
15 difference?

16 CHAIRMAN JAUQUET: Well, here's what, you
17 know --

18 MR. SPURGE: What would be the difference
19 between having eight people living in a house as a
20 single family, or two families of four people each?
21 In terms of taxing the system, there's no difference.
22 In terms of utilities, there's no difference. What
23 is it? What is the objection to having eight people
24 living in a house where you can fit eight people?
25 I'm not putting 14 people in a three-bedroom house,

1 that's not me, I don't have that. That exists in
2 Greenport, we know it exists. That is not what I
3 have here. Redundant systems, you know, are not
4 indicative of anything except maybe efficiency. I
5 could have a separate hot water heater, you know,
6 on-demand hot water heater for every room in the
7 house.

8 CHAIRMAN JAUQUET: Well, let me just back up.
9 Why isn't this house designed, you know, similar to
10 the other single-families that you've built in town?

11 MR. SPURGE: Because it is designed similar to
12 the other single-family homes I have in town.

13 CHAIRMAN JAUQUET: Well, how many bedrooms and
14 bathrooms do they have?

15 MR. SPURGE: Well, they're all smaller houses.

16 CHAIRMAN JAUQUET: Yeah. Well, you know
17 that --

18 MR. SPURGE: And the ones I wanted to make
19 bigger I couldn't, because the BZA shot it down. So
20 I just don't understand what would -- give me an
21 example of what we could do with this house to make
22 it more palpable to those who object to it. Is it
23 making it smaller?

24 CHAIRMAN JAUQUET: Well, here's what I'd
25 like --

1 MR. DOWLING: I think if had more actually
2 living space, social spaces than bedrooms and
3 bathrooms --

4 MR. SPURGE: All you're doing is -- but all
5 you're doing is --

6 MR. DOWLING: -- it would actually look like
7 people are planning on living there and being a
8 family, and being in one room together.

9 MR. SPURGE: Okay. So redefine the rooms.
10 That doesn't -- that doesn't affect the site plan at
11 all.

12 CHAIRMAN JAUQUET: No.

13 MR. SPURGE: You're only talking about the
14 interior.

15 CHAIRMAN JAUQUET: Okay. So let's talk about
16 the interior. You know, what I came in here to say
17 about the interior, based on the zoning, the little
18 bit of zoning code that the Planning Board can latch
19 onto, and to avoid a situation where you have, you
20 know, five -- you know, three extra SUVs out front on
21 the street --

22 MR. SPURGE: Well --

23 CHAIRMAN JAUQUET: Wait. Just let me speak.

24 MR. SPURGE: Okay.

25 CHAIRMAN JAUQUET: Just let me speak. Like I

1 have across from where I live on Fifth Street, with
2 cars parked on the grass, and barbecues out front,
3 and lots of people milling around, because there's
4 lots of people in the house, a two-family, that are
5 unrelated, but they -- you know, they rent bedrooms
6 or something. Anyway, there's a lot of activity, and
7 it -- you know, there's a lot of activity like that
8 on Fifth Avenue, and, you know, we want to stop that.
9 And this house, with your design, has that going on
10 as far as we can see.

11 So what I came in here, as a suggestion for the
12 inside, is to take out one bedroom and one bathroom,
13 so there's more living space on the first floor. Do
14 one heating system, one laundry, and one hot water
15 heater, and put some sort of screening on that second
16 floor balcony on the east and west side, so that the
17 activity isn't spilling off only to the back and not
18 to the sides. So that's -- that's what I'd like to
19 see as a compromise for this, to take a little bit of
20 the intensity away, and possibly get rid of one of
21 the parking spaces in the back so there's some
22 playground area. So --

23 MR. SPURGE: So, on the one hand, I have too
24 many parking spaces, and, on the other hand, you want
25 me to take away a parking space. I mean, is this --

1 CHAIRMAN JAUQUET: Well, I know.

2 MR. SPURGE: There's a conflict of interest
3 here.

4 CHAIRMAN JAUQUET: Well, there is, but, you
5 know, there is a give and take. But, you know, I'd
6 rather see cars on the street than -- and have some
7 green space in the back for this -- for the family
8 that is apparently going in there.

9 MR. SPURGE: I just want to understand. Your
10 main objection is to what's going on in the inside of
11 the house. This is a site plan review. Is the
12 house --

13 CHAIRMAN JAUQUET: Well, the intensity of the
14 use on the inside relates to what happens on the
15 block.

16 MR. SPURGE: And I'll ask you again, why would
17 it matter if there were eight people of one family,
18 or two families of four people each? How does that
19 change anything? It doesn't change anything.

20 CHAIRMAN JAUQUET: Well, adding --

21 MR. SPURGE: And adding spaces, the presumption
22 is it's going to be a boarding house, and that some
23 of the other spaces could be turned into bedrooms.
24 There was a letter posted to the Board from the
25 homeowners next door saying that, well, there's a lot

1 of extra spaces that could be turned into bedrooms.
2 I just don't see how it's germane to the site plan.

3 MR. PROKOP: Well, actually, to answer your
4 question, I mean, the problem is that you brought
5 this discussion up regarding the use of the interior
6 of the space.

7 MR. SPURGE: I brought what up?

8 MR. PROKOP: And with regard to your -- with
9 regard to your -- the answer to your question, two
10 families of four people would not be allowed, it's a
11 one-family house.

12 MR. SPURGE: I understand that.

13 MR. PROKOP: Only one family of eight people
14 would be allowed, as long as they were related and
15 otherwise complied with the code.

16 MR. SPURGE: I understand that.

17 MR. PROKOP: So, actually, they're not equal.

18 MR. SPURGE: Well, but in terms of the use of
19 the house is how I -- how I proposed it, because
20 there was some -- there's a lot of talk about how
21 it's going to tax the system, that the sewage system
22 would be overloaded, because there's three extra
23 people in a house on North Street.

24 CHAIRMAN JAUQUET: I don't know about that.

25 MR. SPURGE: Well, that's -- I'm only

1 responding to what was brought up by the letters that
2 were sent in.

3 CHAIRMAN JAUQUET: Okay.

4 MR. SPURGE: I don't see that -- in that
5 context -- Mr. Prokop, I wanted to say that in that
6 context, there is no difference between two families
7 of four or eight people in usage of the house. I
8 understand what you're saying, but we're not --

9 MR. PROKOP: Well, actually, there is, because
10 the families -- the house is not allowed to be used
11 as a two-family house. So, to answer your question,
12 yes, there would be a difference, because --

13 MR. SPURGE: You're missing my point. I'm
14 talking about --

15 MR. PROKOP: No, you're missing my point. Two
16 families of four would not be allowed. If you're
17 asking me that the question, that's the difference.

18 MR. SPURGE: I'm not asking you that question.
19 What I'm saying is that if there's eight people in
20 the house, the amount of utilities that they're using
21 is the same as if there were two families of four.
22 It's still eight people, that's my point. I realize
23 and I accept the fact that it can't be a two-family.
24 What I'm saying is the objections are that it will
25 tax the system, because there's too many people

1 living in the house.

2 You brought up the fact, like why didn't they
3 just approve a two-family house, and then you would
4 have two families of four. That was shot down. My
5 point is, is that eight people, no matter how you
6 slice it, who they are, they're still going to use
7 the same amount of utilities, use the same amount of
8 water to flush the toilet, etcetera, etcetera.

9 CHAIRMAN JAUQUET: It's just that the intensity
10 on the interior is going to reflect to the -- we
11 feel, to the use on the outside, and it's going to
12 affect the block, especially the parking space, the
13 three parking spaces in the back. You know, two
14 would be better. Otherwise, there's no yard for this
15 family. And I have -- you know, I don't like the
16 balcony. You know, at least if it were screened or
17 something, it would be better.

18 MR. SPURGE: Well, the balcony provides some
19 outdoor space for the family.

20 CHAIRMAN JAUQUET: Yeah, I know, but you've
21 already got all this intensive use there and it
22 spills out on to the second floor balcony, and
23 creates this potential situation that we want to
24 avoid, and we got one sentence in our code that
25 allows us to request that from you.

1 And what I want to do is just ask you to think
2 about this. And, you know, we'd like a little more
3 living space in the -- on the ground level. I mean,
4 if you had four bedrooms, and four bathrooms, and one
5 heating system -- I don't know. Why does a single
6 family have to have that? There's no -- you know,
7 there's a reason why you're doing this.

8 MR. SPURGE: Maybe they want -- maybe they want
9 a home office, you know. Maybe they want a play room
10 for the kids.

11 CHAIRMAN JAUQUET: I don't know. I mean --

12 MR. SPURGE: I mean, you can relabel the
13 drawings however you want. This doesn't change the
14 fact that the outside of the house is going to be
15 what it is. So I'll ask again, is the house as drawn
16 complying with the code?

17 CHAIRMAN JAUQUET: I think it complies with the
18 code, but it doesn't comply with what we believe is
19 the interpretation of the Planning Board's directive
20 in the -- in what --

21 MR. SPURGE: So, if I renamed -- I renamed the
22 rooms on the inside of the same exact size house,
23 that's your concession, that's what you would like
24 from me?

25 CHAIRMAN JAUQUET: Well, we still have a

1 problem with duplicate, with two sets of utilities in
2 there.

3 MR. SPURGE: Two sets of, I mean --

4 CHAIRMAN JAUQUET: It just -- it creates a --
5 it creates a situation where --

6 MR. SPURGE: Well, what it creates --

7 CHAIRMAN JAUQUET: -- the intensity of the use
8 could increase way beyond what you're telling us,

9 MR. SPURGE: It creates the presumption of
10 something else that it's not.

11 CHAIRMAN JAUQUET: That's true.

12 MR. SPURGE: That's the basis of -- that's the
13 basis of --

14 CHAIRMAN JAUQUET: It could go -- you know, we
15 could go either way with it.

16 MR. SPURGE: Okay.

17 CHAIRMAN JAUQUET: You know, they could -- they
18 could maybe not use any of the bedrooms upstairs.

19 MR. SPURGE: Maybe not. But it could also
20 have -- like I said, I could have five separate, you
21 know, hot water heaters for this house.

22 CHAIRMAN JAUQUET: You could. You could have,
23 you know, all bathrooms.

24 MR. SPURGE: Yeah.

25 (Laughter)

1 MR. DOWLING: I have a question in regards to
2 the exterior. Because of where you have your house
3 placement and your driveway, are you going to remove
4 that large tree?

5 MR. SPURGE: No.

6 MR. DOWLING: Can you get -- it looks like the
7 way your house is, looks like that's right in the
8 middle of your driveway, it's going to be coming
9 through in your curb cut.

10 MR. SPURGE: No. There's an existing driveway
11 to the side.

12 MR. DOWLING: Is it clear of that?

13 MR. SPURGE: Yes. The last thing we want to do
14 is cut down a tree in the Village. I plant trees in
15 the Village.

16 MR. DOWLING: With the -- for a single-family
17 home, you're allowed -- you have to have, you know,
18 one-and-a-half parking spots for every single -- for
19 every family.

20 MR. SPURGE: Right.

21 MR. DOWLING: So you have three. We would like
22 to see more yard, because --

23 MR. SPURGE: That's fine. I don't have a
24 problem with that.

25 MR. DOWLING: Do you mind going down to two

1 parking spaces?

2 MR. SPURGE: I don't have a problem with that.
3 The reason we did that is because I consistently hear
4 from everybody that there's too many cars in the
5 street, which you mirrored in your comment before.
6 So, if you only want two parking spots, we'll allow
7 the two parking spots. It doesn't really matter to

us.

8 MR. MC MAHON: Okay. My concern is that you
9 opened by saying you wanted this to be a two-family
10 home.

11 MR. SPURGE: Originally, we did. Not that we
12 wanted, we thought because it's in an R-2 zone. The
13 reason we bought the house was we wanted to rebuild a
14 two-family home there.

15 MR. MC MAHON: But I am of the opinion that we
16 do need more affordable housing in the Village. I am
17 29, I have a good job, I can't afford to live
18 anywhere other than my parents' house. There's a
19 severe lack of affordable housing for young working
20 people in this area.

21 It's just I have an issue if the intended use,
22 what comes here before us, what we're presented with
23 as "I'm going to rent this to a single family," and
24 then some other use develops afterwards. It appears
25 set up for a separate use from what you've applied

1 for. It looks like a two-family home.

2 MR. SPURGE: There's no intent to have it be
3 anything other than what is drawn. If there's too
4 many bedrooms -- I mean, I personally know three
5 families that have nine people, you know. It's an
6 extended family. They don't have any -- they can't
7 find a place to live, you know.

8 MR. MC MAHON: I understand that. And what I'm
9 saying is, if you're intending it to be a
10 single-family house, why are there two heating
11 systems?

12 MR. SPURGE: I couldn't tell you why there's
13 two heating systems. The engineer -- the engineer
14 said, you know, "You might be better off putting two
15 heating systems in, because otherwise this one will
16 be too big," it will have to be too big, you know.

17 MR. DOWLING: But you have a full basement for
18 that.

19 MR. SPURGE: Yeah. No, too big in terms of
20 capacity. You know, why put a 200,000 BTU burner
21 when you could get by with two 75s? I can do -- I
22 can do the heating calculations for this, but my
23 guess is, knowing this architect, is that it made
24 more sense to have two heating systems, because it
25 should be two zones, or it could be five zones, you

1 know. But you don't want to do that to one system.

2 MR. DOWLING: You could accommodate five zones
3 with a single heating system.

4 MR. SPURGE: I understand that, but maybe it's
5 not the most efficient way to do it. There's a lot
6 of talk about, you know, energy efficiency now.
7 We're trying to, you know -- listen, if it makes --
8 if it makes a difference to the approval or not, I'll
9 put one heating system in, but I don't see how it's
10 germane. It's still -- it's still based on your
11 presumption that it's going to be something else.
12 And I'm telling you, we couldn't have a two-family.
13 We resubmitted it as a single family. What's the
14 problem? It's all just presumption that it's going
15 to be something else, and I take offense to that.

16 MR. MC MAHON: Everything from your statements
17 to the plans suggest that you still intend to use it
18 as a two-family home, that's the problem.

19 MR. SPURGE: I don't see it that way.

20 MR. MC MAHON: Now, it's hard for me to believe
21 that you have three other rental properties in town
22 that you added a second laundry room, a second
23 heating system just because. You know, that's --
24 that doesn't seem to hold water with me.

25 MR. SPURGE: Okay. Take one laundry room out,

1 I don't care. I don't care. I'm telling you,
2 there's no -- you should have no presumption that
3 this is going to be anything other than a
4 single-family home. I can state that equivocally
5 now. If that's what you want, if you want some
6 assurance, that's -- there it is, I've just given it
7 to you.

8 CHAIRMAN JAUQUET: Well, that's what we would
9 like. You know, if you could -- one heating system,
10 multi-zone, one laundry room, and, you know, maybe
11 you could make one of those bedrooms on the first
12 floor a, you know, family room, just label it a
13 family room.

14 MR. SPURGE: Fine.

15 CHAIRMAN JAUQUET: And put a screen on the
16 sides, of the east and the west side of that --

17 MR. SPURGE: There has to be a railing on the
18 deck, and it can't be higher than a certain amount
19 anyway. So running afoul of a couple of different
20 things here. You know, we could place the pickets of
21 the railing a little closer together, if that's --

22 CHAIRMAN JAUQUET: I mean, I'm talking about
23 the balcony on the second --

24 MR. SPURGE: The balcony, yeah.

25 CHAIRMAN JAUQUET: Just so there's a screen, so

1 that neighbors on the side don't see what's going on
2 up there.

3 MR. SPURGE: I would gladly put them closer
4 together so it's more like a solid wall, rather
5 than --

6 CHAIRMAN JAUQUET: Well, that's --

7 MR. SPURGE: I don't want to -- I don't want to
8 enclose anybody, though, so it looks like they're in
9 a cage, you know.

10 CHAIRMAN JAUQUET: I don't think it has to be
11 solid. It just needs to be a lattice, or something
12 like that.

13 MR. SPURGE: Fine. I have no problem with any
14 of those --

15 CHAIRMAN JAUQUET: Okay.

16 MR. SPURGE: Any of those suggestions.

17 MR. BURNS: Your intention -- excuse me. I
18 think we understand your intention, but it appears
19 that this could morph into a boarding house, or a
20 two-family place very easily to the next owner, or
21 the person that was living on the first floor, or
22 whatever. It has that potential, right?

23 MR. SPURGE: You'd have to deal with that with
24 the next owner. Right now, you're dealing with me
25 and I'm telling you it's a single-family home.

1 MR. DOWLING: Well, we don't want to have to go
2 back to the next owner.

3 MR. SPURGE: But you can't -- you can't
4 legislate that based on -- the size of the house is
5 what it is.

6 CHAIRMAN JAUQUET: Yeah.

7 MR. SPURGE: Whoever buys it, you know, they
8 may have some other intention, but that's not my
9 intention.

10 CHAIRMAN JAUQUET: Well, for right now, can
11 you, for the next meeting, make those changes?

12 MR. SPURGE: Next meeting?

13 CHAIRMAN JAUQUET: For the next -- just so that
14 for the next meeting we can have a drawing showing
15 what we just talked about as alterations on the
16 inside.

17 MR. SPURGE: Are we not at the 60-day today?

18 MS. WARD: On the 29th we hit the 60-day clock.

19 MR. SPURGE: I'm sorry?

20 MS. WARD: The next meeting is the 26th.

21 MR. SPURGE: When was this originally
22 submitted?

23 CHAIRMAN JAUQUET: I don't know. Yeah, maybe
24 that -- I don't know.

25 MR. PROKOP: Well, if that's the case, we would

1 need the applicant's consent. But we have -- we do
2 have the Planner's comments. I think we should deal
3 with the Planner's comments also, if possible.

4 MR. BURNS: Okay. I don't have them in front
5 of me.

6 CHAIRMAN JAUQUET: Well, aside from the
7 deadline, would you be willing to show us a plan with
8 the screens on the second -- a living room, and one
9 heating system?

10 MR. SPURGE: Yes, if you -- if we move to, you
11 know, put this for approval, because I think -- I
12 think it's at 60 days.

13 CHAIRMAN JAUQUET: Because I'd just like to
14 see, you know, that stuff put on the --

15 MR. SPURGE: I'm happy to make -- I'm happy to
16 make whatever changes to the drawings you'd like.

17 CHAIRMAN JAUQUET: All right. So then --

18 MS. BERRY: Can I make a suggestion?

19 CHAIRMAN JAUQUET: Sure.

20 MS. BERRY: If you are comfortable with, you
21 know, the negotiations, why don't you recommend
22 approval based on certain conditions being met?

23 CHAIRMAN JAUQUET: Okay. And then, you know,
24 there's other people here that want to speak, I
25 guess, so we should do that now.

1 MR. DOWLING: Absolutely, yeah.

2 CHAIRMAN JAUQUET: That's, you know --

3 MR. SPURGE: I just wanted to confirm, are we
4 at the 60 days?

5 MS. WINGATE: On the 15th -- oh, 26th right?
6 We did these calculations.

7 MS. WARD: You told me that the file -- the
8 application was accepted --

9 MS. BRAATEN: I'm sorry. Could you state your
10 name?

11 MS. WARD: My name is Jill Ward. Jill Ward. I
12 live at 220 North Street, next to the adjacent lot,
13 which is --

14 MS. WINGATE: 1/26, so the -- March 26th would
15 be -- it's 62 days. So March 26th is 60 days, the
16 28th is 62 days. And the next meeting is --

17 MR. DOWLING: It's the 26th.

18 MS. WINGATE: I don't have an agenda.

19 MR. DOWLING: 26th.

20 CHAIRMAN JAUQUET: Right. That's a Thursday.

21 MS. WINGATE: So you're right there.

22 CHAIRMAN JAUQUET: Right there.

23 MR. PROKOP: Okay.

24 MS. WARD: That meeting would have to be --
25 it's a work meeting. It would have to be changed to

1 a full Planning meeting to do --

2 CHAIRMAN JAUQUET: We're going to do a -- I
3 think at some point, we're going to make these
4 combination meetings, because it's too much to do.
5 But we'll do that at that meeting. Is that --

6 MR. SPURGE: Do what?

7 CHAIRMAN JAUQUET: Approve it with those
8 conditions.

9 MR. SPURGE: So what you're telling me is
10 you're going to approve it conditionally?

11 CHAIRMAN JAUQUET: Well, I just want to -- what
12 I'd rather do is if -- in the meantime, you could
13 just draw those things in on the plan that we just
14 spoke about.

15 MR. DOWLING: Resubmit the plan with the
16 changes we talked about.

17 CHAIRMAN JAUQUET: Well, yeah, resubmit it, or
18 just put, you know, the latest plan with one heating
19 system, one laundry, the screens, and --

20 MR. DOWLING: Two parking spaces only.

21 CHAIRMAN JAUQUET: And two parking spaces. I'm
22 not that concerned about the --

23 MR. MC MAHON: There are a few other issues
24 that need to be addressed as well.

25 MR. DOWLING: I'm sorry?

1 MR. MC MAHON: There are a few other issues
2 that need to be addressed as well, with the
3 Consultant's notes on the issue. Curb cut, curb cuts
4 proposed, but not designed. The site plan does not
5 show the water and sewer connections. And there's no
6 drainage plans for potential storm water on the site.
7 So those would also need to be addressed in the plans
8 before it could be approved.

9 MR. SPURGE: Can I get a copy of that?

10 MR. MC MAHON: Sure.

11 MR. SPURGE: Along with your other comments?

12 MR. MC MAHON: Yup.

13 CHAIRMAN JAUQUET: What was the storm -- what
14 was the drain, storm drain system? It's just on the
15 yard, right?

16 MR. SPURGE: Well, there would have to be --
17 containment on the site would mean dry wells, so.

18 CHAIRMAN JAUQUET: Were you planning on that?

19 MR. SPURGE: If we need them, we'll put them.

20 CHAIRMAN JAUQUET: I don't know if we need
21 them.

22 MS. WINGATE: (Nodded yes.)

23 CHAIRMAN JAUQUET: We need them. They're
24 saying we need them.

25 MR. SPURGE: It's not an issue.

1 CHAIRMAN JAUQUET: All right. So can you just
2 submit to the --

3 MR. BURNS: The issue for us is, yes, there's
4 no issue to put them in, but we need it on the site
5 plans.

6 MR. SPURGE: Okay. This is new information to
7 me. I'll be happy to comply.

8 MR. MC MAHON: Okay.

9 MR. SPURGE: As long as you tell me what it is.

10 MR. MC MAHON: If we give you those, the items
11 that we need addressed, would you consent to
12 extending the 62 days until we can have our
13 regular -- our Planning meeting at the end of the
14 month and our --

15 MR. SPURGE: No.

16 MR. MC MAHON: No, okay. Then we would deny it
17 based on lack of a complete plan and you could
18 resubmit. Would you rather do that? I'm trying to
19 work with you, but there's -- you said you want
20 action within 62 days. You have an incomplete plan,
21 so we're going to deny the plan. We can work with
22 you.

23 MR. SPURGE: I have an incomplete plan. I have
24 an incomplete plan based on a Consultant that was
25 just hired.

1 MR. MC MAHON: And the Village Code

2 MR. SPURGE: No, not the Village Code, your
3 commentary. Fine, I'll extend it to the 62 days, and
4 I will get you the plan for the -- I'll get you the
5 revised plan for the 26th meeting. But what you're
6 telling me is conditionally approving it based on me
7 making the changes to the plan, nothing else?

8 MS. WARD: I don't want it conditionally
9 approved tonight until other people are heard.

10 CHAIRMAN JAUQUET: No, we're not going to --
11 we're not going to conditionally approve it tonight,
12 but we are --

13 MR. WARD: That seems to be what Mr. Spurge is
14 saying.

15 MR. SPURGE: Well, that's what he proposed, so.

16 CHAIRMAN JAUQUET: Well, we have it -- we
17 have -- the 26th is the deadline day, and if those
18 things are on the plan, when we see them, we can
19 approve them.

20 MR. SPURGE: Okay. So --

21 CHAIRMAN JAUQUET: Now, the next thing I want
22 -- I think there's other people in the room that want
23 to speak about this.

24 MR. SPURGE: That's fine.

25 CHAIRMAN JAUQUET: And then --

1 MR. SPURGE: Do you have anymore questions for
2 me?

3 CHAIRMAN JAUQUET: No.

4 MR. DOWLING: Not at the moment.

5 MR. MC MAHON: Not at the moment. We'll get
6 the --

7 MS. WINGATE: Can I just read the list one more
8 time?

9 MR. DOWLING: Yes.

10 CHAIRMAN JAUQUET: Wait.

11 MR. MC MAHON: The list of things that we need
12 addressed?

13 MS. WINGATE: Yes, just so that we don't miss
14 anything.

15 CHAIRMAN JAUQUET: Okay.

16 MS. WINGATE: One laundry, two parking spaces,
17 screen the balcony, single heating system, water and
18 sewage location, site drainage on the revised plan.
19 Did I miss anything?

20 MR. DOWLING: Curb cut.

21 MS. WINGATE: The curb cut exists.

22 MR. DOWLING: Is it on their plan?

23 MS. WINGATE: No, but it exists in reality.

24 MR. DOWLING: Okay.

25 MS. WINGATE: So it's -- yeah.

1 CHAIRMAN JAUQUET: And one of the -- one of the
2 downstairs bedrooms gets labeled "living room".

3 MS. WINGATE: Right, got that. Okay.

4 CHAIRMAN JAUQUET: Okay?

5 MR. SPURGE: Yes. Thank you.

6 CHAIRMAN JAUQUET: Okay, thanks.

7 MS. ALLEN: I just have a comment about sitting
8 here listening back and forth, back and forth about
9 having two heating systems. A lot of families do
10 have that, single-family homes, especially this time
11 of year, they're able to turn their top off, okay?

12 CHAIRMAN JAUQUET: What's the top?

13 MS. ALLEN: The top floor.

14 CAPTAIN LEHMAN: That's two zones.

15 MS. ALLEN: Is it two zones?

16 CAPTAIN LEHMANN: There's two zones. If no
17 one's living upstairs. Why heat it?

18 MS. ALLEN: Right.

19 CAPTAIN LEHMANN: Exactly.

20 MS. ALLEN: Oh, okay. Because it's like -- it
21 doesn't make sense, all this, you know, back and
22 forth about, you know --

23 CHAIRMAN JAUQUET: Well, the reason --

24 MS. ALLEN: And sometimes -- but it's also the
25 fact that if it's going to be more efficient for one

1 home. I mean, I'm living in an apartment complex
2 right now, I have no backyard. I have parking,
3 that's it. You know, I was sick the other day and
4 the children that live in that apartment, they're
5 flying back and forth, banging into my windows,
6 because there's no -- you know, that's the other
7 issue, there's no play area where I am. There are
8 parking spots, and that's it, so.

9 AUDIENCE MEMBER: And that's what we don't
10 want.

11 CHAIRMAN JAUQUET: Anybody else?

12 CAPTAIN LEHMANN: Is anyone -- I mean, any
13 members of the Board --

14 MS. BRAATEN: I'm sorry. Sir, your name,
15 please.

16 CAPTAIN LEHMANN: My name would be Captain
17 Robert H. Lehmann, L-E-H-M-A-N-N, 535 Third Street,
18 within running distance of the firehouse; done that
19 many times.

20 Does anybody know the two gentlemen in back of
21 you, deceased, of course? Not one Board Member knows
22 who those two men are?

23 CHAIRMAN JAUQUET: Well, which ones are you
24 pointing to?

25 CAPTAIN LEHMANN: Both of them. They both died

1 at the same moment. What the hell is going on here?

2 I love this Village. I found this village in
3 1964. My heart is in this Village. My heart is with
4 that pumper right here and all five of them. I do
5 not want to see another two pictures up there. And
6 you're squabbling over a two-family home that's a
7 one-family home? I do not want another two pictures
8 up there, because when I go to a structure, like I
9 did two weeks ago, when we're banged out on a 1335, a
10 working structure fire, and there's two children
11 involved, man, your heart pops out of your body. You
12 put your air pack on, you get your ass in that
13 pumper, you get there, you watch the glow in the sky,
14 and you pray to your God that there's no children in
15 that structure. Then you can finally go, "Oh, thank
16 God." I don't want two more pictures up there.

17 I'll show you residents in this Village with
18 16, 18, and 20 people living in it. How the hell am
19 I going to get in there with an air pack and look for
20 18 people when I have a problem looking for two?

21 Allow two-family housing. Do what you have to
22 let these kids who are trying to live, who are mowing
23 your lawns, okay, who are painting your houses, who
24 are putting on your roofs, who are trimming your
25 trees, trimming your hedges, to make a better life

1 for themselves, let them have some decent housing.
2 Don't put 18 and 20 in a house, because that's all
3 they can afford. That's affordable housing. That's
4 taking care of the Village of Greenport. That's not
5 East Hampton, it will never be East Hampton, because
6 my hands are black and I work, and I love this
7 Village.

8 My apologies for the outburst.

9 (Applause)

10 CHAIRMAN JAUQUET: Thank you.

11 MS. WARD: Good evening. My name is Jill Ward.
12 I live at 220 North Street, immediately adjacent to
13 the lot in question.

14 I had prepared remarks tonight and I am going
15 to run through them, even though you are stipulating,
16 seemingly, some changes to the plans. But I'm going
17 to give you my full-bore remarks anyhow.

18 Village Code 150-2 defines a one-family
19 dwelling as a detached dwelling building containing
20 one dwelling unit only. It defines a dwelling unit
21 as containing complete housekeeping facilities for
22 only one family. It specifically excludes boarding
23 houses or rooming houses from the definition of
24 dwelling unit, which brings us to this use
25 application tonight.

1 I contend that if this proposed structure is a
2 one-family dwelling unit, then pigs fly. I believe
3 Mr. Sommer and Mr. Spurge are being devious and
4 blatantly fraudulent regarding their intent behind
5 the application. This is a plan for a multi-family
6 use dwelling, a rooming house, so that the applicants
7 can maximize their income from the property by
8 cramming in as many people as possible at \$300 a
9 head, which is the going rate in the other rooming
10 houses in this village.

11 Let's look at the plans. The two laundry
12 mechanical rooms with the furnaces, the hot water
13 heater, the wash, the dryer, your remedying that,
14 you're limiting that to one. That was the number one
15 tip-off. I do question what type of furnace is going
16 to be there, whether it's electric heat or not, and
17 whether that will affect the power adjustment factor
18 that would increase everyone's utility bill
19 Village-wide. And I wondered how many electric
20 meters would be hanging on the side of the wall on
21 the outside. None of this is in the plans.

22 And then there's a the minuscule kitchen, with
23 virtually no counter space, save for the 30-inch
24 piece over the dishwasher. The kitchen is so small
25 that you cannot enter it when the refrigerator door

1 is open. I would hate to cook a meal or try to cook
2 a meal for this family, a family large enough to
3 require five bedrooms, maybe now reduced to four
4 bedrooms, and four bathrooms, as specified in the
5 plan. Yet, as a rooming house, it works fine. They
6 can do meals done as takeout.

7 Like the kitchen, the other bedrooms are also
8 cramped and atypical of a traditional one-family
9 house. In addition, there are other plans -- other
10 spaces on the plans that use poorly defined terms
11 that could easily be commandeered into additional
12 sleeping areas, such as those labeled "open loft
13 area" or "study area."

14 The basement, at almost 1200 square feet, is a
15 wide open space with no mechanicals, no furnace,
16 nothing. There's also no separate outside entrance
17 from the basement, like a Bilco. And I find that
18 really strange, that the only basement entrance is
19 from the inside of the house on the first floor.
20 It's definitely not made for easy storage for the
21 toys or tools of a family, but it certainly would
22 work for bedroom usage. And absent the Bilco, it
23 keeps the quarters downstairs warmer.

24 And why is there only one entrance on the first
25 floor just via the front door? There's no side door,

1 there's no rear door. Does that even meet fire code?

2 Sorry, I lost my place. What family wouldn't
3 want another door for easy access for kids to the
4 back or side yard, or for convenience? As it now
5 stands, a load of groceries in a car parked in the
6 rear parking lot has to be lugged all the way up to
7 the front porch, up the porch steps, and then into
8 the house to the kitchen. That's insane for a
9 family, but it's fine for a rooming house where
10 little cooking takes place.

11 As to the second floor balcony projecting off
12 the back of the house, which the Planning Board has
13 now stipulated must be screened at either end, and
14 that balcony measures 24 feet in length across the
15 total back of the house, I was told by Ms. Wingate,
16 our Building Inspector, that they could legally run
17 an accessory staircase up the side of the house to
18 that balcony. On that balcony spec'd out on the
19 plans are two doors, providing two separate entrances
20 into the second floor interior. So, if Ms. Wingate
21 is correct and they run an accessory staircase up,
22 which would be seven feet from the property line and
23 two feet from my house, it would, again, provide easy
24 access to sleeping quarters. And I can imagine
25 multiple roomers running up and down those stairs at

1 all hours of the night. I feel it's imperative that
2 the Board stipulate that no accessory staircase can
3 ever be built for that balcony.

4 And I don't get the three parking spots either.
5 I concur, one-and-a-half parking spots is the norm
6 for a family. I can live with two. It would give
7 kids in this family a little more grass to play. But
8 even with those two spots or three, I feel it will be
9 insufficient, because I fear this will be a rooming
10 house. And other rooming houses on this very street,
11 on North Street, as well as elsewhere in the Village,
12 have five or six or more cars associated with them.

13 And speaking of children, and this is really
14 important, and this requires another change on the
15 plans, I'm very alarmed that the staircase down from
16 the front porch to the ground level substantially
17 protrudes into the driveway, creating a danger for
18 anyone attempting to use those stairs. It would be
19 possible to -- would be impossible to see a car
20 coming up the drive from the backyard toward the
21 street, because the house would block one's view on
22 that left side. That staircase's orientation must be
23 changed. A child chasing another child down that
24 staircase in play into that driveway at the wrong
25 moment, and you will have a tragedy on your hands.

1 This dwelling, I feel, is no more a one-family
2 dwelling than a bus is a car. Village Code does not
3 define the term "rooming house". Therefore, New York
4 State Code would then apply, and that says a rooming
5 house or a furnished rooming house is a multiple
6 dwelling, and dwellings designed as private
7 dwellings, but occupied by one or two families with
8 five or more transient boarders, roomers or lodgers in
9 one household. That is a multiple dwelling. And
10 that, I say, is the intent behind this application,
11 multiple roomers or lodgers in a multiple dwelling.

12 I'm experiencing a bit of deja vu tonight. In
13 February of 2014, before the Zoning Board, these same
14 applicants applied for a variance to build the
15 two-family house on the substandard lot, as Mr.
16 Spurge noted earlier. They were turned down, because
17 only one family can -- only a one-family house can be
18 built on an existing small lot, as mandated by
19 Village Code Section 150-13. As well, in 2014, their
20 variance application was deficient regarding
21 setbacks.

22 So, presently, reusing those same rejected
23 plans from 2014, the applicants have relabeled what
24 was then a second floor kitchen, now calling it a
25 fifth bedroom, and made a few other slight-of-hand

1 label changes on a two other rooms, as noted before,
2 and voila, the old plans have morphed into a
3 single-family. But the size and layout all have
4 remained the same, and I feel point to applicants'
5 continuing intention from the get-go to run this
6 house as a multi-dwelling rooming house for maximum
7 income.

8 Mr. Sommer finally admitted, after rigorous
9 questioning by this Board in January, after initially
10 claiming he would be living in it, that this
11 structure would not be owner-occupied, that it would
12 become a rental. What family would want to rent such
13 a strange anti-family dwelling? And I want to
14 emphasize that Village Code and the rental
15 regulations give one definition of a family as no
16 more than five unrelated people. So, if he goes that
17 route, each of the five roomers could have a bedroom,
18 but they couldn't have a spouse or partner living
19 with them, because then they would be over the head
20 count of five unrelated people. And if this plan is
21 approved as submitted, I can guarantee, neighbors
22 will be watching and counting.

23 And I don't want this Board to interpret my
24 remarks tonight as a diatribe against renters,
25 undocumented or otherwise. Don't get me wrong. Nor

1 do I mean to be patronizing here. We have a lovely
2 family renting a single-family house just down the
3 street, a Hispanic family, a husband, wife, two great
4 kids, who care about their neighborhood and are
5 always working hard to keep their property beautiful,
6 full of flowers in season, and sidewalks free of snow
7 in the winter, and they're a real asset to the block.
8 But there are other problems on the street and they
9 are never addressed.

10 I know the Board has a full agenda tonight, and
11 the 60-day rule is running, so I feel this is our
12 only chance to be heard. And this issue affects the
13 whole Village, which has become overrun with illegal
14 substandard, dangerous, overcrowded, over-parked, and
15 often noisy rooming houses.

16 Village Code 150-1 mandates, in the interest of
17 the protection and promotion of the public health,
18 safety and welfare, the facilitation of efficient and
19 adequate provision of public facilities and services,
20 yet the central sewage pumping station on the
21 southwest corner of North and Third is old and
22 outdated, often emitting a malodorous stench. How
23 will an untold number of people in this proposed
24 dwelling, using four bathrooms and two laundry rooms,
25 affect that situation? The Village tries now to mask

1 the odor by covering it up with some chemical that
2 smells like cherry cough syrup, a stench that's as
3 bad as the original methane smell.

4 The code also mandates the provision of privacy
5 for families, yet the proposed balcony off the second
6 floor rear overlooks those three adjacent yards, as
7 Chairman Jauquet pointed out, and would preclude any
8 privacy in those yards. And, if it is true, as
9 Ms. Wingate said, an accessory staircase could be run
10 up nine feet from our house, that will preclude any
11 semblance of peace and quiet at all. And I would
12 really like to have an answer to that. Is it
13 allowed?

14 MS. WINGATE: If setbacks allow it, it could be
15 allowed.

16 MS. WARD: Well, there's 10 feet on that side.

17 MS. WINGATE: There would -- it would not work
18 within ten feet.

19 MS. WARD: But you told me last week it would
20 be legal.

21 MS. WINGATE: It could come out the back. I
22 don't offhand know what that rear setback is. If
23 setbacks --

24 MS. WARD: It's 38.75 feet.

25 MS. WINGATE: Then he's got eight feet to do

1 it. If setbacks allow, there could be a stair on the
2 side.

3 MS. WARD: I would like the Board to stipulate
4 that no accessory staircase be permitted on that
5 balcony at all at any time, because it will only help
6 to turn this into a rooming house.

7 The code also mandates the prevention and
8 reduction of traffic congestion, so as to promote
9 efficient and safe circulation of vehicles and
10 pedestrians, yet several houses on the street are
11 already rooming houses, with many cars and trucks
12 parking on, clogging, and transiting the street.
13 This problem will only be exacerbated by another
14 rooming house.

15 And to what Captain Robert Lehmann was speaking
16 to earlier, emergency vehicles and personnel will
17 have difficulty responding to an incident because of
18 the congestion already present, and the congestion
19 that will be exacerbated if a rooming house is
20 allowed to be built on this property.

21 The code also mandates the maximum protection
22 of residential areas. Well, this certainly calls
23 into question property values, which deteriorate as
24 the block's housing and reputation deteriorate. And
25 what about our right to peaceful enjoyment of our

1 home without overcrowding or noise?

2 And the code finally mandates the gradual
3 elimination of nonconforming uses, yet another
4 rooming house would only add to the roster of
5 nonconforming uses extant on the block today, and
6 further promote the degradation and deterioration of
7 a street that is already under siege.

8 Further, as outlined above, I believe this
9 structure will also violate the Village Rental Law,
10 as adopted in 2013. And I'm not going to read that
11 part, because it basically repeats the code
12 provisions that I just outline. It does speak to
13 overcrowding, dangerous, which pose hazards to life,
14 limb and property, and that tend to promote and
15 encourage deterioration of the housing stock, create
16 blight, excessive traffic, and parking problems, and
17 overburden municipal services.

18 I and other citizens implored Mr. Spurge and
19 Mr. Sommer last year to build a one-family house, a
20 true one-family house, not the bastardized fiasco
21 that he has presented here tonight. We implored him
22 to build a house in harmony with the neighborhood, a
23 neighborhood which now consists of houses ranging in
24 size from 800 square feet on the immediate east to
25 1500 square feet, with a few 1,000-square-foot houses

1 thrown in as well. But tonight, the applicants, I
2 feel, show their contempt for all of us, thumbing
3 their nose at the neighborhood, attempting an end run
4 around the Zoning Board, insulting the intelligence
5 of this Planning Board and the Village at large in
6 presenting this devious sham called a single-family
7 dwelling. The Planning Board should not be
8 hoodwinked by their tricks.

9 This will become another rooming house if you
10 approve this application. And if you do so, with the
11 hope that after a few months, once violations have
12 become evident to all, and you hope to then go back,
13 revisit and demand changes to a more conforming use,
14 I say good luck.

15 Previous Planning Board Chair Pat Mundus said
16 last October, "We're constantly struggling with the
17 enforcement issue of doing what we all think is going
18 to happen at the Planning Board, and then it gets
19 used in a different way after we grant approval."
20 There you go. So why attempt to close the barn door
21 after the horse has bolted?

22 Now, tonight, or next week is the moment to act
23 for the people of Greenport, for the integrity of our
24 Village and its governance. Deny this application as
25 it now stands and let him go back to the drawing

1 board. I thank you for your time, your attention,
2 and your consideration.

3 (Applause)

4 MR. SPURGE: Could I respond to some of that?
5 Is that within my purview? All of this is based on a
6 presumption that it will be a rooming house. I
7 propose that the only condition that the Planning
8 Board put on it is to say that it will not be a
9 rooming house, and then all of this goes away. It
10 would seem to me we're innocent until proven guilty,
11 but I'm being vilified as being some slumlord, some
12 purveyor of, you know, junk where people will live
13 and that's not the case. So I take personal offense
14 to many of her comments. I'll lodge that now.
15 That's not --

16 MS. WARD: Well, then I have to say --

17 MR. SPURGE: I'm speaking. Excuse me, I'm
18 speaking.

19 MS. WARD: You're excused.

20 MR. SPURGE: I'm speaking. Thank you. Again,
21 all of this is based on presumption of what will be.
22 If there are other boarding houses on the street, I
23 assume that Ms. Ward has made the -- made the
24 inquiries and pressed the fact to be enforced. So,
25 you know, again, presumption of guiltiness is the

1 basis of this entire thing, and I find that a little
2 off-putting.

3 MS. WARD: Are you done?

4 MR. SPURGE: No. You, on the one hand, are
5 doing the same thing where you're saying, "Well,
6 there's too many parking spaces," but then there's
7 going to be cars on the street, again, with the
8 presumption that it's going to be a boarding house.
9 So which of the two do you want? Do you want less
10 parking spaces on the house, or more cars on the
11 street? It seems to be at odds. There's a conflict
12 there. I don't understand what is desired here.

13 And, again, all of this is presuming that this
14 house will be a boarding house, and I can say
15 unequivocally will not be a boarding house. And that
16 really is the only condition that should be put on
17 this property, because it meets the code in every
18 other way. I'm happy to sign any document you want
19 saying that it will not be a boarding house, and then
20 I will not have to be vilified as being a slumlord.
21 Thank you.

22 MS. WARD: I'd like to speak to that. Jill
23 Ward again.

24 Mr. Spurge, the reason that people are
25 presuming that this is going to be a rooming house

1 and you might be a slumlord is because of the plans
2 you filed. It's nothing like a normal single-family
3 house. No one in their right mind would want to live
4 in that house just looking at it.

5 MR. SPURGE: I beg to differ. I have many
6 families who are looking forward to living in that
7 house.

8 MS. WARD: Well, I wish you luck in renting to
9 them.

10 CHAIRMAN JAUQUET: Okay. We're going to move
11 on now.

12 MR. MC MAHON: I move that we table this
13 discussion. We provide the --

14 CHAIRMAN JAUQUET: Right. We're going to table
15 this until the 26th.

16 MR. MC MAHON: We have another --

17 AUDIENCE MEMBER: But we have another speaker
18 who would like to speak on it.

19 MR. SPURGE: I'll be leaving.

20 CHAIRMAN JAUQUET: Okay.

21 MR. SPURGE: Thank you.

22 CHAIRMAN JAUQUET: Thank you.

23 MR. DOWLING: Can we just -- we have a lot of
24 other things on the agenda.

25 MS. DICKEY: You do, I know.

1 MR. DOWLING: Thanks.

2 MS. DICKEY: Well, I have here -- I was going
3 to say a few things, but it just -- my name is Julie
4 Dickey and I live at 220 North Street, same property
5 adjacent to the property being discussed. Anyway, my
6 comments were just going to echo what Jill has said.

7 MS. WARD: Use the mic, please.

8 MS. DICKEY: I agree with everything that she
9 said, and I just want to voice my strong objection to
10 this plan as it stands, and all that. But I have
11 three submissions from people who could not be here
12 tonight that asked me to read in their objections,
13 their letters.

14 CHAIRMAN JAUQUET: Okay.

15 MS. DICKEY: May I do that?

16 CHAIRMAN JAUQUET: Sure.

17 MS. DICKEY: This is from Florence Patsy Roth
18 at 512 Second Street, Greenport. Re: Use Application
19 for Section 2, Block 6, Lot 8 at 216 North Street.

20 "Planning Board, I reside at 512 Second Street,
21 around the corner from the proposed building at 216
22 North Street in the Village of Greenport. I am
23 writing to express my objection to the proposed
24 construction at 216 North Street. It is beyond my
25 comprehension that the building, as planned, could be

1 intended for single-family use. It seems evident
2 from various attributes, furnace systems on both
3 floors, two doors on rear second floor deck, but no
4 door on the first floor rear, backyard reserved for
5 parking, and its inflated size, disproportionate to
6 every single family home and its surroundings, this
7 dwelling is intended for multi-family use.

8 To submit this application under the guise of a
9 single-family home is disingenuous and extremely
10 worrisome for those of us who will live with the
11 consequences of this construction. We would welcome
12 the construction of a legitimate single-family
13 dwelling, fitting in size to the surrounding homes,
14 but ask that you reject this particular application
15 for an overly large structure conducive to multiple
16 dwellings. Thank you. Florence Patsy Roth."

17 And then this is from Vicki Semler at 516
18 Madison Avenue, Greenport. She says, "I would like
19 to voice my concern about the single-family home
20 proposed for 216 North Street. Although labeled a
21 single-family home, the plans suggest that it is in
22 reality an SRO, that is a single-room occupancy
23 rental home. This often results in a backyard full
24 of cars and trucks, overcrowding, excessive noise,
25 and radically altered character to the neighborhood.

1 We have experienced these very same conditions on our
2 block. Too many times, these non-owner-occupied
3 homes become rooming houses. I fear that will be the
4 case here, with little attention paid to property
5 appearance and maintenance.

6 I hope the Board rejects this application.
7 Thank you."

8 And then the last one is from Ann Heller, who
9 lives at 543 Third Street in Greenport. And she
10 says, "I support the opposition to building a
11 structure as planned on a lot at 216 North Street for
12 the following reasons:

13 One, this structure would overpower the
14 adjoining properties and would be an eyesore on the
15 block.

16 Two, as described, the plan of the house
17 appears to be housing boarders and not one or even
18 two families. This area cannot bear a higher
19 population density because of the car parking
20 problem, increased traffic, and draining on services.

21 Three, having more than five unrelated people
22 is against the Village Code and leads to unsafe
23 blighted conditions.

24 And number four, we should discourage absentee
25 landlords from purchasing properties to exploit them

1 for maximum income. Overcrowding leads to
2 deterioration of the premises. Absentee landlords
3 notoriously do not maintain the properties and they
4 become a hazard and blight on the community. I have
5 seen this in sections of New York City, and the same
6 will happen here." That's it.

7 CHAIRMAN JAUQUET: Thank you.

8 MS. ALLEN: I just have one quick thing to say.
9 There are a lot of families that live here that have
10 four children that would love to rent a home like
11 that.

12 MS. WARD: You haven't seen the plans.

13 MS. EDWARDS: My name is Carol Edwards. I live
14 at 208 North Street, and I'm here just to object to
15 the deceit of the plan that appears to be a
16 one-family house. What one family has two washers,
17 two dryers, two furnaces, two hot water heaters? And
18 they're not even in the basement. And who has four
19 bathrooms? Very few houses. So you all have
20 addressed a lot of our concerns and I do appreciate
it.

21 CHAIRMAN JAUQUET: Thank you.

22 MS. DECKER: Lynn Decker, 547 Third Street.
23 Lynn Decker. I had a bunch of stuff to read, but I'm
24 not going to because it's already been covered. I
25 know a lot of this is based on presumption. But if

1 it looks like a duck, it sounds like a duck, and
2 walks like a duck, it's usually a duck.

3 And even if you didn't know it's a
4 multi-dwelling with many boarders, the idea is it
5 clearly could be a two-family house. You know,
6 because he's changed the plans a little bit to say
7 it's a one-family house, just like that, he'll change
8 it to a two-family house. And once violations are
9 made in this Village, with all due respect, they do
10 not get corrected. The biggest thing that happens is
11 a developer gets a slap on the wrist and a fine, and
12 that's built into his cost of business.

13 So I think you need to really look at the plan
14 before it gets -- gets done, because it's not going
15 to get undone. That's it. Thank you.

16 CHAIRMAN JAUQUET: Thank you.

17 MS. FATES: I'm Decia Fates, 526 Second Street.

18 CHAIRMAN JAUQUET: Second or Seventh?

19 MS. FATES: Second, around the corner from this
20 application.

21 It's a shame that Mr. Spurge is not still here,
22 because he was speaking about what will be. This is
23 not going to be, you know, it's not what it's going
24 to be. He can't control that beyond his ownership.
25 He can't control what the tenants inside the house do.

1 There have been instances, possibly not in
2 Southold Town, but I, as I work at the newspaper and
3 I read a lot about what goes on in Riverhead, and one
4 of the only differences between the previous
5 application for a two-family and the current
6 application is the removal of a doorway in the foyer
7 on the first floor, which could easily be replaced in
8 less than a day by just about anybody, which would
9 then create the opportunity for that two-family house
10 to exist, or for a boarding house to exist, anything
11 like that. And unless it's inspected on a regular
12 basis, it possibly could never be discovered. And it
13 wouldn't necessarily be on Mr. Spurge's watch or at
14 his doing, but it can happen. And I believe that
15 this is a suspicious application that should be
16 looked at with significant scepticism.

17 With regard to the balcony, another way to
18 prevent that from becoming, you know, sort of a motel
19 suite access kind of thing is to simply remove the
20 balcony completely. Then you could remove the piers
21 below and you could have even more grassy area for
22 children to play in a legitimate single family.

23 I also noticed, and I'm not adept at reading
24 architectural plans, but none of the four bathrooms
25 appears to have a wash basin. So I don't know

1 whether we're supposed to -- you're supposed to wash
2 your hands and brush your teeth in the tub, but there
3 is no sink in any of the plans that I saw.

4 MR. DOWLING: There's no sink.

5 MS. FATES: There is no sink in any of the four
6 bathrooms. And the kitchen is woefully small. I
7 have a 10-by-13 kitchen in my house and I can't
8 operate with more than two people in there.

9 And, finally, given that the Planning Board is
10 charged with evaluating the effect on the
11 neighborhood, I will tell you that I think this thing
12 is going to look like a monolith on the block, which
13 is several bungalow style houses that are quite a lot
14 smaller, even than a regular farmhouse.

15 And I would also like to speak to the setback
16 issue, which may not be yours, but I can speak to it
17 personally, because I live in a house that's been
18 there for over 100 years that's only 11 feet from the
19 neighbor. I hear every argument, every TV show,
20 every phone call, and every toilet flush. And if I
21 had it to do over again, I wouldn't have bought that
22 house. But I was young, and there it was, and it was
23 -- it was fine when the elderly couple who were
24 living there originally were there, but then they
25 died and it was turned into a two-family rental. And

1 it's been, you know, inconvenient, but it's where I
2 am, but I went in with my eyes open. These neighbors
3 are having this foisted on themselves.

4 The wall is monolithic. It's like looking out,
5 you know, at a brick wall in a walkup in Manhattan.
6 And I just think that is -- I don't wish that on the
7 neighbors.

8 So that is pretty much what I have to say.
9 Thank you.

10 CHAIRMAN JAUQUET: Thank you.

11 MS. MATTSON: Hello. My name is John Mattson.
12 I live at 512 Third Street with my wife, Norma. This
13 is directly on the north side of 216 North Street.

14 We object to the proposed development because
15 it's clearly an attempt to evade zoning rules by
16 building a rooming house disguised as a single-family
17 residence.

18 I also have a suggestion for Mr. Spurge and
19 Sommer, that they could put up a sizable bond that
20 would guarantee that no more than five people would
21 live in this residence. That's it.

22 CHAIRMAN JAUQUET: Thank you. Okay. Onward.
23 We're going to make a motion to table this until the
24 next meeting. Do I have a second?

25 MR. BURNS: Second.

1 CHAIRMAN JAUQUET: All in favor?

2 MR. BURNS: Aye.

3 MR. DOWLING: Aye.

4 MR. MC MAHON: Aye.

5 CHAIRMAN JAUQUET: Aye.

6 Item #2 is a continued discussion and possible
7 motion on an application for site plan approval,
8 pending further discussion and revised plans
9 regarding the construction of a 48-seat restaurant in
10 an existing store space at 120-122 Front Street;
11 Block 4 -- Section 4, Block 9, Lot 28.3.

12 Are you going to say something about that,
13 Dave? I think everything was satisfied on the plans,
14 right?

15 MR. KAPELL: I think we submitted what you
16 asked for at the last meeting

17 CHAIRMAN JAUQUET: Yeah. And I think the last
18 thing was the garbage.

19 MR. KAPELL: David Kapell, for the applicant.
20 Can I answer any questions?

21 CHAIRMAN JAUQUET: I don't think there are any.
22 I think we're concerned about the garbage, and the
23 fact that the two spaces were going to be constructed
24 and run as one operation.

25 MR. KAPELL: Yes, they are.

1 CHAIRMAN JAUQUET: And I think that's -- that
2 was already satisfied, so --

3 MR. DOWLING: Eileen, are you satisfied with
4 the application?

5 MS. WINGATE: Yes.

6 CHAIRMAN JAUQUET: Okay. So I'm going to make
7 a motion to --

8 MR. PROKOP: Could I make a suggestion?

9 MS. WINGATE: Glynis asked --

10 CHAIRMAN JAUQUET: Wait. Go ahead.

11 MS. WINGATE: Do you want to pore through your
12 comments?

13 MS. BERRY: Basically, my main issue was about
14 garbage. There's no indication how that --

15 MR. CORWIN: Could you speak up, please?

16 MS. BERRY: Sorry. Basically, garbage was an
17 issue. There's no indication of how it's being
18 handled, if it's being accommodated in a utility
19 room. The use is intense, so trash could be an
20 issue. And there's no indication of ventilation, and
21 it will have cooking.

22 And the other thing is the hours of operation
23 are 11 a.m. to 4 a.m., so deliveries could be an
24 issue on Route 25, as the facility only has access to
25 Front Street, and the late hours may create delivery

1 conflicts. So I think just some sort of an
2 explanation of how those two things are going to be
3 handled.

4 MR. KAPPELL: With respect to the garbage, the
5 one -- you see, there are two areas that show as
6 freezer storage. The intent is to refrigerate the
7 garbage and then remove it once on each day.

8 MS. BERRY: Where do you put it, though, for
9 pickup?

10 MR. KAPPELL: Directly -- it will be taken off
11 site and disposed of at the landfill, or directly to
12 the carter.

13 MS. BERRY: So, then --

14 MR. KAPPELL: There'll be no -- there'll be no
15 garbage stored outside the building.

16 MS. BERRY: Okay.

17 MR. KAPPELL: Okay? We'd be happy to have that
18 as a stipulation of the application.

19 (Cell Phone Sounded)

20 MR. KAPPELL: Is it a duck?

21 (Laughter)

22 MR. DOWLING: Sounds like a duck.

23 MR. KAPPELL: And in terms of delivery, I mean,
24 that's outside our control. You know, we front --
25 our only frontage is onto Front Street, and I'm sure

1 that, you know, they will coordinate our deliveries,
2 as other merchants do on the street, to ensure that
3 it works for us, and also works for the public.

4 CHAIRMAN JAUQUET: Which space in the plan is
5 for the garbage storage?

6 MR. KAPPELL: One of those two spaces.

7 CHAIRMAN JAUQUET: Where it says "storage work
8 room"?

9 MR. KAPPELL: No, "freezer storage".

10 CHAIRMAN JAUQUET: "Freezer storage". Okay.

11 MR. KAPPELL: Yeah.

12 CHAIRMAN JAUQUET: All right. Oh, in the
13 new -- in the bigger space.

14 MR. KAPPELL: In the restaurant, on the
15 restaurant side, that's right.

16 CHAIRMAN JAUQUET: All right. Just a second.
17 Are we going to do a motion to approve this --

18 MR. DOWLING: I think we can, right?

19 CHAIRMAN JAUQUET: -- at this point in the
20 meeting? We don't --

21 MR. BURNS: Sure.

22 CHAIRMAN JAUQUET: I have it for later. Let's
23 just do it now, because why have it for later,
24 because the last part of this meeting is supposed to
25 be a work session, because this is a dual session.

1 Okay. So let's do this as a condition that the
2 garbage storage is in the freezer area.

3 MR. DOWLING: Yup.

4 CHAIRMAN JAUQUET: Okay. So I'm going to make
5 a motion.

6 MR. PROKOP: Excuse me. Can I make a
7 recommendation, please?

8 CHAIRMAN JAUQUET: Sure.

9 MR. PROKOP: Could we just do a brief SEQRA
10 resolution? The resolution -- I would recommend that
11 we do a brief SEQRA resolution. The resolution is
12 that the Planning Board adopt Lead Agency status.

13 CHAIRMAN JAUQUET: Wait. Agency status?

14 MR. PROKOP: Lead Agency status for purposes of
15 SEQRA. That the Planning Board, as Lead Agency,
16 determines that the approval of the site plan, or the
17 conditional approval of the site -- excuse me, of the
18 use evaluation is an unlisted action for purposes of
19 SEQRA, and that the approval of the use evaluation
20 will not have a significant negative impact on one or
21 more aspects of the environment. That's your SEQRA
22 motion, if you agree with it.

23 CHAIRMAN JAUQUET: Okay. We'll adopt that,
24 and --

25 MR. PROKOP: We need -- just we need a motion

1 and vote.

2 CHAIRMAN JAUQUET: Well, okay. So I'm going
3 motion to accept that SEQRA. Do I have a second?

4 MR. BURNS: Second.

5 CHAIRMAN JAUQUET: All in favor?

6 MR. BURNS: Aye.

7 MR. DOWLING: Aye.

8 MR. MC MAHON: Aye.

9 CHAIRMAN JAUQUET: Aye.

10 And now I'm going to make a motion to approve
it.

11 MR. PROKOP: Yeah.

12 CHAIRMAN JAUQUET: Okay. So then this is -- I
13 make a motion to approve the site plan at -- for the
14 48-seat restaurant at 120-122 Main Street. Do I have
15 a second?

16 MR. DOWLING: Front Street.

17 CHAIRMAN JAUQUET: Front Street. Do I have a
18 second? Do I have a second?

19 MR. BURNS: Yes.

20 CHAIRMAN JAUQUET: All in favor?

21 MR. BURNS: Aye.

22 MR. DOWLING: Aye.

23 MR. MC MAHON: Aye.

24 CHAIRMAN JAUQUET: Aye.

25 So approved.

1 MR. KAPPELL: Thank you very much.

2 CHAIRMAN JAUQUET: Thanks, Dave.

3 Number 3 is continued discussion and possible
4 motion on a use evaluation for a retail store space
5 at 110 Front Street. The applicant, Rita Winkler,
6 intends to relocate her business, Vines & Branches,
7 to this location. Hi, Rita.

8 MS. WINKLER: Hi. Good evening. I'm Rita
9 Winkler. Questions?

10 MR. MC MAHON: I'll just read off the comments
11 from our Consultant.

12 Garbage handling: Garbage is not addressed in
13 this submission. And is it in that, or there are in
14 there somewhere?

15 MS. WINKLER: Well, I could tell you that my
16 current landlord, that landlord at 110 Front Street,
17 Gusmar Enterprises, had already had a pre-approved
18 space behind the building on Adams Street.

19 MR. MC MAHON: Okay.

20 MS. WINKLER: I am sharing a dumpster with
21 Dominican Sisters next door.

22 MR. MC MAHON: Okay.

23 MS. WINKLER: Which is a smaller dumpster, and
24 it's currently in the space that's been approved.

25 MR. MC MAHON: Okay.

1 CHAIRMAN JAUQUET: Okay.

2 MR. MC MAHON: We ask that you indicate that
3 somewhere on your application.

4 MS. WINKLER: Sure. At the time the
5 application went in, that hadn't been done yet, so I
6 wasn't able to.

7 MR. MC MAHON: Okay.

8 MS. WINKLER: But I could just --

9 MR. MC MAHON: Just make sure it's noted
10 somewhere on there so we could have it.

11 Then signage, permissible area of 12 foot by
12 one-and-a-half feet, 18 square feet.
13 Nine-square-foot side, a two face sign, proposed
14 bracket sign applies to the property.

15 MR. DOWLING: Where is your sign supposed to be
16 located you're going to have?

17 MS. WINKLER: The -- I had submitted a color
18 photo copy of the -- with the sign permit.
19 Basically, it's going to be the awning, which is in
20 front of the building right now, replacing the vinyl
21 lettering on the awning, basically. And in addition
22 to that, because the front doors and windows don't --
23 are small paned, there's no signage in the windows
24 really at all. Basically, it will just be the
25 perpendicular sign within the conforming two-by-two,

1 I believe it is.

2 MR. MC MAHON: Yeah.

3 MR. DOWLING: Overhanging sign?

4 MS. WINKLER: Yeah, perpendicular, like what
5 the Dominican Sisters has currently.

6 MR. DOWLING: Okay.

7 MR. MC MAHON: And where will that be hanging?

8 MS. WINKLER: To the left of the doorway.

9 There's a sconce currently, a light sconce on the
10 outside of the building, and it will be next to that,
11 adhered to the wood frame of the building.

12 CHAIRMAN JAUQUET: So, you've addressed both
13 those issues.

14 MR. DOWLING: But your application already went
15 to HPC for your signage?

16 MS. WINGATE: No.

17 MR. DOWLING: No? Okay. So you have to go to
18 HPC for your signage for that, right? No, not for
19 that location?

20 MS. WINGATE: Yeah, it's not in the Historic
21 District.

22 MR. DOWLING: Not historic, okay.

23 MR. PROKOP: It's a permitted use, it's not a
24 conditional use?

25 MS. WINGATE: It's a permitted use.

1 CHAIRMAN JAUQUET: This is a permitted use,
2 everything?

3 MR. DOWLING: Yeah.

4 CHAIRMAN JAUQUET: So you're going to do the
5 olive oil operation that was over at --

6 MS. WINKLER: Same store, correct.

7 CHAIRMAN JAUQUET: With all the stainless steel
8 containers?

9 MS. WINKLER: Lots of new things, yeah.

10 CHAIRMAN JAUQUET: Yeah. Was that cheese and
11 sandwich operation yours, too, in the old -- in the
12 other building?

13 MS. WINKLER: Yeah, originally, it was.

14 CHAIRMAN JAUQUET: Is that going to happen
15 there, too?

16 MS. WINKLER: No.

17 CHAIRMAN JAUQUET: It's just going to be the --

18 MS. WINKLER: Just going to be the tasting room
19 and specialty food shop.

20 CHAIRMAN JAUQUET: All right. So, can we --
21 Joe, we can do a motion to approve this?

22 MR. PROKOP: Yes. I just recommend that we do
23 the SEQRA motion again quick, if you don't mind.

24 CHAIRMAN JAUQUET: Okay. Go ahead.

25 MR. PROKOP: So the motion is to -- for the

1 Planning Board to adopt Lead Agency status. The
2 Planning Board will be determining that the approval
3 of the use evaluation will not -- excuse me, will be
4 an unlisted action for purposes of SEQRA, and that
5 the approval of the use evaluation will not have a
6 significant negative impact on one or more aspects of
7 the environment.

8 MR. MC MAHON: Motion.

9 CHAIRMAN JAUQUET: I second that. All in
10 favor?

11 MR. BURNS: Aye.

12 MR. DOWLING: Aye.

13 MR. MC MAHON: Aye.

14 CHAIRMAN JAUQUET: Aye.

15 Approved. And I'm going to motion that we
16 approve -- approve the site plan for this, for
17 Vines & Branches, located at 110 Front Street, with
18 the appropriate signage that was mentioned, and the
19 noted garbage handling arrangement. Do I have a
20 second?

21 MR. DOWLING: Second.

22 CHAIRMAN JAUQUET: All in favor?

23 MR. BURNS: Aye.

24 MR. DOWLING: Aye.

25 MR. MC MAHON: Aye.

1 CHAIRMAN JAUQUET: Aye.

2 MS. WINKLER: Thank you.

3 CHAIRMAN JAUQUET: Thank you. Number 4 is
4 continued discussion and possible motion to approve
5 the site plan for 119 Main Street. The property
6 owner/applicant, Marc LaMaina -- how do you pronounce
7 your last name?

8 MR. LAMAINA: LaMaina.

9 CHAIRMAN JAUQUET: LaMaina.

10 MR. LAMAINA: You're almost there.

11 CHAIRMAN JAUQUET: This is the third time, so.
12 Proposes to expand Lucharito's, the existing
13 restaurant, into the adjacent store space in the same
14 building, adding 52 seats, among other improvements,
15 at Section 5, Block 4, Lot 34. So --

16 MR. DOWLING: I don't think we have anything
17 else.

18 CHAIRMAN JAUQUET: The only thing -- you know,
19 just --

20 MR. DOWLING: The community doesn't seem to
21 want you here, but, you know.

22 CHAIRMAN JAUQUET: Yeah, it sounds like you're
23 priced too high.

24 MR. LAMAINA: I owe a lot of people a free
25 Margarita, I think.

1 (Laughter)

2 CHAIRMAN JAUQUET: These -- are these two
3 dumpster drawings, are they still on your plan?
4 Because I'd like it see those removed.

5 MR. LAMAINA: It's not on my plan.

6 MR. DOWLING: That's just something you just
7 hang up on the wall?

8 MR. LAMAINA: Yeah, that's -- that was an older
9 plan. That's just for the actual engineer report
10 inside.

11 CHAIRMAN JAUQUET: Okay. No. The only thing
12 I'm concerned about is the garbage handling. I don't
13 think, you know, with all of that activity, I don't
14 think it's practical to run across the street to the
15 back of --

16 MR. LAMAINA: We don't want to.

17 CHAIRMAN JAUQUET: I didn't think so.

18 MR. LAMAINA: No.

19 CHAIRMAN JAUQUET: So we were thinking, make a
20 space within -- near that door to the alley, make a
21 three -- four-by-three, or something, so that you can
22 stack dry stuff in there, like cardboard. And the
23 other idea, in addition to that, was to add a small
24 compactor.

25 MR. LAMAINA: Yeah. I actually included that

1 in the resubmission.

2 CHAIRMAN JAUQUET: Is that in there?

3 MR. LAMAINA: Yup.

4 CHAIRMAN JAUQUET: Well, if you do those two
5 things, I don't have a problem.

6 MR. LAMAINA: Yeah. It's actually on the new
7 drawing.

8 CHAIRMAN JAUQUET: It is?

9 MR. DOWLING: Yeah.

10 CHAIRMAN JAUQUET: Do you have that? You know,
11 I probably have it right here.

12 MR. LAMAINA: It's in the new corridor.

13 CHAIRMAN JAUQUET: I have it, I must have it.

14 MR. LAMAINA: We're actually excited to compact
15 our garbage.

16 MR. MC MAHON: Yeah, it's on there.

17 (Laughter)

18 MR. LAMAINA: No, we are.

19 CHAIRMAN JAUQUET: That's great.

20 MR. LAMAINA: Thank you.

21 MR. DOWLING: It's right there.

22 CHAIRMAN JAUQUET: Where?

23 MR. DOWLING: So there it is.

24 CHAIRMAN JAUQUET: Oh, okay.

25 MR. DOWLING: By the door.

1 CHAIRMAN JAUQUET: So the storage next to the
2 fridge is where the dry cardboard and --

3 MR. LAMAINA: It could be.

4 CHAIRMAN JAUQUET: Okay.

5 MR. DOWLING: He also has his holder in there,
6 too.

7 CHAIRMAN JAUQUET: Okay. All right. Oh, I see
8 that, that's off, yeah.

9 MR. DOWLING: Yup.

10 CHAIRMAN JAUQUET: All right.

11 MR. DOWLING: I think everything -- it looks
12 like everything we asked for is --

13 CHAIRMAN JAUQUET: So do you want to do that
14 SEQRA thing still?

15 MR. PROKOP: Yes, one second. We have the
16 Planner's --

17 MR. MC MAHON: There were the Planner's notes.

18 CHAIRMAN JAUQUET: Oh, sorry. Yeah, I'm sorry.
19 I'm sorry.

20 MS. BERRY: Basically, the garbage has been
21 issued relative -- and you did get permission, she
22 was here, verbally.

23 MR. LAMAINA: Yeah. I'm guessing that I'll get
24 a letter from Claudio's stating when our relationship
25 will cease, probably shortly after this meeting.

1 CHAIRMAN JAUQUET: Oh, your current garbage
2 will cease?

3 MR. LAMAINA: Yes.

4 CHAIRMAN JAUQUET: In favor of the -- yeah.

5 MR. LAMAINA: In favor of the new location.

6 MR. MC MAHON: Okay. I would ask that if
7 you -- so we don't have to hold it up tonight, so if
8 you could submit where exactly it's going to be
9 stored on their property, so that we have that as
10 part of the plan.

11 CHAIRMAN JAUQUET: Well, it's part of a -- that
12 would be an interim plan between now and when the new
13 store is finished. The only thing I don't want is --

14 MR. MC MAHON: Well, the dumpsters are going to
15 be located across the street, correct?

16 MR. LAMAINA: If we must, yeah.

17 CHAIRMAN JAUQUET: It's just that I don't want
18 any of the new plan to be involved with the Claudio's
19 after the new plan is finished being built out. So,
20 if there's an interim --

21 MR. LAMAINA: Then, yeah, I'll get you those --
22 I'll get you those --

23 CHAIRMAN JAUQUET: Do we have to be concerned
24 with your relationship with the current dumpster
25 situation?

1 MR. LAMAINA: No.

2 CHAIRMAN JAUQUET: In the interim?

3 MR. DOWLING: No, because it seems like he's
4 already got a spot to put his dumpster, so.

5 CHAIRMAN JAUQUET: Okay.

6 MR. LAMAINA: We could move them tomorrow.

7 CHAIRMAN JAUQUET: Yeah, okay.

8 MR. DOWLING: I think he's all good there.

9 MR. MC MAHON: The garbage is addressed. The
10 building access, new service doors, proposed
11 accessing alley. Following information is needed:
12 Ownership of the alley and right-of-way sign of the
13 building. There is a doorway there now, and it's
14 going right next to that; is that correct?

15 MR. LAMAINA: Correct.

16 MR. MC MAHON: If there's already a
17 right-of-way, that would be fine with that.

18 MS. BERRY: Yeah.

19 MR. MC MAHON: Lighting, none is proposed at
20 this time. Is there any outdoor lighting, no
21 blinking lights?

22 MR. LAMAINA: Nothing.

23 MR. DOWLING: Come on.

24 CHAIRMAN JAUQUET: But there is lighting.
25 There is lighting.

1 MR. LAMAINA: Inside.

2 CHAIRMAN JAUQUET: You don't have any --

3 MR. DOWLING: They don't have exterior
4 lighting, no.

5 CHAIRMAN JAUQUET: You don't have any exterior?

6 MR. LAMAINA: No additional.

7 CHAIRMAN JAUQUET: So it's just street
8 lighting?

9 MR. LAMAINA: (Nodded yes.)

10 CHAIRMAN JAUQUET: Okay.

11 MR. MC MAHON: Signage, that is going to be --
12 HPC has jurisdiction over the signage, so I say we
13 just move past that.

14 CHAIRMAN JAUQUET: HB?

15 MR. DOWLING: HPC.

16 CHAIRMAN JAUQUET: Oh, the --

17 MR. MC MAHON: HPC, Historic Preservation
18 Commission.

19 MR. DOWLING: And he's under the two square
20 foot as well, so.

21 MR. MC MAHON: Handicapped accessibility due to
22 the historic nature of the building. The Building
23 Department will be determine the compliance required.

24 MS. BERRY: Yeah, you can skip that.

25 MS. BRAATEN: I'm sorry. Could you just speak

1 into the microphone?

2 MR. MC MAHON: Sure. And deliveries --
3 deliveries from one vendor will be on weekday
4 mornings, but accomodation for a food truck has not
5 been references by the applicant.

6 CHAIRMAN JAUQUET: Food truck?

7 MR. DOWLING: What was that?

8 CHAIRMAN JAUQUET: Is that a delivery truck or
9 a retail food truck?

10 MR. MC MAHON: Yeah, it's a --

11 CHAIRMAN JAUQUET: You don't have a food truck.

12 MR. LAMAINA: It's kept off site.

13 CHAIRMAN JAUQUET: Oh.

14 MS. BERRY: Yeah. I think that was the
15 question that was mentioned in the letter.

16 MR. LAMAINA: Yeah, I saw it.

17 MS. BERRY: And it wasn't clear how -- the
18 relationship of the kitchen to the food truck.

19 MR. LAMAINA: It was unclear to me when I saw
20 that letter as well. The truck's kept off site.
21 That's all I can say.

22 CHAIRMAN JAUQUET: Do you cook in the store for
23 the food truck, or does the food truck cook its own?

24 MR. LAMAINA: No. We actually work through
25 Townsend Manor --

1 CHAIRMAN JAUQUET: I see.

2 MR. LAMAINA: -- kitchen. We rent out kitchen
3 space there.

4 CHAIRMAN JAUQUET: Oh. All right. Is that --
5 is there more?

6 MR. MC MAHON: Those are all the items.

7 CHAIRMAN JAUQUET: All right. Joe, do you want
8 to do the SEQRA?

9 MR. PROKOP: Yes. So, once again, the -- in
10 this case, are we approving a conditional use, is
11 that what we're doing?

12 MS. WINGATE: Yes.

13 CHAIRMAN JAUQUET: Yes.

14 MR. PROKOP: Okay. Because it says approve a
15 site plan, if I'm on the right application.

16 MS. WINGATE: It's a conditional use.

17 MR. PROKOP: Okay. So the -- thank you.

18 So the motion is for the Planning Board to
19 adopt Lead Agency status for purposes of SEQRA. The
20 Planning Board determines that the approval of the
21 site plan for a conditional use at 119 Main Street is
22 an unlisted action for purposes of SEQRA, and that
23 the approval of the site plan for a conditional use
24 at 119 Main Street will not have a significant
25 negative impact on one or more aspects of the

1 environment.

2 CHAIRMAN JAUQUET: I second that. All in
3 favor?

4 MR. MC MAHON: You need to make a motion.

5 MR. DOWLING: Aye.

6 MR. MC MAHON: Second that

7 CHAIRMAN JAUQUET: So approved.

8 And I'm going to make a motion to approve the
9 site plan for 119 Main Street for the 52-seat
10 restaurant. Do I have a second?

11 MR. BURNS: Second.

12 MR. DOWLING: Second.

13 CHAIRMAN JAUQUET: All in favor?

14 MR. BURNS: Aye.

15 MR. DOWLING: Aye.

16 MR. MC MAHON: Aye.

17 CHAIRMAN JAUQUET: Aye.

18 MR. LAMAINA: Thank you. And thank you,
19 everyone, for coming out.

20 (Applause)

21 CHAIRMAN JAUQUET: Okay. Number 5 is a
22 continued discussion and possible motion to
23 disapprove the site plan for a new structure to be
24 located at Sterling Street Osprey Zone Marina based
25 on current submissions.

1 Do we just disapprove it and then they can --

2 MR. PROKOP: No. We need to have a discussion
3 on that.

4 CHAIRMAN JAUQUET: Okay.

5 MR. PROKOP: If you're going to disapprove it,
6 you need to state on the record the reasons why
7 you're going to disapprove it, and there needs to be
8 a discussion.

9 MR. MC MAHON: And there are more letters,
10 also.

11 CHAIRMAN JAUQUET: Do you want to do that,
12 Devin?

13 MR. MC MAHON: What's that?

14 CHAIRMAN JAUQUET: You want to read those like
15 you did before?

16 MR. MC MAHON: The items?

17 CHAIRMAN JAUQUET: Of the items.

18 MR. MC MAHON: Sure.

19 CHAIRMAN JAUQUET: Okay. We'll start with our
20 review, okay? And then --

21 MR. MC MAHON: The items from the Consultant,
22 and then we'll go from there?

23 CHAIRMAN JAUQUET: From the consultant, yeah.

24 MR. MC MAHON: Zoning is for Waterfront
25 Commercial.

1 MS. BRAATEN: Okay. I'm sorry, Devin. I
2 really can't hear.

3 MR. MC MAHON: It's been off.

4 CHAIRMAN JAUQUET: Okay. This is a discussion
5 why we're going to disapprove this.

6 MR. MC MAHON: Well, these are just the items
7 first from the -- from our Consultant regarding --

8 CHAIRMAN JAUQUET: And -- right, okay.

9 MR. MC MAHON: -- the plans, and then we'll
10 discuss it from there.

11 One, Zoning Board -- two, curb cuts the whole
12 length, so it's one large curb cut.

13 Three, Parking and Pedestrian Circulation:
14 Three parking spaces are required for buildings.

15 Six, proposed estimated need, eight spaces
16 minimum.

17 Section of the Code is 150-16(A).

18 Seven, Combined spaces. When any lot contains
19 two or more uses having different parking
20 requirements, the parking requirements for each use
21 shall apply to the extent of that use. Seven to 10
22 boat slips are referenced in the letter. No estimate
23 for parking has been provided for marina use. While
24 Greenport does not list marinas in the parking
25 schedule, it lists categories, golf courses and other

1 country clubs, which requires one space for two
2 members, and that's Section 150-16(A) (1). Assuming
3 10 members, one for each boat, an additional five
4 parking spots would be required. Comparison in
5 Southold, one parking space per boat slip is
6 required, and supplies actual need for parking to be
7 higher than provided.

8 Another question, is the Yacht Club limited to
9 slip owners, or will membership be larger? Would the
10 use of the roof deck be limited to those renting the
11 slips? If not, the intensity of the use may be
12 greater.

13 Item C, no space is designated as handicapped
14 accessible.

15 D, Section 150-16(A) Item 5, Drainage and
16 Surfacing. All open parking areas shall be properly
17 drained and all such areas shall be provided with a
18 dustless surface, except for parking spaces accessory
19 to a one-family or two-family residence.

20 The plan calls for a stone parking area, which
21 does not comply with a dustless surface. Adjacency
22 to a surface water body could mean dust that -- could
23 mean that dust may drift to sensitive water bodies.
24 No drainage plan is shown on the drawings.

25 Item E, Section 150-30(A) (2), Circulation and

1 parking. That adequate off-street parking and
2 loading spaces are provided to prevent parking in
3 public streets of vehicles of any persons connected
4 with or visiting the use, and that the interior
5 circulation system is adequate to provide safe
6 accessibility to all required off-street parking
7 lots. Circulation extends to public right-of-way.
8 The potential exists for the intensity of use,
9 causing the parking need to extend to the public
10 street.

11 Item F, Section 150-30. Landscaping and
12 screening is not provided on the plans. Parking and
13 service. No screening may block views of the harbor.

14 G, there's no indication of pedestrian access.
15 The amount of parking needed, the configuration and
16 safety for public in the street right-of-way,
17 historic use, public access views, treatment of
18 nearby site to similar uses. Restrictions need to be
19 balanced and consistent in the manner of which
20 Greenport -- in which the Village -- consistent in
21 the manner in which the Village supports waterfront
22 uses. We have to address those items.

23 CHAIRMAN JAUQUET: I'll read some of these too.
24 I'll read this.

25 There's a comment here from the Consultant on

1 garbage, from Section 112-16(A), Receptacles for
2 Commercial premises. Any garbage, refuse or rubbish
3 placed outside commercial premises, visible to the
4 public, shall be contained in a covered container
5 sufficiently secure so as to prevent animals from
6 gaining access to the contents, and shall be screened
7 from public view with a solid enclosure on at least
8 three sides to a height of the container or
9 containers. Waste fluids must be properly contained,
10 and treated, regularly picked up as to not cause a
11 health hazard or odor problem.

12 And the comment is there's no evidence of the
13 provision of waste containment on the plan. Uses
14 listed include boat sales, rental, service, repair
15 and storage, but there's no space specified for such
16 storage supplies.

17 There's a -- #5 is on lighting. One exterior
18 light is proposed, but mounted on a Village utility
19 pole. This presents an encroachment into the Village
20 right-of-way. And B, no exterior lighting on the
21 site is shown on the plans yet. Exterior stairways
22 are incorporated in the design.

23 Signage, 24 square feet max.

24 Handicapped accessibility. A route and main
25 entry needed to be handicapped accessible.

1 Handicapped bathroom is not accessible.

2 The plans do not include a drainage plan,
3 demonstrating containment of surface water on site
4 and protection of surface water bodies.

5 It's in a FEMA Zone with BFEs at six feet, and
6 I guess it complies.

7 Occupancy. The Consultant indicates the uses
8 are allowed, as per zoning, but the intensity of the
9 use may be an issue. If deck access is provided --
10 if used for events, there may be impact on parking
11 and intensity of use, particularly as the lot size is
12 small.

13 Other, is the building to be air conditioned?
14 Any need for exterior fuel storage or HVAC unit?

15 And then there's an impact assessment, and the
16 comment is, "Conflict with adopted land use plan or
17 zoning regulation." And there's a comment here,
18 "While the updates to the LWRP have not been
19 finalized, there is a recommendation to introduce a
20 Waterfront Commercial District that is not as
21 intense." I don't think -- and B, will the proposed
22 action impair the character or quality of the
23 existing community? This is stretch of coast is one
24 of the few locations that provide views of Stirling
25 Harbor from the Village. This stretch is walkable

1 from the Village.

2 So we had a consultant look at the property. I
3 thought we were going to -- I thought that one of the
4 main things for the -- I want to get back to the
5 disapproval, and the reason for that was the
6 handicapped access ramp, and the interpretation of
7 the law that governs that.

8 MR. BROWN: Okay.

9 CHAIRMAN JAUQUET: Anyway, why don't you go
10 ahead.

11 MR. BROWN: Robert Brown, Architect. I have to
12 admit to feeling a little blind-sided by an eleventh
13 hour Consultant's report, not having had an
14 opportunity to review it, let alone respond to it
15 before you disapprove.

16 I did submit several days ago a revised plan
17 which does address some of the issues that were
18 brought up.

19 MR. PROKOP: Well, we have -- I mean, isn't
20 that -- aren't we in the same situation? When did
21 you submit your plan? I haven't seen it.

22 MR. BROWN: It was earlier this week.

23 MR. DOWLING: Updated March 10th, is what the
24 plan says.

25 CHAIRMAN JAUQUET: So what's changed? Tell me

1 what's changed on here.

2 MR. BROWN: Well, there's a fenced-in area
3 containing garbage and --

4 CHAIRMAN JAUQUET: Okay. All right.

5 MR. BROWN: And there is -- addressing the
6 lighting, the exterior lighting --

7 CHAIRMAN JAUQUET: Okay.

8 MR. BROWN: -- on the plans.

9 CHAIRMAN JAUQUET: Okay, right. So you show
10 where there's an exterior compressor for the AC?

11 MR. BROWN: Uh-huh.

12 CHAIRMAN JAUQUET: Okay. So your lighting
13 isn't using the Village pole or anything like that?

14 MR. BROWN: No.

15 CHAIRMAN JAUQUET: Okay.

16 MR. BROWN: We're intending to have that taken
17 down.

18 CHAIRMAN JAUQUET: Right, right. And the ice
19 machine, the compressor for the AC, electric. What's
20 this?

21 MR. DOWLING: RPZ valve.

22 CHAIRMAN JAUQUET: Oh, that's right, yeah,
23 yeah. Okay.

24 What happened with bringing it down and getting
25 rid of the parking underneath?

1 MR. BROWN: Well, I can only do what
2 Mr. Henry --

3 CHAIRMAN JAUQUET: Right. What did he say
4 about that?

5 MR. BROWN: -- suggests I do. He pointed out
6 to me that he has in his possession a photo taken by
7 Mr. Moore from Hurricane Sandy, which shows the water
8 above the level that Mr. Moore proposes we build the
9 building to.

10 CHAIRMAN JAUQUET: That's what I thought.
11 Otherwise, three --

12 MR. BROWN: And that's really all he had to say
13 about it.

14 MR. DOWLING: Okay.

15 MR. PROKOP: Isn't that established by FEMA and
16 a flood zone? You're talking about the change in the
17 flood zone due to the 100-year flood, now it's a
18 20-year flood.

19 CHAIRMAN JAUQUET: Yeah

20 MR. BROWN: Mr. Moore was suggesting that we
21 lower the building to a strict compliance with FEMA
22 minimums. However, there's photographic evidence
23 that Sandy flooded to a much higher level than FEMA
24 standards require.

25 CHAIRMAN JAUQUET: What was it?

1 MR. BROWN: He told me it was roughly three
2 feet above.

3 CHAIRMAN JAUQUET: Above the bulkhead? Above
4 the bulkhead?

5 MR. BROWN: I believe so.

6 MR. PROKOP: I'm sorry. But, you know,
7 respectfully, isn't that between you and FEMA? Is
8 that -- we don't regulate.

9 MR. BROWN: No. FEMA only sets the minimums.

10 MR. PROKOP: Okay.

11 CHAIRMAN JAUQUET: And what's the issue with
12 the handicap access?

13 MR. BROWN: I have a very different
14 interpretation of the code because of the size of the
15 structure.

16 CHAIRMAN JAUQUET: And it was indicated to us
17 that it's in violation of the code. And, you know, I
18 need -- you know, I'm not an expert in this stuff,
19 and that's why we put in here to disapprove it to get
20 that put in.

21 MR. BROWN: It requires one of two things. One
22 is an elevator.

23 CHAIRMAN JAUQUET: Right.

24 MR. BROWN: Which is a financial hardship.

25 CHAIRMAN JAUQUET: Right.

1 MR. BROWN: And the other is a handicapped
2 accessible ramp --

3 CHAIRMAN JAUQUET: Right.

4 MR. BROWN: It needs to be a foot long for
5 every inch in height.

6 CHAIRMAN JAUQUET: Right.

7 MR. BROWN: So, for a seven-foot height, you're
8 talking about an 84-foot long ramp.

9 CHAIRMAN JAUQUET: Right, or one that snakes.

10 MR. BROWN: There's no building left by the
11 time you do the ramp.

12 CHAIRMAN JAUQUET: I know.

13 MR. DOWLING: So, if the building was lowered,
14 that would probably be feasible, then.

15 CHAIRMAN JAUQUET: That was the idea, but --

16 MR. BROWN: It would be feasible, but it would
17 flood.

18 CHAIRMAN JAUQUET: It would flood. So, did
19 you --

20 MR. BROWN: I mean, even if it was four feet,
21 that's a 48-foot -- 48-foot ramp.

22 CHAIRMAN JAUQUET: What's the rise?

23 MR. BROWN: An inch per foot, an inch height
24 per foot of length.

25 MR. DOWLING: Sounds like not a good place to a

1 put a building (laughter).

2 MR. BROWN: It's my understanding that
3 Mr. Henry can build a building there as of right.

4 CHAIRMAN JAUQUET: So, you're at -- three
5 feet's no good. Four feet is cutting it close. Five
6 feet is probably still cutting it close.

7 MR. BROWN: You'd have a 60-foot ramp.

8 CHAIRMAN JAUQUET: No, no, I'm not talking
9 about the ramp anymore. I'm just talking about
10 lowering the building, forget the ramp.

11 MR. BROWN: Well, you know, on the one hand,
12 you're suggesting that there aren't enough parking
13 spaces. On the other hand, you're eliminating three.

14 CHAIRMAN JAUQUET: Yeah. I'm for -- I think
15 the view, the view of the building --

16 MR. BROWN: I would suggest that the two foot
17 difference is not significant.

18 CHAIRMAN JAUQUET: Where is the two foot
19 difference?

20 MR. BROWN: Between five and seven.

21 CHAIRMAN JAUQUET: Yeah. That's what I was
22 going to get to.

23 MR. BURNS: I think there could be
24 significance. Two feet is two feet.

25 CHAIRMAN JAUQUET: Well, two feet is two feet

1 in a profile.

2 MR. DOWLING: I mean, if you're sitting at your
3 bedroom window, two feet takes out Shelter Island,
4 you know. I mean, I drove down the street the other
5 day. I drive there every couple of days, because, A,
6 it's nice to look at, and I go look to see if there's
7 salt water anymore, which we have again, thankfully.
8 And you look down the street, you know, that
9 building, if you look at their property, and when
10 that building's there, Shelter Island goes away. So,
11 you know, two feet, if you live up the street, is
12 quite significant.

13 CHAIRMAN JAUQUET: And the other thing that
14 accrues to a lower building is then you can landscape
15 it so you look at less structure. So there's -- you
16 know, those are the two --

17 MR. BROWN: No. I understand what you're
18 saying.

19 CHAIRMAN JAUQUET: Yeah, I know. I'm just --
20 I'm just verbalizing.

21 MR. BROWN: No. You make a good point.
22 However, as I said, you know, you're eliminating
23 three parking spaces.

24 CHAIRMAN JAUQUET: Yeah. I'm not that
25 concerned about that.

1 MR. BROWN: And, by the way, I just point
2 out --

3 CHAIRMAN JAUQUET: Yeah, I know.

4 MR. BROWN: -- that, you know, access to the
5 roof deck is only through the office.

6 CHAIRMAN JAUQUET: Yeah.

7 MR. BROWN: It's not intended as a public
8 accessible.

9 CHAIRMAN JAUQUET: Yeah, I know, I know.

10 MR. BROWN: It's private, private space.

11 CHAIRMAN JAUQUET: I know, I know.

12 MR. DOWLING: So, I guess, something that has
13 to be -- come up is a good way to handle the
14 accessible access. And if a ramp's not going to
15 work, then something's not going to work with the
16 building.

17 CHAIRMAN JAUQUET: What is the law, Eileen?

18 MS. BERRY: We were just talking and you can
19 build a waterproof, like we did for the toilets on
20 the park here.

21 CHAIRMAN JAUQUET: Waterproof what?

22 MS. WINGATE: It's actually a flood compliant
23 construction, where instead of resisting the flood,
24 you allow it to move.

25 CHAIRMAN JAUQUET: Oh, with the windows --

1 MR. DOWLING: Right. You build it with proper
2 materials so it can be.

3 MR. BROWN: That's the idea behind the pilings.

4 MS. BERRY: Yeah.

5 CHAIRMAN JAUQUET: But you know about that.

6 MS. BERRY: And they have special doors you put
7 in if you know something's coming.

8 MS. WINGATE: Just like BBQ Bill's has all that
9 flood compliance --

10 MR. BROWN: I've done foundations like that.
11 I'm not sure I understand the point between the
12 pilings or a concrete foundation.

13 MS. BERRY: No. The elevation, they were
14 asking if there were other options --

15 MR. DOWLING: So you can build -- bring the
16 building at grade.

17 MS. BERRY: -- so that you can make it
18 handicapped accessible.

19 CHAIRMAN JAUQUET: What is the handicapped
20 accessible law that applies to this property; do you
21 know that specifically?

22 MS. WINGATE: Yes.

23 CHAIRMAN JAUQUET: Because I don't.

24 MS. WINGATE: I spoke with Richard Smith of the
25 Department of State. He said all new construction

1 needs to be handicapped accessible. The section of
2 the code that Rob maintains is his interpretation has
3 to do with vertical -- vertical circulation between
4 floors. So between floors of a building that's under
5 3,000 square feet, you don't need to have ramps and
6 elevators, but you need to have accessibility to the
7 main floor of new construction.

8 CHAIRMAN JAUQUET: And there's no size limit?

9 MR. DOWLING: So we need a plan that has that.

10 MS. WINGATE: We don't have a plan that has
11 that.

12 MR. DOWLING: Right.

13 CHAIRMAN JAUQUET: Right. And there isn't a
14 minimum size that is excluded?

15 MS. WINGATE: That's correct, all new
16 commercial construction..

17 MR. DOWLING: So handicapped people are allowed
18 in small buildings, too.

19 CHAIRMAN JAUQUET: Right.

20 MR. DOWLING: So I guess -- I guess you have to
21 go back to Mr. Henry and figure out what he wants to
22 do to make this compliant.

23 MR. BROWN: We could provide a wheelchair lift,
24 I suppose.

25 MS. WINGATE: A wheelchair lift is acceptable.

1 MR. BROWN: Though it strikes me as odd that
2 somebody arriving on a boat would need a wheelchair
3 lift to get to the --

4 MR. DOWLING: I know of at least six people
5 that are wheelchair accessible only, and they have
6 ways to get on and off their boat from their
7 wheelchair. I know one guy who actually -- Bunky
8 Hearst, publisher, who has -- his boat is completely
9 wheelchair accessible.

10 MR. BROWN: I take that back.

11 CHAIRMAN JAUQUET: But it's really the -- it's
12 a private building.

13 MR. BROWN: Yes.

14 CHAIRMAN JAUQUET: But it still comes under the
15 public access.

16 MR. DOWLING: Well, it's a business.

17 MS. WINGATE: The New York State -- the New
18 York State Building Code.

19 CHAIRMAN JAUQUET: Still public access.

20 MR. DOWLING: So I think you have to go back to
21 Mr. Henry and say --

22 CHAIRMAN JAUQUET: Because somebody's got to be
23 able to --

24 MR. DOWLING: "How do you want to address this?
25 These are our options."

1 CHAIRMAN JAUQUET: The wheelchair person has to
2 be able to go there and knock on the door and ask to
3 become a member, even though, you know, they're not
4 -- you know, whatever.

5 So what are we supposed to do with this? We
6 have to -- because of that -- Eileen. Oh, I'm sorry.
7 Go ahead.

8 MR. PROKOP: No. I was getting ready to think
9 about the SEQRA resolution. But are you going to --
10 excuse me, I'm sorry. I didn't mean to interrupt
11 you, I apologize.

12 CHAIRMAN JAUQUET: I was just trying to figure
13 what to do next. You know, we have this on here to
14 disapprove it, and it was because of this handicapped
15 accessibility thing that we wanted -- that we're
16 disapproving it, so they can come back with the new
17 plan. Is that the order of conduct here?

18 MR. PROKOP: Well, I think what I would
19 recommend is that you leave that up to the applicant,
20 if the applicant would like a decision tonight, or
21 the applicant would like to adjourn --

22 CHAIRMAN JAUQUET: Oh.

23 MR. PROKOP: -- to submit a new plan.

24 MS. WINGATE: Well, we're running out of time.

25 MR. DOWLING: We're at -- yeah.

1 MR. BROWN: We're at 60 days.

2 MS. WINGATE: We're at the 60.

3 MR. BROWN: Which is why I was, you know, a
4 little concerned about getting a report tonight.

5 CHAIRMAN JAUQUET: Yeah, I know, I know. Well,
6 it just came up. It came up.

7 MS. WINGATE: Rob, we spoke about this right
8 after the last meeting.

9 MR. BROWN: We had a discussion about whether
10 or not there needs to be accessibility.

11 MS. WINGATE: And after I spoke with Richard
12 Smith, we talked about it.

13 MR. BROWN: Yeah, but there's a whole report,
14 with all due respect, that I only heard about now,
15 raising apparently other objections, so.

16 CHAIRMAN JAUQUET: Well, I mean, the other --
17 the other objections, you know -- well, they're not
18 objections, it's really -- it's a consultation, and
19 it's for us to be able -- these things that we --

20 MR. BROWN: No. I understand, but you're
21 taking those things into consideration.

22 CHAIRMAN JAUQUET: Well, you have most of them
23 on there already, except for this handicapped access
24 thing. And we're not making bones about any of the
25 other things. You know, the handicapped is one

1 issue. I still have an issue with the elevation.
2 And if -- you know, as long as -- you know, if we
3 disapprove it, this gives you a chance to put the
4 handicapped thing in, and also to look at the flood
5 -- the articulating foundation for flooding with the
6 idea of lowering the height of the building so that
7 the view amenity is --

8 MR. BROWN: Yeah. Again, those are things I
9 can't address tonight.

10 CHAIRMAN JAUQUET: I know. I know you can't.

11 MR. BROWN: Can I ask you a procedural
12 question? Assuming that you deny it tonight, do we
13 have to go back for a pre-submission meeting?

14 MR. PROKOP: Yes, that means you have to start
15 with a new application. That's why --

16 CHAIRMAN JAUQUET: Well, then, yeah. Well,
17 then the other -- what's the other alternative?

18 MR. PROKOP: The other alternative is that --

19 CHAIRMAN JAUQUET: The mutual letter of --

20 MR. PROKOP: You asked us to -- you asked for
21 an adjournment for additional time to address the
22 questions, and the consent to the extension of the
23 60-day period.

24 MS. WINGATE: Sixty days?

25 CHAIRMAN JAUQUET: That should be enough.

1 MR. BROWN: Do I have the authority to do that?

2 MR. MC MAHON: That was my question.

3 CHAIRMAN JAUQUET: Well, you're representing
4 the --

5 MS. WINGATE: Aren't you the applicant, right?

6 CHAIRMAN JAUQUET: You're on the --

7 MR. BROWN: I just want to clarify that,
8 because I'm not sure what the procedure is on it.

9 CHAIRMAN JAUQUET: Wait. Where is the -- I
10 don't know -- I don't have the original application.

11 MS. WINGATE: Paul Henry has authorized you
12 to --

13 MR. BROWN: Act as his agent?

14 CHAIRMAN JAUQUET: Yeah.

15 MS. WINGATE: Act as his agent.

16 MR. BROWN: Then --

17 MR. DOWLING: You are the applicant, Robert I.
18 Brown --

19 CHAIRMAN JAUQUET: Yeah, it says that.

20 MR. DOWLING: -- Architect, P.C., and the
21 authorized officer is Robert Brown.

22 MR. BROWN: Yeah. I wasn't sure if myself or
23 somebody else in my office who signed as agent.

24 CHAIRMAN JAUQUET: Yeah.

25 MR. DOWLING: You're the applicant.

1 MR. BROWN: Oh, boy.

2 (Laughter)

3 CHAIRMAN JAUQUET: So let's do --

4 MR. BROWN: Okay. So if I request a 30-day
5 extension to respond, is that appropriate?

6 MR. PROKOP: Yes. And our next --

7 CHAIRMAN JAUQUET: Yeah.

8 MR. PROKOP: So we have a work session and a
9 meeting in the meantime, so a 30-day extension is
10 fine.

11 MS. WINGATE: Oh, today is the -- well, you
12 need more than that, because --

13 CHAIRMAN JAUQUET: I think you -- I'd ask for
14 more.

15 MR. DOWLING: Because even after 30 days, you
16 don't want to get sent back to a pre-submission
17 conference.

18 MR. BROWN: Yeah, but I don't want to leave
19 this open indefinitely.

20 MR. DOWLING: Right.

21 CHAIRMAN JAUQUET: It would be better to have
22 more time.

23 MS. WINGATE: Because the next regular session
24 is not until April 2nd, so that's 30 --

25 CHAIRMAN JAUQUET: I mean, my attitude is to

1 get this resolved.

2 MR. BROWN: I'm damned if I do and damned if I
3 don't.

4 MR. DOWLING: Yeah.

5 CHAIRMAN JAUQUET: But, if there is a chance --

6 MR. MC MAHON: Thirty days will give us another
7 work session and another regular meeting. If we
8 can't resolve it by that time, we can address it
9 then. I agree if you want to address this as soon as
10 possible.

11 MR. BROWN: Yes.

12 MR. MC MAHON: There is a lot of public input
13 that still needs to be heard on this.

14 MR. BROWN: I thought we had done all --

15 MR. MC MAHON: I wish we were, but --

16 MR. BROWN: If you were prepared to adopt a
17 resolution denying it, then how could there be
18 additional room for --

19 MR. PROKOP: Because we're required to deny it
20 because it doesn't comply with the law.

21 CHAIRMAN JAUQUET: So how does this work? He
22 requests an adjournment and we approve it with a
23 motion? How does it work, Joe?

24 MR. PROKOP: Yeah, he would request an
25 adjournment and --

1 CHAIRMAN JAUQUET: For a specific number of
2 days?

3 MR. PROKOP: For 30 days.

4 MR. BROWN: I would request a 30-day
5 adjournment.

6 CHAIRMAN JAUQUET: Okay.

7 MR. BROWN: By that time, Mr. Paul, I will be
8 able to be in touch with him.

9 CHAIRMAN JAUQUET: Right.

10 MR. BROWN: And his lawyer will be back in
11 town.

12 CHAIRMAN JAUQUET: Okay.

13 MR. BROWN: You know, these are issues above my
14 pay rate here.

15 CHAIRMAN JAUQUET: Sure, okay, I understand.

16 MR. PROKOP: And the request for an adjournment
17 includes a consent to a 30-day extension of the
18 60-day requirement.

19 CHAIRMAN JAUQUET: Okay. So --

20 MR. BROWN: What he said.

21 MR. PROKOP: Thank you.

22 CHAIRMAN JAUQUET: I'm going to -- can I put a
23 motion to accept -- a motion to accept that
24 adjourn -- that 30-day adjournment?

25 MR. PROKOP: Yes.

1 MR. DOWLING: The request, yes.

2 CHAIRMAN JAUQUET: So this is a motion to
3 accept your request for a 30-day adjournment. Do I
4 have a second?

5 MR. BURNS: Second.

6 CHAIRMAN JAUQUET: All in favor?

7 MR. BURNS: Aye.

8 MR. DOWLING: Aye.

9 MR. MC MAHON: Aye.

10 CHAIRMAN JAUQUET: Aye.

11 MS. WINGATE: Who seconded it?

12 MR. BURNS: (Raised hand.)

13 MR. MC MAHON: Ben.

14 MS. WINGATE: Thank you, Ben.

15 CHAIRMAN JAUQUET: All right. Number 6 is a
16 motion to accept --

17 MR. BROWN: Thank you.

18 CHAIRMAN JAUQUET: Oh, sorry. Sorry, Rob.
19 Thank you.

20 Number 6 is a motion to accept an application
21 for a use evaluation at 477 Main Street. The
22 applicant is Richard Israel, who proposes a sushi
23 restaurant in a vacant store space in this location,
24 at Section 4, Block 7, Lot 21. Hi.

25 MR. ISRAEL: Hi. I'm Isaac Israel.

1 CHAIRMAN JAUQUET: Hi. How are you? Nice to
2 meet you. I'm Peter.

3 MR. ISRAEL: Hi, Peter. I'm here on behalf of
4 the applicant, and can answer any questions that you
5 guys have.

6 CHAIRMAN JAUQUET: Let's see. I guess, you
7 know, it's just a comment. The space was built for a
8 restaurant, and it has all of the restaurant
9 equipment in the ceiling and the walls and for all of
10 the things necessary, I was told.

11 MR. ISRAEL: That's correct. When we were
12 under construction, we installed a grease trap,
13 that's already connected to the sewer. We oversized
14 the propane. We made a hood -- a chase for a hood to
15 go up through the roof of the second floor; had
16 provisions for -- on site for garbage, and parking
17 and receiving.

18 CHAIRMAN JAUQUET: So, I guess, you know,
19 you've got that deck out there. I imagine that's
20 going to have tables and chairs outside.

21 MR. ISRAEL: Our plan does not show that.

22 CHAIRMAN JAUQUET: Does not have that. I was
23 just wondering if that was something you had in mind
24 at all in the future, and if you did, you should have
25 it on your plan. It's just a recommendation to have

1 stuff like that on your plan now, even if you don't
2 do it.

3 MR. ISRAEL: Okay.

4 CHAIRMAN JAUQUET: And then does your -- did
5 your plan have a visual of the sign treatment?

6 MR. ISRAEL: Our signage, we have a
7 free-standing pylon sign on the corner. I don't
8 believe we've proposed a sign yet, but it would be
9 within that -- you know, it's like a bracket
10 within --

11 CHAIRMAN JAUQUET: Right. There's a specific
12 rule about that, I believe, isn't it? Maybe not for
13 that.

14 MS. WINGATE: Well, first of all --

15 MR. ISRAEL: It's almost like a directory sign.

16 CHAIRMAN JAUQUET: Yeah, right.

17 MS. WINGATE: They're within the Historic
18 District, so they would end up at -- the signage
19 would end up at HPC.

20 MR. DOWLING: Okay.

21 MS. WINGATE: And the signage, as it stands,
22 was part of the site plan, so -- the original site
23 plan, so it --

24 CHAIRMAN JAUQUET: Oh.

25 MS. WINGATE: It falls within --

1 MR. DOWLING: The guidelines.

2 MS. WINGATE: The guidelines.

3 CHAIRMAN JAUQUET: So that even falls within
4 the guidelines.

5 MR. DOWLING: Okay.

6 CHAIRMAN JAUQUET: It's already there.

7 MS. WINGATE: It's already there.

8 CHAIRMAN JAUQUET: Okay.

9 MS. WINGATE: And it's already approved.

10 CHAIRMAN JAUQUET: Okay, right.

11 MS. WINGATE: And HPC will look at the logo,
12 and the colors, and the fonts, and make sure it all
13 jives.

14 CHAIRMAN JAUQUET: So --

15 MR. DOWLING: So I think for us, I think we
16 need to see, if you do plan on putting tables in,
17 just because what happens, if you don't put in for it
18 now, and you decide you want to put tables and chairs
19 out front, some umbrellas, plants, potted, you've got
20 to come back in front of us again. So, to make it as
21 easy as possible for you, is if you could just revise
22 it with whatever tables and chairs you want, any kind
23 of, you know, decorative, you know, plantings, if you
24 do any additional planting. I know you already have
25 a nice garden in front there.

1 MR. ISRAEL: Yeah. I don't think we're
2 planning any additional planting.

3 MR. DOWLING: Okay. But if you do have tables,
4 and chairs, and umbrellas, just make sure it's on the
5 site plan. That way you don't have to come back to
6 us, you know, you're done.

7 MR. ISRAEL: Okay.

8 CHAIRMAN JAUQUET: So what do we do with this?

9 MR. DOWLING: Then you're not changing anything
10 else to the building at all, correct?

11 MR. ISRAEL: No. No, not at all, just interior
12 renovation on it.

13 MR. PROKOP: How old is this building?

14 MR. ISRAEL: 2006.

15 CHAIRMAN JAUQUET: You have a tenant, then?
16 You have a tenant?

17 MR. ISRAEL: Yes.

18 CHAIRMAN JAUQUET: When do they want to open
19 up, for the season?

20 MR. ISRAEL: For the season. For the season.

21 CHAIRMAN JAUQUET: So what are we going to do,
22 approve this?

23 MR. DOWLING: I think we just have to --

24 CHAIRMAN JAUQUET: With the condition?

25 MR. DOWLING: Condition of the addition on the

1 site plan of the exterior furniture.

2 CHAIRMAN JAUQUET: Okay. Can we --

3 MR. DOWLING: Is there anything that you see?

4 CHAIRMAN JAUQUET: Yeah.

5 MR. PROKOP: Pardon me?

6 MR. DOWLING: Is there anything that you see
7 that stands out on this that we should ask about.

8 MR. PROKOP: Just that I'm not sure if the --
9 I'm not sure if there's a -- there may be a problem
10 with the building because it has second floor
11 residential; is that correct? Is second floor
12 residential allowed?

13 MR. ISRAEL: There's artist lofts. We have a
14 CO for artists lofts above. The building is
15 sprinklered, has a Central Station fire alarm system.

16 MS. BERRY: And you have the fire separation,
17 right?

18 MR. ISRAEL: Absolutely. Yeah, there's double
19 sheetrock on the ceiling as well.

20 MS. WINGATE: He went through fairly extensive
21 Planning Board and Zoning.

22 MR. PROKOP: I don't remember.

23 CHAIRMAN JAUQUET: When it was first built.

24 MR. ISRAEL: You know, since it was in 2005 --
25 we submitted in 2005. I mean, everything is modern

1 and up to all the codes, that I'm aware of. You
2 know, the bathrooms are already handicapped
3 compliant, as well as all the doors.

4 MR. PROKOP: That's my only comment, that the
5 second floor residential use has to be reviewed. I'm
6 not sure.

7 CHAIRMAN JAUQUET: Reviewed? What do you mean?

8 MR. PROKOP: Well, I think that there's --
9 you're being asked to do a use evaluation at the
10 building, and I think that --

11 CHAIRMAN JAUQUET: I think it's just that
12 space, isn't it? Aren't we just confining our
13 approval to this? I think that --

14 MS. WINGATE: I don't know.

15 CHAIRMAN JAUQUET: I think it's just that
16 space.

17 MS. WINGATE: The whole building is CO'd for --

18 CHAIRMAN JAUQUET: It's got a CO.

19

20 MR. ISRAEL: Yeah. Our CO is for -- you know,
21 right now, I guess it's for first-floor retail, and
22 then it's for second floor artist lofts.

23 MR. PROKOP: But the way the code is now, if
24 you have an artist loft, aren't you required to have
25 an artist studio on the first floor?

1 MR. ISRAEL: Then I would be pre -- then I
2 would be preexisting.

3 MR. DOWLING: I believe it's part of the artist
4 apartment, because that's -- we had that came up with
5 the space over on First Street. It had to be -- the
6 artist studio had to be part of the living space, I
7 believe.

8 MS. WINGATE: This all predates me.

9 MR. PROKOP: Well, the building is here now and
10 you're here, so we need the answer.

11 MS. WINGATE: I could go back to the file and
12 read it. I was here while they built the building.

13 MR. PROKOP: I mean that respectfully. I'm
14 sorry. I didn't mean it disrespectfully. I meant it
15 respectfully.

16 MS. WINGATE: That's okay.

17 MR. PROKOP: Excuse me.

18 MS. WINGATE: I came on just as that building
19 was being framed. I did all the inspections of the
20 building, and they built what the building permit
21 allowed them to build. So, whether -- if there's a
22 question, I have to go back and read the history. It
23 wasn't as if -- it wasn't as if they rehabbed an
24 attic or added a second floor. They built the
25 building to be what it is.

1 CHAIRMAN JAUQUET: And it's only six years
2 old -- five.

3 MS. WINGATE: It's got two retail spaces and
4 two apartments.

5 CHAIRMAN JAUQUET: Otherwise, it's brand new
6 modern construction.

7 I want to approve this with the condition that
8 a drawing be put into the plans with -- if you want
9 to do the seating. Do you want to do the seating?
10 Do you want to do that drawing or not?

11 MR. ISRAEL: I would just have to confirm it
12 with the tenant, but I don't believe --

13 CHAIRMAN JAUQUET: In this drawing?

14 MR. ISRAEL: -- at this point that --

15 CHAIRMAN JAUQUET: Okay.

16 MR. ISRAEL: Rick, do you have any comment on
17 that?

18 MR. TAKEMOTO: Yeah. I represent the person
19 that --

20 CHAIRMAN JAUQUET: You need to come up.

21 MR. ISRAEL: Sorry. I didn't know the answer
22 to that.

23 MR. TAKEMOTO: That's all right. Hi. My name
24 is Rick Takemoto. I live on 326 Sixth Street. I'm
25 representing the person who is from Japan that's

1 opening the restaurant. I do believe he was talking
2 about having some seating.

3 CHAIRMAN JAUQUET: Outside?

4 MR. TAKEMOTO: Outside.

5 MR. MC MAHON: Okay. If -- right now, the plan
6 doesn't include any. So, if there is seating
7 outside, it would be in violation of the plans. So,
8 if you want to have seating outside, either we can
9 approve it with a conditional -- you know, a
10 condition that you amend the plans to include the
11 seating for the outdoor area, or, if you want to go
12 forward with it as it is now, you'd need to come back
13 to us before you put any seating outside.

14 MR. TAKEMOTO: All right. I'll let him know
15 and we'll do the drawing.

16 MR. ISRAEL: And we'll do the -- we'll do your
17 first choice.

18 MR. DOWLING: Yeah.

19 CHAIRMAN JAUQUET: I think -- you know what I
20 think, I think you should -- we should approve this
21 at the next meeting with your seating plan drawn
22 there, so that we know what the volume of the seating
23 is, because is there a -- is this outdoor seating
24 going to screw up the number of seats allowed total?

25 MS. WINGATE: The number of seats is based on

1 occupancy inside, and then there's a separate square
2 footage for the outside.

3 CHAIRMAN JAUQUET: You know, how many seats
4 should they draw in there?

5 MR. PROKOP: If we have a meeting in two weeks,
6 my recommendation would be that you put -- that would
7 be the --

8 CHAIRMAN JAUQUET: Yeah.

9 MR. PROKOP: If he's going to do it, we might
10 as well do it now, so he doesn't have to come back.

11 MR. DOWLING: Yeah. This is a waste of time to
12 have to come back for it.

13 MR. ISRAEL: Okay. So, if we could have an
14 approval, we'll come back, if we decide to add the
15 outside seats.

16 MR. MC MAHON: If you decide to change it.

17 CHAIRMAN JAUQUET: Okay. We'll disapprove it
18 without, right?

19 MR. ISRAEL: Thank you.

20 CHAIRMAN JAUQUET: Okay. You need to do your
21 SEQRA, Joe?

22 MR. PROKOP: Yeah. I just wanted to note on
23 the record that I still have a question about --

24 CHAIRMAN JAUQUET: Okay.

25 MR. PROKOP: -- the second floor.

1 CHAIRMAN JAUQUET: Okay.

2 MR. PROKOP: Commercial Retail.

3 The motion would be for the Board to adopt Lead
4 Agency status for purposes of SEQRA, for the Board to
5 determine as Lead Agency that the approval of use
6 evaluation is an unlisted action for purposes of
7 SEQRA, and that the approval of the use evaluation
8 will not have a significant negative impact on one or
9 more aspects of the environment.

10 CHAIRMAN JAUQUET: I second that motion.

11 MR. MC MAHON: I'll make that motion

12 MR. PROKOP: Thank you.

13 CHAIRMAN JAUQUET: Okay. All in favor?

14 MR. MC MAHON: Well, someone has to second.

15 CHAIRMAN JAUQUET: I second it.

16 MR. DOWLING: I second.

17 CHAIRMAN JAUQUET: All in favor?

18 MR. BURNS: Aye.

19 MR. DOWLING: Aye.

20 MR. MCMAHON: Aye.

21 CHAIRMAN JAUQUET: Aye.

22 And I'm going to make a motion to approve
23 the -- to approve the use evaluation for 477 Main
24 Street. Do I have a second?

25 MR. BURNS: I second.

1 CHAIRMAN JAUQUET: All in favor?

2 MR. BURNS: Aye.

3 MR. DOWLING: Aye.

4 MR. MCMAHON: Aye.

5 CHAIRMAN JAUQUET: Aye.

6 Thank you.

7 MR. TAKEMOTO: Thank you.

8 MR. ISRAEL: Thank you very much.

9 CHAIRMAN JAUQUET: Number 7 is a motion to
10 accept an application for a use evaluation for a new
11 single family house to be located at a vacant lot at
12 101 Sterling Street. The applicant is John Cronin.
13 So this is just -- we're just going to accept this
14 application, right?

15 MR. DOWLING: Yeah, accept it.

16 CHAIRMAN JAUQUET: Hi.

17 MR. SPURGE: Hi. How are you?

18 CHAIRMAN JAUQUET: Good.

19 MR. SICHLING: I'm Mark Sichling from Owens
20 Construction. John Cronin is here as well.

21 CHAIRMAN JAUQUET: Hi. And -- oh, this is
22 going to be the waterfront house.

23 MR. SICHLING: Correct.

24 CHAIRMAN JAUQUET: What's the square footage,
25 about four?

1 MR. SICHLING: No, no, 3250.

2 CHAIRMAN JAUQUET: Thirty-two? Yeah. And it's
3 a build-and-sell situation?

4 MR. SICHLING: We hope.

5 CHAIRMAN JAUQUET: Yeah, yeah. You know, I
6 haven't looked at it for a couple of weeks, but I
7 recall it being pretty much all buttoned up as far as
8 -- this is to except your application, not to approve
9 it. We're accepting the application.

10 MR. MC MAHON: Do we have the actual floor
11 plans?

12 CHAIRMAN JAUQUET: Let's see.

13 MR. DOWLING: Yes.

14 CHAIRMAN JAUQUET: Oh, here we go. Did you see
15 the --

16 MR. MC MAHON: I saw the -- I see pictures of
17 the building. I don't see an actual floor plan, I
18 just see outside.

19 CHAIRMAN JAUQUET: Oh, here.

20 MR. DOWLING: Actually, I don't have a floor
21 plan, I just have an elevation.

22 CHAIRMAN JAUQUET: Oh, they're just elevations,
23 yeah.

24 MR. DOWLING: Did you submit a floor plan yet?

25 MR. CRONIN: No. We were told just elevations.

1 CHAIRMAN JAUQUET: So we are here to accept
2 this application, but not to approve it? What?

3 MR. DOWLING: No, we're just -- we're just --

4 CHAIRMAN JAUQUET: We're just accepting, and
5 then we're going to approve it when we see it?

6 MR. DOWLING: Well, we have to review it, don't
7 we? Do you have the notes from --

8 MR. BURNS: It appears to be proper.

9 CHAIRMAN JAUQUET: We would like to see the --

10 MR. SICHLING: Floor plans?

11 CHAIRMAN JAUQUET: Floor plans. Just to -- you
12 know, just showing the room right now, not all the --

13 MR. SICHLING: Just bring them to the Building
14 Department or bring it to the --

15 CHAIRMAN JAUQUET: Not all the electrical
16 stuff.

17 MR. MC MAHON: Yeah, bring them to Eileen. We
18 can have them -- we'll be able to take a look at them
19 and review them.

20 MR. SICHLING: Okay. Full set or reduced copy?

21 MR. DOWLING: We don't have to have, you know,
22 jumbo size.

23 CHAIRMAN JAUQUET: You know, we want to see the
24 first and second floor, basement.

25 MR. SICHLING: There's no basement.

1 CHAIRMAN JAUQUET: No basement, all right.
2 And the curb cuts and, you know, the bulkhead, if
3 there is one shown.

4 MR. SICHLING: No, we're not waterfront, we're
5 waterview.

6 CHAIRMAN JAUQUET: Oh, that's right, you're
7 waterview.

8 MR. SICHLING: I wish I was waterfront.

9 CHAIRMAN JAUQUET: And that's stuff, I think,
10 is on here. That's on the survey here, isn't it?

11 MR. SICHLING: It should be.

12 MS. BERRY: Yes. The curb cut, he has two curb
13 cuts. I think that was the issue, because, normally,
14 a residence only has one, so it impacts parking. So
15 that was the only comment that I had.

16 CHAIRMAN JAUQUET: Okay.

17 MR. PROKOP: How many curb cuts does it have
18 now?

19 MS. BERRY: Two.

20 MR. SICHLING: There's one that was --

21 MS. WINGATE: It has one, he's requesting the
22 second.

23 MR. SICHLING: Right.

24 MR. PROKOP: So he needs -- I'm sorry. We need
25 additional proof.

1 MR. SICHLING: We only need the one. It's just
2 the one that's there is not in the proper position to
3 line up to get to the, you know, house properly.

4 MR. PROKOP: Okay. So --

5 MR. SICHLING: So we can close the one up, and
6 then we can open up the other in one, that would be
7 just a little bit further.

8 MR. PROKOP: You need to have -- you need to
9 make that part of your application to move the curb
10 cut.

11 MR. SICHLING: Okay.

12 MR. PROKOP: You're down here for a use
13 evaluation, I guess, for a single family house.
14 Isn't it on the site plan application?

15 MS. WINGATE: The site -- well, yeah. It's a
16 use evaluation, because it's a permitted use in a
17 permitted zone. It's a -- well --

18 MR. PROKOP: Okay. Whatever the approval is
19 that's here, you also need an approval to move the
20 curb cut, because that was approved at one time to be
21 -- the thing, the significant -- a curb cut's fairly
22 significant, because it's access to a public
23 right-of-way.

24 MR. SICHLING: Okay.

25 MR. PROKOP: So it just has an additional, you

1 know, layer of regulation. I'm sorry. So, if you
2 need -- if you want an additional one, if you want an
3 additional curb cut, and I know you don't, or if you
4 wanted to move your curb cut, you just need approval
5 for that specifically.

6 MR. SICHLING: All right.

7 MR. PROKOP: So we just need to add that to the
8 approval, that's all.

9 MR. SICHLING: All right. So we'll revise
10 that. We'll send the plans as well. And then we'll
11 be back on the next meeting, which will be --

12 CHAIRMAN JAUQUET: On the 26th of March.

13 MR. MC MAHON: We have a work session on the
14 26th, and then we have a regular meeting.

15 MR. PROKOP: The following Thursday.

16 MR. MC MAHON: If we see you have the plans, we
17 can address -- if there's any issues that need to be
18 addressed further, we can talk about them at the work
19 session, and then -- and approve it, and come to some
20 sort of motion one way or the other at the actual
21 regular meeting, which is the first week, and it's
22 April 4th; is that right?

23 MR. PROKOP: Second.

24 MR. MC MAHON: April 2nd.

25 CHAIRMAN JAUQUET: Yeah, April 2. Okay. So

1 then I'm going to make a motion to --

2 MR. DOWLING: Oh, there's some public comments
3 there.

4 MR. SICHLING: John Cronin would like to speak
5 also.

6 CHAIRMAN JAUQUET: Oh, I'm sorry.

7 MR. CRONIN: John Cronin. What Mark wasn't
8 aware about a conversation with our boss, Mr. Owen,
9 who the proposed curb cut is in front of the driveway
10 and garage, that's the proposed curb cut. Twenty
11 feet over to the left, let's call it, is an existing
12 one, which we really wanted to leave for a boat for
13 the homeowner. And I was told this would be the time
14 to request that, which would mean we wouldn't have to
15 apply for -- because it's proposed on a site plan
16 already.

17 MR. DOWLING: So, basically, you're looking for
18 a second driveway to park a boat on.

19 MR. CRONIN: No, no. The curb cut that's there
20 now is not lined up with the driveway.

21 MR. DOWLING: Okay.

22 MR. CRONIN: We're suggesting we leave that one
23 and put one in front of the new garage.

24 MR. DOWLING: Okay. Just as a comment, I would
25 not like that, mainly because I know boats. I know

1 if they're sitting on land, on just grass, it rains,
2 the bottoms are covered in cuprous oxide, it runs
3 into the ground and into the groundwater. So I
4 think --

5 MR. CRONIN: I was told to ask.

6 MR. DOWLING: Yeah.

7 MR. CRONIN: And not -- we don't have to get
8 it, but I went ahead and asked for it.

9 MR. DOWLING: Yeah.

10 MR. CRONIN: And I was told this was the time
11 to make that request.

12 MR. MC MAHON: Up front is the best time.

13 MR. DOWLING: I think if it's stored on just a
14 grassy lawn, you know, very close proximity to the
15 bay is not a great idea.

16 MR. CRONIN: Yeah, I understand.

17 CHAIRMAN JAUQUET: So what are you suggesting,
18 that it be --

19 MR. DOWLING: No curb cut there, no boat
20 storage on grass.

21 CHAIRMAN JAUQUET: Okay.

22 MR. CRONIN: I'm wondering, why do we have to
23 -- wouldn't the new curbs around the whole place be
24 required anyway? Aren't the existing curbs going to
25 be inspected, and anything that's wrong with them

1 would have to be corrected? Wouldn't that curb cut
2 be one of those items?

3 MR. PROKOP: We could make that as a condition,
4 yes. Yes.

5 MR. CRONIN: Would it be a condition without
6 even say anything? Aren't you going to tell us what
7 curbs have to be repaired or fixed besides -- we're
8 actually asking for the new curb cut by our site plan
9 saying proposed. Isn't that enough to say we're
10 asking for a new curb cut in front of the garage?
11 Doesn't that take care of the new one?

12 MR. PROKOP: Yes, if you'd -- if you'd like it,
13 you should let us decide and tell us about it, yes.

14 MR. CRONIN: Well, I thought I just did that.
15 I'm not asking to take the other curb cut out, you're
16 telling me to take it out.

17 MR. PROKOP: The Board will look at that.
18 We're going to accept the application.

19 MR. CRONIN: But I don't think we have to apply
20 anything else, because we're going to take the curb
21 out that you don't want.

22 MR. PROKOP: Okay.

23 MR. CRONIN: And we want to put in the one that
24 we're proposing in front of the garage.

25 CHAIRMAN JAUQUET: Yeah.

1 MR. CRONIN: Yeah.

2 MR. DOWLING: Okay.

3 CHAIRMAN JAUQUET: I guess he'd have to have
4 that for that location.

5 MR. DOWLING: Yeah, the ground is so wet as it
6 is, yeah.

7 MR. CRONIN: Sure.

8 CHAIRMAN JAUQUET: Are there actual curbs on
9 that street now?

10 MR. CRONIN: All around, complete.

11 CHAIRMAN JAUQUET: Concrete curbs?

12 MR. CRONIN: Not in very great shape.

13 CHAIRMAN JAUQUET: I didn't think they would be.

14 MR. CRONIN: I wouldn't be surprised if we're
15 told to correct them.

16 CHAIRMAN JAUQUET: Right, right.

17 MR. CRONIN: And that we take care of the
18 existing curb cuts.

19 CHAIRMAN JAUQUET: Yeah. All right. So --

20 MR. MC MAHON: Okay. I move that we accept the
21 plans.

22 MR. DOWLING: Accept the application.

23 MR. MC MAHON: Accept the application.

24 CHAIRMAN JAUQUET: I'll second it. All in
25 favor?

1 MR. MC MAHON: Aye.

2 CHAIRMAN JAUQUET: Aye.

3 MR. DOWLING: Aye.

4 CHAIRMAN JAUQUET: Okay. Where did Ben go?

5 MR. DOWLING: Ben, all in favor?

6 MR. BURNS: Aye.

7 (Laughter)

8 CHAIRMAN JAUQUET: And then the next one is a
9 motion to accept an application for a use evaluation
10 at 120 Main Street. The applicant is Kim Loper, who
11 intends to locate a pet store with dog grooming and
12 short-term kenneling in this vacant store space,
13 which was, I guess, the old --

14 MR. DOWLING: Hardware.

15 CHAIRMAN JAUQUET: -- hardware store; at
16 Section 5, Block 3, Lot 14. Hi.

17 MS. LOPER: Hi. I'm Kim Loper, owner of Harbor
Pet.

18 CHAIRMAN JAUQUET: Say that again.

19 MS. LOPER: Kim Loper, owner of Harbor Pet.

20 CHAIRMAN JAUQUET: Okay.

21 MR. DOWLING: Tell us about your program.

22 MS. LOPER: I'm looking to move our existing
23 store that has grooming in it to the White's Hardware
24 location, as well as move our small dog bakery into
25 that facility. Also do short-term boarding for

1 day-trippers that come on their boat or have their in
2 their car. Instead of leaving them in the car or on
3 the boat while they have dinner, we're looking to dog
4 sit.

5 CHAIRMAN JAUQUET: Short-term transient day.

6 MS. LOPER: Yes.

7 MR. PROKOP: What about children?

8 CHAIRMAN JAUQUET: And children, yeah, by the
9 hour, yeah.

10 Dog biscuit, you mean you actually bake
11 biscuits?

12 MS. LOPER: Yes, we do.

13 CHAIRMAN JAUQUET: No dog left overnight or
14 unattended at any time. So you basically need more
15 space.

16 MS. LOPER: Yes, yes.

17 CHAIRMAN JAUQUET: Oh, here's your -- oh, this
18 is the layout. Okay. So you use up the whole space
19 that's there.

20 MS. LOPER: We're going to use the whole
21 first --

22 CHAIRMAN JAUQUET: Oh, right, front to back,
23 yeah.

24 MS. LOPER: The first floor, yes.

25 CHAIRMAN JAUQUET: And that door, do you have

1 any use of that alley that's there through this door?
2 Is that a -- that alley is sort of like a
3 right-of-way.

4 MR. DOWLING: On the other side.

5 MS. LOPER: The alley is on --

6 MR. DOWLING: I'm sorry, that is the front
7 door, yeah, down at the end.

8 MS. LOPER: The alley is shared by us and the
9 neighbor next door.

10 CHAIRMAN JAUQUET: Yeah. So I guess the idea
11 is just accept the application tonight. Is that what
12 we're doing?

13 MR. DOWLING: Yeah.

14 CHAIRMAN JAUQUET: And then approve it at the
15 other, is that --

16 MR. DOWLING: Yeah, I think they're okay.

17 CHAIRMAN JAUQUET: Do you guys have any
18 comments?

19 MS. WINGATE: Could you just clarify, you
20 wouldn't be keeping -- would you be keeping dogs
21 overnight?

22 MS. LOPER: No.

23 MS. WINGATE: Thank you.

24 MR. DOWLING: Good answer.

25 CHAIRMAN JAUQUET: That could happen, though.

1 You know, when an owner doesn't come from his boat to
2 pick it up, you know, you could be stuck with the dog
3 overnight. What would happen?

4 MS. LOPER: Well, we're going to have
5 everybody's ID and where they're located, phone
6 numbers and contact information.

7 CHAIRMAN JAUQUET: Yeah.

8 MS. LOPER: Obviously, we're not going to leave
9 a dog unattended in our building under our watch --

10 CHAIRMAN JAUQUET: Right.

11 MS. LOPER: -- for insurance reasons anyway.

12 CHAIRMAN JAUQUET: So somebody could have to
13 stay overnight there with the dog, if somebody didn't
14 come and claim them.

15 MS. LOPER: If it honestly comes down to that,
16 I will either drive the dog to their house, or take
17 the dog home with me.

18 CHAIRMAN JAUQUET: Yeah. Do other people do
19 this kind of thing, a day -- day --

20 MS. LOPER: Well, there are daycare -- there
21 are daycare facilities, yeah.

22 MR. DOWLING: Yeah. There's a place in
23 Southold there.

24 MS. LOPER: In Southold.

25 MR. DOWLING: On the North Road.

1 CHAIRMAN JAUQUET: But they're not day, they're
2 overnight.

3 MR. DOWLING: And day.

4 MS. LOPER: Yeah, they're daycare and
5 overnight.

6 CHAIRMAN JAUQUET: I'm just saying.

7 MR. DOWLING: That's just nice, you actually
8 put all the kennels on the side of the building
9 that's not against another business. That's polite.

10 MS. LOPER: It would be specifically for that.

11 CHAIRMAN JAUQUET: So you get to -- we'll look
12 at the dog kennels from the street, right?

13 MR. DOWLING: Through the window?

14 CHAIRMAN JAUQUET: That's different.

15 MS. LOPER: Possibly. I will have a curtain,
16 that in case the sun is too intense on the dogs.

17 CHAIRMAN JAUQUET: Oh, the sun.

18 MS. LOPER: That they will not be sitting in
19 the sun. It's a five -- five-foot wall for the
20 kennel, so it's not all the way to the ceiling. The
21 kennels are temporary, so they could be moved about
22 or taken out.

23 CHAIRMAN JAUQUET: Why don't -- it seems odd
24 for the window display not to be like a retail when
25 you look in the window.

1 MS. LOPER: It is. There's an area for me to
2 do -- there's about a six-foot --

3 CHAIRMAN JAUQUET: But I was just thinking on
4 both sides, instead of looking at kennels.

5 MS. LOPER: But you're not going to be looking
6 at kennels.

7 MR. DOWLING: It says window display on both
8 sides.

9 CHAIRMAN JAUQUET: Oh, I see. Because that's
10 how it was ever, it was just the window display, you
11 never really saw --

12 MR. DOWLING: You never saw in the hardware.

13 CHAIRMAN JAUQUET: You never saw back into the
14 store.

15 MS. LOPER: Right.

16 CHAIRMAN JAUQUET: That's all.

17 MS. LOPER: That's what I mean.

18 CHAIRMAN JAUQUET: That's all I'm referring to.

19 MS. LOPER: We're going to have a curtain up
20 that we're going to be able to close. So once our
21 displays are done --

22 CHAIRMAN JAUQUET: Right, I gotcha.

23 MS. LOPER: -- the heat of the sun on the
24 dogs --

25 CHAIRMAN JAUQUET: Right, right, I gotcha.

1 MS. BERRY: I was just wondering what you're
2 doing with waste. I don't see any utility sink for
3 cleaning.

4 MS. LOPER: There's two sinks on the plan
5 against the interior wall along the back of the
6 building.

7 MS. BERRY: Right, but one is for bathing dogs,
8 right?

9 MS. LOPER: One is for bathing dogs, the other
10 up one is for --

11 MS. BERRY: Baking.

12 MS. LOPER: -- baking.

13 MS. BERRY: So I don't see anything for
14 cleaning. I mean, you're going to be constantly
15 cleaning the floor, and you're going to have --

16 MS. LOPER: My plan is to use the one that's
17 already existing for the dogs.

18 MS. BERRY: Which one already existing?

19 MS. LOPER: Well, the one that I'm going to put
20 in for the dog grooming is going to be used for the
21 dog cleaning, like cleaning --

22 MS. BERRY: You're going to use the bathtub for
23 utility?

24 MS. LOPER: It's a large sink. I mean, it's
25 bigger than a utility sink.

1 MS. BERRY: But you're putting -- well, where
2 are you putting your garbage for this?

3 MS. LOPER: My garbage I take with me out of
4 the Village.

5 MS. BERRY: And pet waste?

6 MS. LOPER: Out with me.

7 MS. BERRY: Where do you store it until you
8 take it?

9 MS. LOPER: Where do I store it? In a garbage
10 can, in the -- same way I do now when I'm doing the
11 grooming, if the dog were to mess in the kennels. It
12 goes in the garbage and then leaves with me that
13 night.

14 MS. BERRY: And where is the garbage can going
15 to be?

16 MS. LOPER: Back with the grooming.

17 MS. BERRY: Back with the grooming, okay. And
18 where are the toilets? Is it --

19 MS. LOPER: There's a bathroom up on the second
20 story. We're just going to keep that bathroom. It's
21 not going to be accessible to our customers, but it
22 is accessible to us. There's an existing bathroom
23 upstairs.

24 MS. BERRY: I mean, I guess my question was --
25 just saying you're going to take the garbage home at

1 night. Is that acceptable?

2 MR. PROKOP: Well, it has to be stored
3 somewhere.

4 MS. BERRY: Yeah.

5 MR. PROKOP: No. It has to be stored. There
6 has to be arrangements made for the storage.

7 CHAIRMAN JAUQUET: A what?

8 MR. PROKOP: There needs to be arrangements
9 made for the storage of garbage during the day. I
10 mean, it just can't be laying around and taken home
11 at night. It has to be -- I mean, it's good that
12 it's being taken off the premises, but during the
13 day --

14 CHAIRMAN JAUQUET: There should be a specified
15 location on the plan for waste, dog waste?

16 MR. PROKOP: Yes.

17 CHAIRMAN JAUQUET: Do you separate dog -- you
18 know, when you have your waste now, is dog waste in
19 one container, and other things are in a different
20 container?

21 MS. LOPER: Yeah.

22 MR. PROKOP: Just because of the nature of the
23 waste?

24 MS. LOPER: Yeah, we have -- we have separate
25 garbage cans.

1 refrigerator, and shelves, and that's where the
2 baking operation is, I would think, yeah.

3 MS. LOPER: Uh-huh.

4 CHAIRMAN JAUQUET: And then all the dog
5 grooming stuff happens in those other -- the washer,
6 dryer, sink.

7 MR. DOWLING: Separated by two doors.

8 CHAIRMAN JAUQUET: Yeah. That heater there,
9 that's the existing heater, probably.

10 MS. LOPER: Yes.

11 MS. BERRY: Where are you going to store your
12 cleaning supplies? And, you know, one question is
13 checking requirements for utility sinks for the --
14 it's more building code, so we'll put that off to
15 Eileen. But where are you going to store all your
16 cleaning supplies?

17 MS. LOPER: I don't -- I mean, I personally
18 don't understand the extent of the cleaning supplies
19 that you think we're going to have more than what we
20 have right now. I mean --

21 MS. BERRY: Animal care is pretty intensive in
22 terms of cleaning needs.

23 MS. LOPER: And we have that now where we are
24 with the grooming.

25 MS. BERRY: Right. But where are you keeping

1 it? I don't see it.

2 MS. LOPER: In the grooming -- in the grooming
3 area.

4 MS. BERRY: I just see cages, washer, dryer,
5 grooming tables, and what I thought was a bathing
6 sink.

7 MS. LOPER: It is. There's actually is shelves
8 right in -- there's right -- there's a shelf unit
9 right there as well, too, that all the cleaning,
10 towels, shampoos, and everything is kept on.

11 MS. BERRY: I don't see that.

12 MR. DOWLING: In the middle there, sort of?

13 MS. BERRY: I don't see any.

14 MR. DOWLING: In the middle of that room there,
15 that's where the --

16 CHAIRMAN JAUQUET: It says shelves.

17 MR. DOWLING: Directly in the middle, there's
18 shelves.

19 MS. BERRY: Oh, right in the middle?

20 CHAIRMAN JAUQUET: In the middle there. I
21 don't know. Maybe there should be a closet or
22 something that --

23 MS. LOPER: I can --

24 CHAIRMAN JAUQUET: You know, that has all that
25 stuff in it, you know, cleaning for the building

1 cleaning and cleaning for the dog. I mean, are you
2 talking two different kinds of cleaning when you
3 mention cleaning?

4 MS. BERRY: You know, I mean --

5 CHAIRMAN JAUQUET: Yeah, I know, I know.

6 MS. BERRY: -- any kind of animal care, there's
7 tons of --

8 CHAIRMAN JAUQUET: Yeah, I know. I know, yeah.

9 MS. BERRY: Tons of stuff.

10 CHAIRMAN JAUQUET: I mean, I don't know if
11 there's codes that cover all this stuff, but -- or if
12 it's, you know.

13 MR. DOWLING: I mean, if you go to her shop
14 now, I mean, you see right through to the grooming
15 area. It's all -- it's spotless.

16 MS. WINGATE: I know. It's a clean shop.

17 MS. LOPER: And it's all going to be -- there's
18 windows and doors and everything. Everything's going
19 to be very transparent, that everybody -- anybody
20 dropping off their dogs is going to be able to watch
21 them being groomed. Anybody dropping off their dog
22 for short-term boarding is going to be able to
23 visually be in there. There's windows with the
24 baking, every door has glass. I mean, we're not --
25 we're not sticking dogs in the corner and just

1 leaving them there.

2 CHAIRMAN JAUQUET: Yeah, we know. We know.

3 MS. LOPER: What we do now is --

4 MS. BERRY: No. I'm just wondering how you're
5 going to handle that operation, because I didn't see
6 it on the plans.

7 MS. LOPER: And I just assumed, since we just
8 had a shelf with it on it now, that that was going to
9 be good enough, to be honest with you. I didn't
10 think it was above and beyond what we already do with
11 the cages and kennels that we have now.

12 MR. PROKOP: Who are they adjoining. Who is on
13 the -- and your -- the walls of your -- where you're
14 going to be, who's on the --

15 MS. LOPER: We have one connecting, which is, I
16 believe, a real estate agent.

17 CHAIRMAN JAUQUET: Right.

18 MR. DOWLING: The other side's the alley that
19 Mark LaMaina uses to drop his garbage in the back.

20 MR. PROKOP: Somehow I knew everything was
21 connected to that.

22 MR. DOWLING: It's a small town.

23 MS. LOPER: I didn't know about the dumpsters
24 until tonight anyway.

25 MR. PROKOP: Does the real estate office know

1 that you're coming in?

2 CHAIRMAN JAUQUET: Yeah.

3 MS. LOPER: I would think so, yeah. I think
4 most of the town knows that I want to go there.

5 CHAIRMAN JAUQUET: So here's another question.
6 Is there a ventilation system above the kennel area?

7 MS. LOPER: Yes. We're expanding all of the
8 ventilation and the AC.

9 CHAIRMAN JAUQUET: So is that -- is there --
10 has a plan been submitted for all that?

11 MS. WINGATE: No. That's for the Building
12 Department after they get approval here, and then
13 they --

14 CHAIRMAN JAUQUET: Well, then you're going to
15 do all the -- there's mechanical drawings and all
16 that coming, quite a bit.

17 MS. LOPER: There's a ton of renovations that
18 we're doing to the building, yes.

19 CHAIRMAN JAUQUET: Yeah, right. Okay.

20 MS. BERRY: And, actually, I kind of
21 overstepped planning when I started asking about
22 cleaning, because that really goes into the Building.
23 So you should probably discard that. I apologize for
24 that.

25 MR. DOWLING: Okay.

1 MS. BERRY: I started thinking about trash and
2 then thinking of how it all went.

3 CHAIRMAN JAUQUET: Yeah.

4 MS. BERRY: So, actually, that's more a
5 Building -- that's an Eileen issue, not mine.

6 CHAIRMAN JAUQUET: So, yeah, that's what I was
7 wondering, if the adjacent owners, whether they want
8 barking dogs. You know, I don't know, what about the
9 sound?

10 MR. DOWLING: The nice thing is that they
11 have -- this is an open alleyway.

12 CHAIRMAN JAUQUET: I know, I know. I'm sure
13 you put it there for that reason.

14 MS. LOPER: Absolutely. And that's why I'm
15 also not proposing to do boarding overnight either.
16 I don't want to disrupt anybody that way either.

17 CHAIRMAN JAUQUET: So it's a light operation,
18 and more a store.

19 MS. LOPER: Yes.

20 CHAIRMAN JAUQUET: And then you run your dog
21 grooming business, right?

22 MS. LOPER: Yes.

23 CHAIRMAN JAUQUET: And that's what -- so the
24 area where you have display tables displayed here on
25 the side with the real estate agent, that's all

1 merchandise, right?

2 MS. LOPER: Yes.

3 CHAIRMAN JAUQUET: But people come in through
4 there with their dogs when they come in. And then
5 this back area where you have the oven and the
6 baking, what happens in there? Is that --

7 MR. DOWLING: Baking dog cookies.

8 CHAIRMAN JAUQUET: But there's all these
9 counters. What happens in there?

10 MS. LOPER: Well, I have specific counters for
11 the mixing, a specific counter for the rolling out,
12 and then for the packaging of it into -- I just
13 separate everything into its own little area --

14 CHAIRMAN JAUQUET: Oh, I see.

15 MS. LOPER: So there's no --

16 CHAIRMAN JAUQUET: So that's really your --
17 people don't go in there.

18 MS. LOPER: I'm sorry?

19 CHAIRMAN JAUQUET: Customers don't go in there.

20 MS. LOPER: No.

21 CHAIRMAN JAUQUET: That's your -- a separate --

22 MS. LOPER: Right, but the --

23 CHAIRMAN JAUQUET: -- manufacturing operation.

24 MS. LOPER: The door that's going to be there
25 is glass, and there's going to be two visible windows

1 that you can look in and see.

2 CHAIRMAN JAUQUET: Yeah, okay, okay. Do you
3 distribute this stuff other places? Like do you do
4 mail order and stuff from the --

5 MS. LOPER: Very little.

6 CHAIRMAN JAUQUET: The dog biscuit?

7 MS. LOPER: Very little.

8 CHAIRMAN JAUQUET: Most of it's sold on
9 premises?

10 MS. LOPER: Yes.

11 CHAIRMAN JAUQUET: Oh. Any other questions,
12 you guys? Devin?

13 MR. MC MAHON: Not at the moment.

14 CHAIRMAN JAUQUET: All right. So let's --

15 MR. DOWLING: It looks all good to me, so.

16 CHAIRMAN JAUQUET: Yeah. We're going to --
17 this is a motion to accept the application for use
18 evaluation of 120 Main Street. Do I have a second?

19 MR. DOWLING: Second.

20 CHAIRMAN JAUQUET: All in favor?

21 MR. BURNS: Aye.

22 MR. DOWLING: Aye.

23 MR. MC MAHON: Aye.

24 CHAIRMAN JAUQUET: Aye.

25 Then we approve it at another meeting. But

1 this is -- you know, we're accepting the application.

2 MS. LOPER: Okay.

3 MR. DOWLING: Since this is a combined work
4 session and regular meeting, can we approve it, too,
5 or do we have to --

6 CHAIRMAN JAUQUET: Well, I think we -- don't we
7 need to see --

8 MR. MC MAHON: There was an issue with whether
9 or not boarding -- I don't know whether or not
10 boarding for temporary, for a short period of time is
11 an approved use for the building.

12 CHAIRMAN JAUQUET: Yeah.

13 MR. DOWLING: Well, I'm sure it's not in the
14 code, dog boarding, because it was probably never
15 thought of before. For day, I mean, we --

16 MR. MC MAHON: Well, that's something that we
17 certainly need to figure out before the next meeting
18 and that needs to be addressed. We don't have an
19 answer for that now, and I don't think we can
20 approve --

21 MR. DOWLING: Okay.

22 MR. MC MAHON: -- the plan. I think we need an
23 answer on that. You know, we need to confirm that
24 it's an approved use for the space. We should find
25 out whether or not -- where it falls, how that would

1 be classified. We don't have an answer to that now.
2 I don't know if anyone can give us --

3 MR. PROKOP: It's in the State Code. We need
4 to review the State Code. So it would just be two
5 weeks.

6 MS. LOPER: Two weeks? Okay.

7 CHAIRMAN JAUQUET: Are we going to get the --

8 MR. PROKOP: Sorry.

9 CHAIRMAN JAUQUET: Do we get to the see the
10 building plans that -- is there like -- I don't know.
11 Do we get -- are we going to see the mechanical?

12 MR. DOWLING: No.

13 CHAIRMAN JAUQUET: We don't need to see
14 anything? Okay, okay.

15 MR. PROKOP: No. Wait a second. Mechanicals
16 you don't see, but you're entitled to the floor plan.

17 MR. DOWLING: Which we got.

18 CHAIRMAN JAUQUET: And which is what we've got,
19 yeah.

20 MR. PROKOP: Okay.

21 CHAIRMAN JAUQUET: All right.

22 MS. BERRY: But I guess his point is good if it
23 has an impact on the exterior of the building, right?

24 MR. PROKOP: Do you have mechanical plans? Are
25 you changing anything that you got plans for?

1 MS. LOPER: I mean, on the outside of the
2 building?

3 MR. PROKOP: No, the inside.

4 MS. LOPER: I don't understand what you mean.

5 MR. DOWLING: She's using the same heater, same
6 space. What other --

7 MS. LOPER: I'm using the same heater, the same
8 AC unit that's there.

9 MR. PROKOP: Okay.

10 CHAIRMAN JAUQUET: And you're not putting in
11 any new sink, or you are?

12 MS. LOPER: The sinks? The sinks are there,
13 yes.

14 MR. DOWLING: They're in the plan.

15 CHAIRMAN JAUQUET: The sinks?

16 MS. LOPER: Yes.

17 CHAIRMAN JAUQUET: Okay, they're there. I see
18 them there. Okay. All right. Still, we're going
19 to --

20 MS. WINGATE: The sinks are not existing.

21 MR. DOWLING: But they're on the site plan.

22 MS. WINGATE: But they're on the plan.

23 MS. LOPER: Yes.

24 MR. DOWLING: Yeah.

25 MS. WINGATE: Right. So she will be taking out

1 a building permit to do the renovations on the
2 interior space, which would include plumbing and
3 sinks.

4 MS. LOPER: Yes.

5 CHAIRMAN JAUQUET: So I'm going to make a
6 motion to --

7 MR. DOWLING: Well, we accepted it, so.

8 CHAIRMAN JAUQUET: We did already.

9 MR. DOWLING: Yeah.

10 CHAIRMAN JAUQUET: So it's accepted.

11 MR. DOWLING: So we just have to make sure the
12 State regulations are okay for --

13 CHAIRMAN JAUQUET: And then we're going to
14 approve that at the next meeting. There's an
15 acceptance of your plan.

16 MS. LOPER: Okay.

17 CHAIRMAN JAUQUET: And then there's an approval
18 of your plan.

19 MS. LOPER: Okay.

20 CHAIRMAN JAUQUET: After we answer these
21 questions.

22 MS. LOPER: Okay.

23 CHAIRMAN JAUQUET: Okay, thanks.

24 MS. LOPER: Thank you.

25 CHAIRMAN JAUQUET: And then the last is --

1 MR. DOWLING: Still awake?

2 CHAIRMAN JAUQUET: Motion to accept an
3 application for a use evaluation of 300B Main Street.

4 MS. BRANCATO: I'm Joann Brancato, the last
5 person standing.

6 CHAIRMAN JAUQUET: Oh, geez. The owner intends
7 to locate a retail store, selling vintage furniture
8 and jewelry, and offering interior design services.
9 The store is currently vacant.

10 MR. DOWLING: And this is the old hair saloon
11 that was --

12 MS. BRANCATO: Correct.

13 MR. DOWLING: -- on the site there?

14 MS. BRANCATO: Uh-huh.

15 MR. PROKOP: Are you related to people in
16 Westchester?

17 MS. BRANCATO: No.

18 MR. PROKOP: No? I know people who have the
19 same name.

20 MS. BRANCATO: Not that I know of.

21 CHAIRMAN JAUQUET: Okay. So are there any --

22 MR. DOWLING: Are you doing any -- you're not
23 doing any changes to the space at all, are you?

24 MS. BRANCATO: Just painting.

25 MR. DOWLING: Painting.

1 CHAIRMAN JAUQUET: And does she need a sign?
2 Is it Historic District signage.

3 MR. DOWLING: I think your --

4 CHAIRMAN JAUQUET: I think it is.

5 MR. DOWLING: I think your sign was not on the
6 street, right? It's just outside the door, right?

7 MS. BRANCATO: The sign, I think there's
8 something in there, it's --

9 MS. WINGATE: Oh, I forgot to -- oh, that was
10 for HPC.

11 MR. DOWLING: Yeah.

12 MS. WINGATE: The signage.

13 MS. BRANCATO: Well, I have another -- because
14 it's a little bit different.

15 MS. WINGATE: Sorry.

16 MS. BRANCATO: That's okay.

17 MS. WINGATE: The sign is going to HPC.

18 MS. BRANCATO: I just have one sheet on this.
19 It's just a little bit longer now.

20 MR. DOWLING: I was pointing out to him where
21 the sign was on her -- where it would be on her plan.
22 So it's all barely visible from the street because of
23 the angle.

24 CHAIRMAN JAUQUET: Right. But how does your
25 store articulate with Bay Avenue? Do people come in

1 from Bay?

2 MR. DOWLING: Your only door is actually
3 through the middle of the square there, correct?

4 MS. BRANCATO: That door is on the middle of
5 the square, but there is a door on the back end on
6 Bay.

7 CHAIRMAN JAUQUET: Yeah.

8 MS. BRANCATO: So that the owner, Brent, said
9 that maybe in the summer we can open that door, so
10 that people -- because there is another door in my
11 store after that door. So he said maybe they would
12 open that door, so I would have another entrance
13 where the guy next door is, because a lot of people
14 come in that street.

15 CHAIRMAN JAUQUET: Yeah, there's pedestrian
16 traffic on that street.

17 MS. BRANCATO: Yeah, I know. It would be
18 wonderful if I could do that.

19 MR. DOWLING: Yeah. That's where that Basso is
20 going to be.

21 CHAIRMAN JAUQUET: The what?

22 MR. DOWLING: Remember that place, Basso, that
23 we approved like six years ago?

24 CHAIRMAN JAUQUET: Yeah, yeah, yeah. What's
25 the square footage of this building? It seems so

1 small, 26 by --

2 MS. BRANCATO: It's like 650, I think.

3 CHAIRMAN JAUQUET: Yeah, yeah.

4 MS. BRANCATO: Six hundred and fifty square
5 feet.

6 CHAIRMAN JAUQUET: Yeah. Is that building now
7 used with the two entries and exits for customer
8 traffic? Was it used that way? And that's not a
9 problem, is it?

10 MS. WINGATE: No, it's not a problem.

11 MS. BRANCATO: But it wasn't used like that.
12 But it wasn't --

13 MS. WINGATE: The hair salon did not use it,
14 because there's sort of a porch. You come into an
15 exterior room, and then you go into the space, and
16 they used it for storage and --

17 CHAIRMAN JAUQUET: And that was right on Bay.

18 MS. WINGATE: That's right on Bay.

19 CHAIRMAN JAUQUET: That's how they used Bay.

20 MS. BRANCATO: That's exactly what they used it
21 for, storage.

22 MS. WINGATE: Right.

23 MS. BRANCATO: But I would have stuff there
24 just to -- as retail.

25 CHAIRMAN JAUQUET: Do you have to do any

1 demolition in order to make access normal from Bay,
2 if you were to do that?

3 MS. BRANCATO: I don't.

4 CHAIRMAN JAUQUET: Okay.

5 MS. BRANCATO: I don't.

6 CHAIRMAN JAUQUET: Yeah. It's just that they
7 got to go up some steps, right?

8 MS. BRANCATO: They'd have to go up a couple of
9 steps. But because the guy next door, because he has
10 a deck right there, that would just make so much
11 sense, that people could also come into my store

12 CHAIRMAN JAUQUET: Right, right, right.

13 MS. BRANCATO: But I didn't put in to put a
14 sign on that side, but I would like down the road to
15 put a sign on that side to use it. So I don't know
16 if I have to come back again for the back side. But
17 I would do the same kind of sign, or maybe just a
18 sign in the window behind.

19 MR. DOWLING: If it's in the window, you don't
20 have to see us. If it's exterior, you have to come
21 back.

22 MS. BRANCATO: Okay. And if it's just printed
23 on the window on the inside, that would be fine?
24 Okay.

25 MR. DOWLING: On the inside.

1 MS. WINGATE: It still has to go through
2 Historic. The building is in the Historic District.

3 MR. DOWLING: Even if it's on the inside of the
4 window?

5 MR. MC MAHON: The Historic Preservation
6 Commission you're already seeing with regards to the
7 sign.

8 MS. BRANCATO: Okay.

9 MR. MC MAHON: If you do change -- if you have
10 a sign painted onto the window, you'd have to consult
11 them again.

12 MS. BRANCATO: Okay.

13 MR. MC MAHON: It wouldn't be us.

14 CHAIRMAN JAUQUET: Yeah, you should do that.
15 Get that now, so you have both signs.

16 MS. BRANCATO: Oh. So where do I go for that?

17 MS. WINGATE: You're already there.

18 (Laughter)

19 MR. DOWLING: Just you just want to put that on
20 your application for HPC, so that you only -- even if
21 you don't put the sign on for a year, you're
22 approved.

23 CHAIRMAN JAUQUET: Yeah, you have it.

24 MR. DOWLING: And to save you time, so you
25 don't have to come back again.

1 MS. BRANCATO: Okay.

2 CHAIRMAN JAUQUET: Yeah. So --

3 MR. DOWLING: Do we accept the application?

4 CHAIRMAN JAUQUET: Yeah. So this is a motion
5 to accept the application for the use evaluation at
6 300B Main Street. Do I have a second?

7 MR. MC MAHON: Second.

8 CHAIRMAN JAUQUET: All in favor?

9 MR. BURNS: Aye.

10 MR. DOWLING: Aye.

11 MR. MC MAHON: Aye.

12 CHAIRMAN JAUQUET: Aye.

13 So passed.

14 MS. BRANCATO: So does that mean I'm approved?
15 Do I have to come back?

16 MR. DOWLING: We accepted the application. Do
17 you want to approve it now, too? Do you have any
18 questions? Is there any issues that you foresee at
19 all, the Building Department or Advisor?

20 CHAIRMAN JAUQUET: Let's -- the only thing --

21 MR. PROKOP: What is it zoned?

22 MS. WINGATE: It's zoned CR.

23 MR. PROKOP: Okay.

24 CHAIRMAN JAUQUET: So let's -- the only -- the
25 conditional, that you get approvals for signs in the

1 front, approvals for signs in both entrances, put it
2 that way.

3 MR. MC MAHON: From the HPC.

4 CHAIRMAN JAUQUET: From HPC. Okay. So this is
5 a motion to approve the use --

6 MR. PROKOP: First, there's a motion to SEQRA.
7 Excuse me.

8 CHAIRMAN JAUQUET: Okay.

9 MR. PROKOP: I'm sorry, I apologize. Could I
10 do --

11 CHAIRMAN JAUQUET: Yes, yes.

12 MR. PROKOP: So the motion is for the Board to
13 adopt Lead Agency status for purposes of SEQRA. The
14 Board will determine that -- is determining that the
15 approval of a use evaluation for 300B Main Street is
16 an unlisted action for purposes of SEQRA, and that
17 the approval of the use evaluation for 300B Main
18 Street will not have a significant negative impact on
19 one or more aspects of the environment.

20 CHAIRMAN JAUQUET: I second. Go ahead

21 MR. MC MAHON: I so motion

22 CHAIRMAN JAUQUET: I second it. All in favor?

23 MR. BURNS: Aye.

24 MR. DOWLING: Aye.

25 MR. MCMAHON: Aye.

1 CHAIRMAN JAUQUET: Aye.

2 So accepted. And I motion to approve the use
3 evaluation for 300B Main Street, conditional to
4 approval of a sign at both -- from the Historic
5 District Board at both the -- at both entries to the
6 property. Do I have a second?

7 MR. BURNS: Second.

8 CHAIRMAN JAUQUET: All in favor?

9 MR. BURNS: Aye.

10 MR. DOWLING: Aye.

11 MR. MCMAHON: Aye.

12 CHAIRMAN JAUQUET: Aye. Okay.

13 MS. BRANCATO: Thank you very much.

14 CHAIRMAN JAUQUET: Thanks. Good luck.

15 MS. BRANCATO: Thank you.

16 CHAIRMAN JAUQUET: And a motion to schedule the
17 next work session for March 26th, 2015, and the next
18 regular session for April 2nd, 2015. Do I have a
19 second?

20 MR. BURNS: Second.

21 CHAIRMAN JAUQUET: All in favor?

22 MR. BURNS: Aye.

23 MR. DOWLING: Aye.

24 MR. MC MAHON: Aye.

25 CHAIRMAN JAUQUET: Aye.

1 A motion to adjourn. Do I have a second?

2 MR. DOWLING: Second.

3 CHAIRMAN JAUQUET: All in favor?

4 MR. BURNS: Aye.

5 MR. DOWLING: Aye.

6 MR. MC MAHON: Aye.

7 CHAIRMAN JAUQUET: Aye.

8 (Whereupon, the meeting was adjourned at 7:55

p.m.)

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

STATE OF NEW YORK)

) SS:

COUNTY OF SUFFOLK)

I, LUCIA BRAATEN, a Court Reporter and Notary Public for and within the State of New York, do hereby certify:

THAT, the above and foregoing contains a true and correct transcription of the proceedings taken on March 12, 2015.

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

IN WITNESS WHEREOF, I have hereunto set my hand this 28th day of March, 2015.

Lucia Braaten