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VILLAGE OF GREENPORT
PLANNING BOARD
WORK SESSION
April 30, 2015
5:00 p.m.

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

Appearances:

- Devin McMahon - Chairman
- Ben Burns - Member
- Chris Dowling - Member
- Peter Jauquet - Member

- Joseph Prokop, Village Attorney
- Eileen Wingate, Village Building Inspector
- Glynis Berry, Planning Board Consultant

1 (Whereupon, the meeting was called to order at
2 5:06 p.m.)

3 CHAIRMAN MC MAHON: This is the April 30th
4 Village of Greenport Planning Board work session.

5 The first item, Item #1, motion to accept the
6 use evaluation application from Wayne Turrett.
7 Applicant proposes to build a new single-family
8 house. The property is located at 746 Main Street
9 and is located in R-1, One Family Residential
10 District; Suffolk County Tax Map 1001-2-3-8.02.
11 Okay. I think we're going to begin.

12 We have some comments from, or some input from
13 our advisor, Glynis, so I'm just going to go over a
14 couple of the points and then we can move forward
15 from there.

16 With regards to the SEQRA recommendation,
17 whether it's a Type I or II choice will determine
18 whether a hearing is required. Type I is work in an
19 Historic District, 617.4, Type I, Action is B,
20 Section 9, Subsection 9.

21 Any unlisted action, unless the action is
22 designed for the preservation of the facility or site
23 occurring wholly or partially within or substantially
24 contiguous to any historic building, structure,
25 facility, site or district or prehistoric site that

1 is listed in the National Register for Historic
2 Places, what has been proposed by New York State
3 Board.

4 Or it could be Type II, Section C,
5 Subsection 9, Construction of single family on an
6 improved lot, and Section 19, official acts of a
7 ministerial nature involving no exercise of
8 discretion, including building permits and historic
9 preservation permits where issuance is predicated
10 solely on applicant's compliance or noncompliance
11 with the relevant local building or preservation
12 codes.

13 Basically, it's a question as to whether or not
14 this needs to go before the Historic Preservation
15 Committee. Any thought? Is this -- does it fall
16 within the Historic District

17 MS. WINGATE: (Nodded yes.)

18 MS. BERRY: (Nodded yes.)

19 CHAIRMAN MC MAHON: This property does? In the
20 past, generally, what's the precedent? How do we
21 normally address any new construction in an Historic
22 District?

23 MS. WINGATE: After the site plan review, it
24 naturally goes before the Board maybe once a month,
25 and they're reviewing the nature of the structure.

1 CHAIRMAN MC MAHON: Okay. My thought is we
2 should try to stick with how it's been handled in the
3 past. Does anyone have any other thoughts?

4 MR. JAUQUET: Yeah. You know, if they get
5 their building plans and elevations, and whatnot,
6 then I would think that the Historic would look at
7 that and make their judgment, right?

8 CHAIRMAN MC MAHON: I think so.

9 MR. JAUQUET: Yeah.

10 MS. BERRY: The other issue is whether you need
11 a hearing or not.

12 CHAIRMAN MC MAHON: Whether there's a public
13 hearing on it?

14 MS. BERRY: Right. For I, you need a hearing;
15 for II, you don't.

16 CHAIRMAN MC MAHON: A hearing here or before
17 the Historic Preservation Commission?

18 MS. WINGATE: They don't do hearings.

19 CHAIRMAN MC MAHON: They don't do any hearings?

20 MS. WINGATE: They do them here.

21 CHAIRMAN MC MAHON: Okay.

22 MR. JAUQUET: So which choice do you want?

23 CHAIRMAN MC MAHON: That would be the one where
24 they review, normally would be a public hearing?
25 Yes?

1 MR. PROKOP: Yeah. The thing that has happened
2 now is, you know, we have a Planner going over these
3 applications, and that's the difference, really, and
4 she's identified this as a potential Type I
5 application -- action for the Board. And now that we
6 have that in front of us, do you think that this
7 includes Historic Districts that are not on the
8 National Registry, a Type I Action, or Historic
9 Districts that are on the National Registry?

10 MS. BERRY: Well, it says National Registry.

11 MR. PROKOP: Okay. Is this one on the National
12 Registry?

13 MS. WINGATE: Yes.

14 MR. PROKOP: It is.

15 CHAIRMAN MC MAHON: Okay.

16 MR. PROKOP: It's a Type I Action.

17 CHAIRMAN MC MAHON: Okay.

18 MR. PROKOP: We don't have a choice.

19 CHAIRMAN MC MAHON: Okay. So that will be a
20 Type I Action, which would have a public hearing. Do
21 we schedule that now, or do we have to wait until we
22 have the --

23 MS. WINGATE: You can schedule it now.

24 MR. PROKOP: Yeah. I think that the other
25 thing that we should do is now that we have the

1 application in front of us as preliminary, vote to do
2 what's called a coordinated review.

3 CHAIRMAN MC MAHON: Okay.

4 MR. PROKOP: And for purposes of SEQRA, and
5 we'll -- so the motion is to initiate a coordinated
6 review, and to preliminarily determine that the
7 approval of this will be a Type I, the consideration
8 of this application will be a Type I Action for
9 purposes of SEQRA. And it would be my
10 recommendation, although it has to be reviewed by
11 Glynis, that it would be a -- not have a significant
12 negative impact on the environment. It's anticipated
13 that it would not.

14 MS. BERRY: Yeah, I agree.

15 MR. PROKOP: But we need to vote to start that
16 process.

17 CHAIRMAN MC MAHON: I'll make the motion. Is
18 there a second?

19 MR. BURNS: Second.

20 CHAIRMAN MC MAHON: All in favor?

21 MR. BURNS: Aye.

22 MR. DOWLING: Aye.

23 MR. JAUQUET: Aye.

24 CHAIRMAN MC MAHON: Aye.

25 Motion passes. Okay.

1 MR. BURNS: DO we want to hear from Mr. Turrett
2 and find out just what they're doing?

3 CHAIRMAN MC MAHON: Sure, we can do that. And
4 if there are -- maybe we can just quickly bring up
5 some of the issues that Glynis noted and we can
6 address those, and maybe we can have a chance to
7 address them.

8 New York State DEC regulations apply. The
9 applicant needs New York State Department of
10 Environmental Conservation permit or Letter of
11 Nonjurisdiction before a permit can be issued.

12 While the lot is more than 10,000 square feet,
13 complying with the Village minimum lot size, it does
14 not comply minimum lot size of square 20,000 square
15 feet that New York State Department of Environmental
16 Conservation requires in the tidal wetlands. Land
17 Use Regulations Part 661.6, Section A, Subsection 5,
18 Subsection (i), if the division -- subdivision was
19 approved after 1977. The lot was created in 2011.

20 The second item, under DEC Part 661.6,
21 Subsection A, Subsection 4, not more than 20% of the
22 lot can be covered by structures or impervious
23 services unless the coverage area is less than 3,000
24 square feet, or less than the adjacent area on any
25 individual lot lawfully existing on 8/20/1977.

1 And there are a few other items we'd need for
2 the -- to complete the application. New York State
3 Department -- New York State Department of
4 Environmental Conservation permit for the proposed
5 construction, permit for the existing dock. The file
6 does not contain DEC permit for the floating dock and
7 piles, but the file indicates that a wetlands permit
8 application and permit, dated 12/2/2002, were
9 approved by the Greenport Village Board of Trustees
10 on 11/21/02, the construction of the platform,
11 stairway, catwalk, floating dock and piles. Also
12 permits construction of riprap wall.

13 Plans need to include sewer and water lines,
14 show how all stormwater runoff will be retained
15 on-site, including calculations, building site
16 coverage, building square foot coverage, square
17 foot -- square footage of impervious cover. If
18 partially pervious, indicate level. Square footage
19 of dirt driveway. Please note, the design does not
20 have any component to counter-compaction. The level
21 of imperviousness may be significant.

22 Okay. Would you like to take the podium,
23 please?

24 MR. TURRETT: Sure. Do you want me explain
25 the --

1 CHAIRMAN MC MAHON: Could you just introduce
2 yourself and --

3 MR. TURRETT: Sorry. The name is Wayne
4 Turrett, the owner and the applicant as the Architect
5 for 746 Main Street.

6 The desire is to build a single family house, a
7 modest one, about 2000 square feet. I think that it
8 falls short of the 20% that you mentioned in terms of
9 site coverage. It's smaller than that.

10 And as far as the impact to the environment,
11 there will not be any cellar or crawl space below
12 grade, it will all be sitting above grade.

13 I included some elevations, preliminary
14 elevations at this point for you to look at. And you
15 could see the way it's sited.

16 As far as Historic District goes, it is a lot
17 behind another lot, so it's very -- it's not very
18 visible from the street, let's put it that way. It
19 actually faces the hospital. It's the last -- it's
20 right next to Townsend Manor and that's where it's
21 located.

22 MR. JAUQUET: And so the other side is the
23 grounds of the hospital?

24 MR. TURRETT: Across the creek.

25 MR. JAUQUET: On the north, the northbound?

1 MR. TURRETT: Right. Actually --

2 MR. JAUQUET: So what's there? What do they
3 have, privacy architecture, privacy landscaping, or
4 is it parking lot, or what's there?

5 MR. TURRETT: There's nothing, really. I have
6 a dock going down to the creek, and then if you were
7 to jump off the dock and swim, you'd be at the
8 hospital.

9 MR. JAUQUET: Oh, I see.

10 MR. TURRETT: That's where it is.

11 MS. WINGATE: It's the very last property.

12 MR. JAUQUET: I see now. It's sort of like a
13 -- yeah, crooked.

14 MR. TURRETT: I had done a FOIL request with
15 DEC, and so I have all the paperwork from -- was it
16 2002?

17 CHAIRMAN MC MAHON: Okay.

18 MR. TURRETT: So I have all those approvals
19 that were done then. I'm not doing anything to the
20 dock, I really am just trying to build a house.

21 MS. BERRY: You still need a permit from DEC
22 for the house, though.

23 MR. TURRETT: Yes, I understand. I need a
24 Certificate of No Effect; is that what that's called?

25 MS. WINGATE: Nonjurisdiction.

1 MR. TURRETT: Nonjurisdiction. And that, I am
2 in the process of filing that. I have spoken with
3 DEC a number of times, and you can never say that
4 there won't be any problems, but there doesn't seem
5 like there's a particularly high hurdle here.

6 MS. BERRY: And I agree, I think the house has
7 practically no impact on the Historic District, it's
8 just that it's formally in the District.

9 MR. TURRETT: Yes, I understand.

10 MR. JAUQUET: Was there a house there?

11 MR. TURRETT: There is not a house there.

12 MR. JAUQUET: Was there ever a house there?

13 MR. TURRETT: Not at this particular lot. It
14 was divided. It was a house that had the property
15 all the way to the water. And I think that in order
16 to sell the house, they divided the house from the
17 back of the lot.

18 MR. JAUQUET: Sort of maximized it.

19 MR. TURRETT: Right.

20 MR. JAUQUET: Which they should do. So is this
21 a stick-built, or is it going to be modular and
22 trucked in?

23 MR. TURRETT: No. I was originally thinking
24 modular, but I'm not going to do modular. It's going
25 to be more of a passive house design.

1 MR. JAUQUET: Because it looks -- yeah, it
2 looks like it.

3 MR. TURRETT: I don't know if that's a
4 compliment or not, but --

5 MR. JAUQUET: No, I don't know. I mean, you
6 know, if you look at it, it looked like it was made
7 not in a high volume manufacturing situation, trucked
8 to the site kind of modular, but one that --

9 MR. TURRETT: Yeah.

10 MR. JAUQUET: You know, one of those with, you
11 know, energy efficiencies built in, a little more
12 expensive. Is there solar?

13 MR. TURRETT: I was looking at that.

14 MR. JAUQUET: You were looking at it, yeah.

15 MR. TURRETT: I was looking at a modular.

16 MR. JAUQUET: And are there solar panels on
17 this thing?

18 MR. TURRETT: I'm looking into that now in
19 terms of a passive house or a zero net energy house.
20 I will need solar, but I don't know if I can actually
21 afford it at this time.

22 MR. JAUQUET: Does the Village have solar
23 panel --

24 MS. WINGATE: The Village does --

25 MR. JAUQUET: Solar panel, you know --

1 MS. WINGATE: The Village does not have net
2 metering.

3 MR. JAUQUET: No, not that, but just the solar
4 panel --

5 MR. BURNS: Rules, laws?

6 MR. JAUQUET: You know, they exist there,
7 people see them, and it's like -- you know, it's
8 there for --

9 MS. WINGATE: No.

10 MR. JAUQUET: You know, for the aesthetic, or
11 whatever.

12 MS. WINGATE: We have nothing on the books.

13 MR. JAUQUET: Okay. The Village doesn't have
14 this. We don't have a tie-in to electric refunding
15 and that --

16 MS. WINGATE: No net metering.

17 MR. DOWLING: No, nothing, so you don't get any
18 of the credits at all for --

19 MS. WINGATE: So there are -- right, there are
20 no incentives.

21 MR. TURRETT: Unless you have batteries --

22 MS. WINGATE: Unless --

23 MR. TURRETT: -- so you could store it.

24 MS. WINGATE: Right.

25 MR. JAUQUET: Yeah, right. Well, that's

1 what -- yeah, or go to like a 24-volt house.

2 MR. TURRETT: Right.

3 MR. JAUQUET: Okay.

4 MR. TURRETT: And as far as DEC is concerned,
5 the property is above, 10 feet above the flood plain,
6 so it falls out of jurisdiction for that reason
7 alone.

8 MR. JAUQUET: You have a statement from them
9 on that? Because that's what I was wondering.

10 MR. TURRETT: I'm getting one, but I have a
11 survey. You can see the survey, it's an elevation
12 survey.

13 MR. JAUQUET: Does the fact that you're up
14 three steps in your picture, does that -- is that
15 part of the 10 feet?

16 MR. TURRETT: No, no. You could see, there's
17 another page of just a survey, I think.

18 MR. JAUQUET: Yeah.

19 MR. TURRETT: That shows all the elevations.
20 By the water, it's 12 feet, and it gradually goes
21 down.

22 MR. JAUQUET: Thank goodness.

23 MR. TURRETT: I'm not raising it particularly
24 for the flood issues, I'm raising it so I could get a
25 better view to the harbor.

1 MR. JAUQUET: Yeah, just wondering.

2 MR. TURRETT: It's also kind of an upside down
3 house, the living room is upstairs.

4 MR. JAUQUET: I saw that, yeah. Yeah. So is
5 it a rental, for sale, or you're going to live there,
6 or what's happening?

7 MR. TURRETT: Presently, I own a house at 522
8 Bailey Avenue, and that would be -- either I would
9 sell that one or rent that one, but I would move into
10 this one. This is for me. I own a sailboat, and
11 this was a dream and I'm trying to make it work.

12 CHAIRMAN MC MAHON: Okay.

13 MR. JAUQUET: So do we get another -- so
14 there's probably going to be another set of
15 elevations when your plans --

16 MR. TURRETT: Yeah, they're not -- those aren't
17 final.

18 MR. JAUQUET: Yeah. So there's more of an
19 architectural elevation --

20 MR. TURRETT: Right.

21 MR. JAUQUET: -- instead of artists drawing.

22 MR. TURRETT: Yeah, straight-on elevations,
23 plans, stuff like that.

24 MR. JAUQUET: And you get to it from Main
25 Street, then, along that easement, I guess.

1 MR. TURRETT: There's an easement. There's a
2 driveway that's shared by the front house with that
3 property.

4 MR. JAUQUET: Yeah. So they're -- have
5 letters been sent out to the neighbors yet?

6 MR. TURRETT: For?

7 MR. JAUQUET: Do they send out letters to
8 neighbors on these things?

9 MS. WINGATE: DEC --

10 MR. JAUQUET: Not -- the Village.

11 MS. WINGATE: No.

12 MR. JAUQUET: They don't have to? The
13 neighbors don't get a comment period on these things,
14 do they?

15 MS. WINGATE: Well, if there's a public
16 hearing, then --

17 MR. JAUQUET: And there isn't for this?

18 CHAIRMAN MC MAHON: There will be.

19 MR. JAUQUET: There will be.

20 CHAIRMAN MC MAHON: There will be. Yeah, there
21 will be for this.

22 MR. JAUQUET: Has anybody said anything to you
23 yet, neighbor-wise?

24 MR. TURRETT: No. I did speak with the
25 neighbor. I spoke to Scott Gonzales and Townsend

1 Manor, right, he's one neighbor. I know the other
2 neighbor at the street and I've spoken to them, and I
3 know the next neighbor to the north.

4 MR. JAUQUET: They're all friendly so far?

5 MR. TURRETT: What's that?

6 MR. JAUQUET: Are they friendly toward you?

7 MR. TURRETT: They're all -- they're all
8 friendly, yeah. It's all working okay so far.

9 MR. JAUQUET: Good, good.

10 MR. PROKOP: There's a number of -- there's a
11 number of things that were indicated, 3 through 8 on
12 Page 2 --

13 CHAIRMAN MC MAHON: Yes.

14 MR. PROKOP: -- that are -- have to be shown on
15 the plans. So the Board needs to decide if you want
16 to accept the application with those.

17 CHAIRMAN MC MAHON: Well, I think we should
18 wait to accept the application, and then once we have
19 the application, schedule the public hearing. Are
20 you clear on what else you need to provide to
21 complete the plans?

22 MR. TURRETT: Well, based on these things, I am
23 clear, yes.

24 CHAIRMAN MC MAHON: Okay.

25 MR. TURRETT: I don't think there would be an

1 issue with supplying that information.

2 CHAIRMAN MC MAHON: Okay.

3 MR. PROKOP: So I would table this until the
4 next meeting, and then if he provides these things,
5 then we could accept it.

6 CHAIRMAN MC MAHON: Yeah.

7 MR. TURRETT: Would you like me to provide them
8 before your next meeting and --

9 CHAIRMAN MC MAHON: Yeah, we would -- well, we
10 have the -- it won't be on the --

11 MS. WINGATE: It won't be until May.

12 CHAIRMAN MC MAHON: Yeah, it won't be until May
13 28th.

14 MR. TURRETT: My question would be, is it
15 possible to provide them, get a provisional approval
16 for this? I think this is pre-planning, right, right
17 now?

18 MR. DOWLING: Yeah.

19 MR. TURRETT: So is it possible to get
20 provisional approval for what I'm doing and provide
21 you the information?

22 CHAIRMAN MC MAHON: Well, we would need
23 complete -- a complete plan before we can -- I mean,
24 if it were one small item, it could be a conditional
25 approval, but we -- you know, we haven't actually

1 even accepted the application yet.

2 MR. TURRETT: I see.

3 CHAIRMAN MC MAHON: And so we need a complete
4 application to accept, and then we can make -- then
5 we can act on it. Then we can --

6 MR. TURRETT: You're not talking about the
7 building application, or you are? Because I'm a
8 little confused about what the pre-planning is and
9 what the actual application to build the house is.

10 CHAIRMAN MC MAHON: Well, this is the site plan
11 application. A site plan application is different
12 from the building permit.

13 MS. WINGATE: Building permit application.

14 MR. TURRETT: Right.

15 MS. WINGATE: We don't need to start on a
16 building permit application until you're through
17 here.

18 MR. TURRETT: I see.

19 MS. WINGATE: It doesn't mean that you can't --
20 the day that they approve it, doesn't mean the
21 following day you can't give me a full set of plans
22 for the building permit.

23 MR. TURRETT: Okay. Okay.

24 MR. PROKOP: But we're looking for the plan
25 that has -- you know, the paperwork from the DEC.

1 So, if you have that, you should provide it to us as
2 soon as possible.

3 And then the other thing is the Numbers 3
4 through 8 that the Planner has told us. It's a
5 location of the sewer and water lines, things like
6 that. You know, if you could, they have to be
7 indicated on a plan.

8 So, basically, the pre-plan that you're talking
9 about is basically what the Board, as the Chairman
10 said, what we consider before accepting the
11 application. And then once you get through that
12 process, then we accept the application and you move
13 on and, in this case, to actually a hearing, but we
14 need to have a complete application first.

15 MR. TURRETT: Got it. Got it. All the
16 services are brought to the -- back into the site
17 already.

18 CHAIRMAN MC MAHON: Okay.

19 MR. PROKOP: Good.

20 MR. TURRETT: And I guess I'll just show where
21 they're connected to the house, right?

22 CHAIRMAN MC MAHON: Uh-huh.

23 MR. TURRETT: Okay. Any other questions?

24 MS. WINGATE: I have a question. Are you going
25 to want to schedule the public hearing for the June

1 regular session, or the June work session, or the --

2 CHAIRMAN MC MAHON: The May work -- no.

3 MS. WINGATE: The May regular session? I don't
4 think we have enough time for that. So we --

5 CHAIRMAN MC MAHON: The May work session?

6 MS. WINGATE: May work session?

7 CHAIRMAN MC MAHON: May work session would
8 be --

9 MS. WINGATE: Okay.

10 CHAIRMAN MC MAHON: That's five weeks out.

11 MS. WINGATE: Is that all right, Joe?

12 MR. PROKOP: Either the May work session or the
13 June regular meeting, either one. So we could --

14 MR. DOWLING: Do May, give him -- extend it to
15 May, so that wouldn't give him too long.

16 CHAIRMAN MC MAHON: Yeah. So let's plan on
17 May, and if we have to postpone it for a little, then
18 we can. But I'd rather try to get it done sooner,
19 rather than later.

20 MR. DOWLING: Yeah, don't drag it out.

21 MR. TURRETT: If the DEC Letter of
22 Nonjurisdiction doesn't come in time, is that okay?
23 Is that something that could come later?

24 MR. PROKOP: Well, then it will be adjourned.
25 We may open it, it will be up to the Board, but it

1 will be adjourned. It won't be closed without the
2 DEC information. And then, also, you have to, you
3 know, clear up the plans. There's a number of --
4 like I said --

5 MR. TURRETT: Oh, those things will all be --
6 I'll take care of all that.

7 MR. PROKOP: Please.

8 MR. TURRETT: That's easy for me to do, but the
9 DEC I have no control over when I get that letter.

10 MR. PROKOP: Right, okay.

11 CHAIRMAN MC MAHON: Okay. I'm going to make a
12 motion that we table this until the -- I guess the
13 next meeting, if he has the information then, or the
14 next work session.

15 MS. WINGATE: The next work session.

16 CHAIRMAN MC MAHON: Next work session.

17 MR. PROKOP: Or we could -- we just talked
18 about -- okay. We just talked about having the
19 hearing at the --

20 MS. BERRY: Work session.

21 MR. PROKOP: The May work session.

22 CHAIRMAN MC MAHON: The next work session.
23 Okay. So we'll table it until then.

24 MR. PROKOP: So we have to set the public
25 hearing. We have to vote to set the public hearing.

1 So I think that the vote --

2 CHAIRMAN MC MAHON: Okay.

3 MR. PROKOP: Excuse me. The vote would be -- I
4 would recommend that you schedule -- that the public
5 hearing be scheduled for the May work session.

6 CHAIRMAN MC MAHON: May 20 -- does anyone have
7 the date on it?

8 MR. TURRETT: Is that a Thursday again?

9 CHAIRMAN MC MAHON: Yeah. It's the last
10 Thursday of the month, so that would be the 28th.

11 MS. WINGATE: May 28th.

12 CHAIRMAN MC MAHON: All right. So I make a
13 motion that we have a public hearing on this for the
14 Historic Preservation -- or considerations to be held
15 on May 28th, the next -- the May work session. Do I
16 have a second?

17 MR. DOWLING: Second.

18 CHAIRMAN MC MAHON: All in favor?

19 MR. BURNS: Aye.

20 MR. DOWLING: Aye.

21 MR. JAUQUET: Aye.

22 CHAIRMAN MC MAHON: Aye.

23 Okay. And I'm going to make a motion that we
24 table this discussion until that meeting. Do I have
25 a second?

1 MR. DOWLING: Second.

2 CHAIRMAN MC MAHON: All in favor?

3 MR. BURNS: Aye.

4 MR. DOWLING: Aye.

5 MR. JAUQUET: Aye.

6 CHAIRMAN MC MAHON: Aye.

7 The motion passes. Okay. Thank you very much.

8 MR. TURRETT: Thank you very much.

9 MR. BURNS: Good luck.

10 CHAIRMAN MC MAHON: The second item on the
11 agenda, motion to accept a use evaluation application
12 from Heidi Kelso. Heidi Kelso represents Lido, LLC,
13 and has leased the store front at 132 Main Street.
14 The property is located at 132 Main Street and
15 located in the Commercial Retail District. It is
16 located in the R-1, One Family Residential, District;
17 Suffolk County 1001-2-3-8.02.

18 Okay. I'm going off the notes we have from
19 Glynis. The SEQRA recommendation is a Type II. The
20 use is permitted use. Work in premises is cosmetic.
21 The applicant is also applying for a sign permit.
22 Proposed activity in the Historic District and would
23 require a full submission of both building and window
24 signs to the Historic Preservation Commission.

25 Note that the placement of the sign is not

1 consistent with adjacent establishments in the same
2 building. Some coordination might be encouraged.

3 Also of note, the applicant intends to open May
4 1st. The applicant cannot start activities until
5 approvals are in place. Penalties may be applied.
6 That is not for us to decide, but is the applicant
7 here?

8 MS. KELSO: Hi. Do you want me to stand up or
9 sit here?

10 CHAIRMAN MC MAHON: Does anyone have any
11 comment on the -- if you had -- if there's anything
12 you'd like to say, feel free. Otherwise --

13 MS. KELSO: Oh, no, I don't think so.

14 MS. WINGATE: (Nodded yes.)

15 MS. KELSO: Yeah? Okay.

16 (Laughter)

17 No. I think I was -- my possible location was
18 119 Main Street, so --

19 MS. WINGATE: Can you state your name?

20 MS. KELSO: I'm sorry. My name is Heidi Kelso.

21 CHAIRMAN MC MAHON: Thanks.

22 MS. KELSO: So I was across the street at 119
23 Main Street in the old Lucharito second space that
24 they're expanding into. So I'm not sure if you're
25 familiar with the business, but, essentially, I want

1 to do the same thing, which is a retail store. We
2 sell clothes, resort wear clothing, that type of
3 clothing, accessories, home furnishings and jewelry.
4 So it's a very similar business. We're just moving
5 across the street to the old Cookery Dock at 132 Main
6 Street.

7 CHAIRMAN MC MAHON: Okay.

8 MR. JAUQUET: You're going to have your store
9 open more than it was the Cookery Dock, right?

10 MS. KELSO: Yes, definitely.

11 MR. JAUQUET: Okay.

12 MS. KELSO: Seven days a week.

13 MR. JAUQUET: Oh, wow.

14 MS. KELSO: Probably after Memorial weekend.

15 MR. JAUQUET: Right.

16 CHAIRMAN MC MAHON: Okay. So, with regards to
17 the signs, you don't have any hanging signs, correct?

18 MS. KELSO: No. What we thought might be a
19 nice organic look was to do something similar,
20 actually, to what's adjacent to us on the left, which
21 is in the crescent. I guess it's sort of an archway.
22 Just do a hand-painted -- our logo is simple black
23 and white. I'm not sure, can you see it there? I
24 think it's written on one, yeah. So we would just do
25 something in black and white, the logo name and the

1 shield, probably painted very simple, and that's it.

2 You know, I think the dimensions, I don't
3 remember them offhand. We wrote them on there, so --

4 MR. DOWLING: Four-by-two.

5 MS. KELSO: What's that, Chris?

6 MR. DOWLING: Four-by-two.

7 MS. KELSO: Yeah. So it would just fit within
8 that, you know, framework.

9 CHAIRMAN MC MAHON: Okay.

10 MR. DOWLING: Have you put in an application of
11 the HPC for a sign?

12 MS. KELSO: Yes. And I understand in an email
13 I was told it was approved.

14 CHAIRMAN MC MAHON: Okay.

15 MR. PROKOP: What was approved?

16 MS. KELSO: I was told the signage was
17 approved. I received an email.

18 MS. WINGATE: Historic.

19 MR. PROKOP: Okay.

20 CHAIRMAN MC MAHON: Okay. Does anyone have any
21 issues?

22 MR. DOWLING: No. Should we accept the
23 application?

24 CHAIRMAN MC MAHON: Any concerns?

25 MR. JAUQUET: No.

1 MR. BURNS: Okay.

2 CHAIRMAN MC MAHON: Okay. I'll make a motion
3 to accept the application. Do I have a second?

4 MR. BURNS: Second.

5 CHAIRMAN MC MAHON: All in favor?

6 MR. BURNS: Aye.

7 MR. DOWLING: Aye.

8 MR. JAUQUET: Aye.

9 CHAIRMAN MC MAHON: Aye.

10 The motion passes. And then I guess we'll vote
11 on this at the regular session next week.

12 MS. WINGATE: (Nodded yes.)

13 CHAIRMAN MC MAHON: Okay. So we'll vote. I
14 don't see any problems, but we would approve it next
15 week at the regular session, okay?

16 MS. KELSO: Thank you very much.

17 CHAIRMAN MC MAHON: Thank you.

18 MS. KELSO: Thank you.

19 CHAIRMAN MC MAHON: Okay. Item #3, motion to
20 accept the use evaluation application from Brian
21 Currick. The applicant proposes to operate an
22 instructional and rental flyboard facility in
23 Preston's dock. The property is located at 102 Main
24 Street. It's located in the Waterfront Commercial
25 District; Suffolk County Tax Map 1001-5-4-12.1.

1 Flyboard application, I'm going to begin with
2 our notes from Glynis. Let me see.

3 Use Evaluation: The applicant is seeking
4 approval for a seasonal Flyboard rental operation
5 using dock space presented as a Boat Instruction
6 School, a permitted use in the Waterfront Commercial
7 Zoning District Code: 150-11, Subsection, Subsection 12.

8 The proposed operation is from May 16th to
9 September 27th, Friday to Sunday, 8:30 a.m. to 7 p.m.

10 Since flyboarding is a new use type for the
11 Board's consideration, there needs to be
12 consideration as to whether or not this is an
13 accepted use under this category.

14 It certainly is a unique venture.

15 Okay. SEQRA Recommendation: Type I action,
16 requiring coordinated review and a public hearing,
17 long form EAS, as an interpretation/addition to
18 permitted uses.

19 Additional submission materials: In order to
20 properly evaluate this proposal, the following
21 materials/input would help inform the decision:

22 Navigational chart and site plan of docks,
23 Showing operation, location of any
24 structures/storage, even if temporary.

25 Public right-of-way clearances, 8 foot required

1 for conditional uses as per 150-11, Subsection C; 1,
2 Subsection c, [1] [g] - recommend using the same
3 clearance.

4 Show limits of operation on open water,
5 including 300-foot buffer to mean high water --
6 buffer to mean high water, access sea routes to docks
7 and launches, main sea traffic lanes.

8 Show water depths in areas of operation.

9 Two: Additional information on physical aspect
10 of operation:

11 Provide guidance on when the tent will be
12 removed due to environmental conditions.

13 Which toilet facilities will be used?

14 Where will people who are waiting for their
15 turn be accommodated?

16 How will garbage be handled?

17 Three, Letter of approval from any owner whose
18 property faces any part of the operation.

19 Letter of approval from any water use
20 jurisdiction.

21 More information on the operation: Speed of
22 jet ski, wake expected, which I don't know if it
23 really applies here. It is a unique operation.

24 Pollution types and extent, oil, air.

25 Noise levels and type.

1 Impact on marine life - vegetation, shellfish
2 and finfish.

3 Impact on water quality, could actually help
4 increase dissolved oxygen.

5 When would operations be limited by
6 environmental issues? Weather, water quality, etc?

7 Item #6: Which organization will oversee the
8 safety operation? Please cite the regulations that
9 would apply to the operation.

10 What is the accident history of this activity?
11 A lot of warnings on what not to do.

12 Extent of injury?

13 Why was this location chosen? Other options
14 considered? Could this be operated on the LI Sound?

15 If the Board decides this is not a permitted
16 use, the applicant would need to go to the Zoning
17 Board of Appeals.

18 The applicant was proposing three signs. This
19 proposed activity is in a Historic District and would
20 require a full submission to the Historic
21 Preservation Commission.

22 Suggested outreach in addition to any required
23 notifications: The Harbor Master, Bay Constable, Bay
24 keeper; Town of Southold - Trustees; County -
25 shellfish leasing/other water oversight; New York

1 State Department of Environmental Conservation.

2 Request review from Cornell Marine Services and
3 CAC.

4 Item #12, Impact Assessment Considerations:

5 Intensity of use. The proposed use is located
6 in an area with a great deal of activity on both land
7 and sea. Of issue is safety, not just to the client,
8 but also to the other users of the dock and our
9 waters. Is the activity boating or swimming? Is
10 this an area suitable for swimming? The waters are
11 near the mouth of Sterling Basin and adjacent to a
12 boat yard. Is the water quality one suitable for
13 personal contact? Is this an area where the chances
14 of conflict/collision are higher, especially as
15 controls are not fully coordinated? Would another
16 location be more appropriate for this use?
17 Will the proposed action impact on the environmental
18 characteristics that caused the establishment of a
19 Critical Environmental Area? The applicant claims
20 not, but will marine life be affected? Drawn into
21 the water flow, etcetera?

22 Will the proposed action impair the character
23 or quality of important historic, archaeological,
24 architectural or aesthetic resources?

25 Thirteen: Suggest a demonstration is in order, maybe

1 just before a public hearing, since we are unfamiliar
2 with this type of operation. Those were the notes
3 from Glynis.

4 I don't know if any of you have any comments,
5 or if you'd like to speak to any of that or all of
6 that, preferably. If you could please introduce
7 yourself for the record.

8 MR. CURRICK: Yes. My name is Brian Currick.
9 I ask you for your patience and to keep an open mind
10 during this.

11 Before I get into what flyboarding is, I'd like
12 to tell you a little bit about who I am and who is
13 going to bring flyboarding to Greenport. I'm 27
14 years old. I work at Peconic Bay Medical Center as a
15 Radiologic Technologist, and before that, I worked
16 for my father's tree business since I was 13. I am a
17 certified skydiver, scuba diver, motorcyclist, and
18 now flyboarder. I volunteer for Long Island Today
19 Breast Cancer with the hospital. I went to Australia
20 and volunteered for environmental conservation. And
21 I am licensed in boating with the New York State
22 Parks and New York State Power Squadron with a jet
23 ski endorsement.

24 I am fluent in Spanish, and now I'm a certified
25 Master Flyboard Instructor.

1 Before I explain what flyboarding is, I'd like
2 to show you with a short video, because words don't
3 always get portrayed.

4 MR. JAUQUET: Wasn't this on the national news
5 recently?

6 MR. CURRICK: It was in the local news.
7 National, I don't know.

8 MR. JAUQUET: I don't know. I saw it.

9 MR. CURRICK: So I'll leave it here, and you
10 guys can pass it down.

11 MR. JAUQUET: Okay.

12 MR. CURRICK: Press play.

13 MR. DOWLING: I've seen it. If you guys want
14 to --

15 CHAIRMAN MC MAHON: Yeah, I'm familiar with it.

16 MR. DOWLING: Are you familiar with it?

17 MR. CURRICK: You're all familiar?

18 MR. JAUQUET: I am not.

19 CHAIRMAN MC MAHON: I think Peter and Ben
20 may --

21 MR. JAUQUET: We're not familiar. What do you
22 press?

23 (Whereupon, a video presentation was played.)

24 MR. JAUQUET: This one's hands-free.

25 MR. CURRICK: Essentially.

1 CHAIRMAN MC MAHON: So this is -- the power is
2 controlled by you?

3 MR. CURRICK: Yes.

4 CHAIRMAN MC MAHON: And the person on the board
5 controls their movement?

6 MR. CURRICK: Yes.

7 CHAIRMAN MC MAHON: Okay.

8 MR. JAUQUET: Moving their legs like that?

9 CHAIRMAN MC MAHON: By balancing?

10 MR. JAUQUET: I thought there was a
11 hand-held --

12 MR. CURRICK: They come with a --

13 MR. JAUQUET: -- apparatus.

14 MR. CURRICK: They come with a hand-held
15 attachment, but you don't need those.

16 MR. JAUQUET: Yes.

17 MR. CURRICK: So the way it works is the Board
18 hooks into a four-inch hose that hooks into the rear
19 of the jet ski, where the water is -- exits the jet.
20 So the jet -- the hose redirects the water through
21 the hose to the Board. The jet ski loses its power
22 steering, so the jet ski essentially sits still and
23 the person on the board controls everything, where
24 they go.

25 MR. JAUQUET: So the jet ski gets dragged

1 along a little bit, doesn't it?

2 MR. CURRICK: A little bit, but you're staying
3 in the same area.

4 MR. JAUQUET: Yeah.

5 MR. CURRICK: So flyboarding was invented four
6 years ago, so it's a fairly new sport.

7 MR. JAUQUET: Did you see this all?

8 MR. BURNS: Yeah.

9 MR. JAUQUET: Did you see this well enough?

10 MR. BURNS: Yeah.

11 MR. PROKOP: I did.

12 MR. BURNS: You want it?

13 MR. PROKOP: No thanks.

14 MR. JAUQUET: Sorry to interrupt you.

15 MR. CURRICK: I don't know how much you guys
16 read of my information. I don't want to --

17 MR. JAUQUET: Yeah, I read it.

18 CHAIRMAN MC MAHON: Yeah, I think everyone read
19 the background.

20 MR. CURRICK: Yeah, I don't want to read
21 through it.

22 MR. JAUQUET: Yeah, you don't have to.

23 CHAIRMAN MC MAHON: No, just more of the --

24 MR. JAUQUET: Unless you want to highlight
25 something.

1 CHAIRMAN MC MAHON: No. Just the issues that
2 were brought up in the segment I just read.

3 MR. CURRICK: Right.

4 CHAIRMAN MC MAHON: If you're going to bring
5 light, shed some light on any of those issues.

6 MR. CURRICK: Okay. I added to the packet when
7 I got here with a lot of the answers to them. So you
8 want to go one by one?

9 CHAIRMAN MC MAHON: Okay. This was --

10 MR. CURRICK: I added maps.

11 CHAIRMAN MC MAHON: These are the items that
12 were just done?

13 MR. CURRICK: I added surveys of Preston's Dock
14 to show where I would be set up on the dock and I
15 highlighted them.

16 CHAIRMAN MC MAHON: Okay.

17 MR. CURRICK: According to the survey and
18 Andrew Rowsom, that side of the building is
19 completely owned by Preston's, and the dock space is
20 16 feet wide. So I won't take up more than eight
21 feet on the dock. It's just going to be a small
22 table and a small portable changing room. So the
23 public right-of-way is still maintained.

24 I have maps showing the water depth. I will be
25 operating in anywhere from 35 to 80 feet of water

1 where I propose to operate out in the open water.

2 CHAIRMAN MC MAHON: Okay.

3 MR. CURRICK: Which, being with water that
4 deep, any shellfish or any fish, service then is
5 really not there, because the water is so deep. The
6 service is really on the surface.

7 And I'll maintain -- according to the Bay
8 Constable, I need to remain 300 feet off of any hard
9 surface, which I mapped out on three different maps
10 that you have.

11 They also said that they could not supply me
12 with the Letter of Approval, that is the Village's
13 job to approve it, that they can just give my word
14 that they will allow me to operate in the water.

15 MR. JAUQUET: Who's "they"?

16 MR. CURRICK: The Bay Constable. As long as I
17 follow the navigational rules, which are 300 feet
18 off, no wake.

19 MR. DOWLING: How far out do the -- because
20 there is a no-wake zone as well in the harbor.

21 MR. CURRICK: Yes, 500 feet for boats. The
22 boat traffic has to remain 500 feet off any hard
23 surface for traveling through the channel.

24 MR. JAUQUET: So what is the square footage of
25 your operating area there, is it the hash lines,

1 then?

2 MR. CURRICK: It's the hash lines and --

3 MR. JAUQUET: What do you expect the square
4 footage of your operating area to be?

5 MR. DOWLING: You mean, on the water?

6 MR. JAUQUET: Yeah, on the water, once you get
7 out 300 feet. Is it a circular --

8 MR. CURRICK: I don't need more than --

9 MR. JAUQUET: Circular area?

10 MR. CURRICK: Yeah.

11 MR. JAUQUET: Of how much diameter?

12 MR. CURRICK: Thirty-foot radius, so it's 60
13 foot diameter, which is the length of my hose.

14 MR. JAUQUET: Well, that limits the --

15 MR. CURRICK: Right.

16 MR. JAUQUET: You know, that limits the
17 coverage, so to speak.

18 MR. CURRICK: Right. I can't go anywhere. I
19 need to --

20 MR. JAUQUET: Right.

21 MR. CURRICK: You know, my hose is only 60
22 feet, so.

23 MR. JAUQUET: And what did the Bay Constable
24 say about boat traffic avoiding your location? Is it
25 buoyed? You know, do you have like, you know, lime

1 green buoys around where you are so boats don't go
2 through there?

3 MR. CURRICK: No, because --

4 MR. JAUQUET: I mean, I don't know how they --

5 MR. CURRICK: For each person, I'm not going to
6 go to the exact same spot, I'm going to be in the
7 general area. And because boats have to remain 500
8 feet off the dock space, and I only have to remain
9 300 feet off, there shouldn't be an issue with
10 anything.

11 MR. JAUQUET: Well, because, I mean, you know,
12 the way its is --

13 MR. DOWLING: Boats are allowed to transverse
14 in there.

15 MR. CURRICK: Right, yes.

16 MR. DOWLING: So there'd be a wake some -- in
17 500 feet of the shoreline.

18 MR. CURRICK: Yeah.

19 MR. DOWLING: That's New York State.

20 MR. CURRICK: And me being on the jet ski, I'm
21 not going to have someone operate it if I see a boat
22 coming towards me. I mean, everything is operated at
23 five miles an hour or less, so --

24 MR. JAUQUET: Because, I mean, that area is
25 all full of boats going to Claudio's, and going this

1 way and that way.

2 MR. CURRICK: Yes.

3 MR. JAUQUET: And there's plenty of jet skis
4 going around there, too.

5 MR. CURRICK: Right, of course.

6 MR. JAUQUET: Yours has a -- has a person
7 that's attached to it.

8 MR. BURNS: I had a question. Why is this
9 appearing before us? Shouldn't it go before the
10 Village Trustees?

11 MS. WINGATE: I didn't think of that, Ben.
12 Joe?

13 MR. PROKOP: Well, it's --

14 MR. JAUQUET: Why do you ask that, Ben? I'm
15 just asking.

16 MR. BURNS: Well, it's not -- it's not a
17 building, it's not a --

18 MR. JAUQUET: Because it's a weird -- it's
19 unusual.

20 MR. BURNS: -- structure, it's not what we
21 normally deal with.

22 MR. JAUQUET: Right.

23 MR. BURNS: Or is the sewer line and all sorts
24 of stuff.

25 MR. JAUQUET: Right.

1 MR. BURNS: It's an activity.

2 MR. JAUQUET: Yeah.

3 MR. DOWLING: And the shore side of it
4 definitely would come in front of us for the site
5 plan.

6 MR. MOORE: If I could address that. My name
7 is Bill Moore. I'm an attorney for Brian. I told
8 him I'd come down and give him a hand and help answer
9 questions. He's doing a great job. I see --

10 MR. JAUQUET: Have you tried this before?

11 MR. MOORE: Pardon?

12 MR. JAUQUET: Have you tried this yet?

13 MR. MOORE: Not yet.

14 MR. CURRICK: Can't wait to, though.

15 MR. MOORE: Well, I like all kinds of cool
16 things, so it looks really exciting.

17 You have in your packet the authorization
18 approval from Andrew down at Preston's, and he can
19 use the spot. In an ideal world, having presented
20 what is described here as nothing -- it's really a
21 summer pop-up business operating on the weekends only
22 during the season. It's not going to lead to the
23 issuance of a building permit. So, to answer your
24 question, in an ideal world, we'd be asking you for a
25 waiver of site plan and a blessing.

1 It was identified at the top of Glynis'
2 comments, at least in her opinion, not to speak for
3 her, but that this is a permitted use within your
4 zoning, Sub-category 12.

5 MR. BURNS: As far as the dock is concerned?

6 MR. MOORE: Pardon?

7 MR. BURNS: As far as te dock is concerned?

8 MR. MOORE: As far as the dock is concerned,
9 the zoning of that WC Zone District where it's
10 located. So it's permitted that he could do like an
11 instructional type boating school thing.

12 MR. JAUQUET: Yeah.

13 MR. MOORE: It's not an awful lot different
14 than the cruise operator down there, I don't believe,
15 that he's been there for 17 or 18 years.

16 MR. JAUQUET: The what?

17 MR. MOORE: The cruise line where you have --

18 MR. CURRICK: Glory Tours

19 MR. MOORE: Glory Tours. You know, same kind
20 of seasonal operation. I guess his season is longer.
21 But I don't know that that required any kind of site
22 plan. So we're actually really seeking a waiver.

23 MR. JAUQUET: What does he have to operate, do
24 you know?

25 MR. MOORE: Pardon?

1 MR. JAUQUET: What does he have to operate?

2 MR. MOORE: I have not looked to see. I don't
3 want to open his can of worms, but --

4 MS. WINGATE: It predates me, I don't know.

5 MR. JAUQUET: What?

6 CHAIRMAN MC MAHON: It predates her.

7 MR. MOORE: Not wanting to be operating and
8 come Monday, someone screaming and shouting, saying,
9 "What's going on down off of Preston's?"

10 MR. JAUQUET: Yeah.

11 MR. MOORE: Brian came before the Village and
12 said, Hey, this is what I want to do, what do I do?"
13 That's why we're here, but I don't know if we need to
14 go through a full site plan.

15 MR. BURNS: Yeah.

16 MR. JAUQUET: Yeah.

17 MR. MOORE: The Village Attorney can help
18 navigate that, if that's within the Board's wishes.
19 But, certainly, that would be our desire. To address
20 all these points raised in that memo would have us
21 back here next year.

22 Brian has done a good job of significant
23 response to a lot of points, but we are talking a
24 relatively -- it's a new action, and we're not
25 familiar with it, but it's not unlike other water

1 activities, whether it's jet skiing, or wakeboarding,
2 are other types of things. It may be new to us, but
3 it's not triggering the kind of review that I
4 think --

5 CHAIRMAN MC MAHON: Okay.

6 MS. BERRY: I think the main issue is whether
7 it's considered boating, or more in line with
8 swimming or some activity where the human body is
9 going in the water.

10 MR. DOWLING: It's boating.

11 MS. BERRY: It's definitely --

12 MR. DOWLING: Yeah, you're navigating --

13 MS. BERRY: Well, it's --

14 MR. DOWLING: You're navigating on the water
15 and you're strapped into a mechanical device. That's
16 considered boating, otherwise staffed, so --

17 MS. BERRY: I mean, it's up to you guys to
18 determine that, and I think that is the big question,
19 is whether you consider that boating or not.

20 MR. JAUQUET: And the -- don't we have
21 stand-up paddle board vending that -- where they use
22 the bay for that without --

23 MR. DOWLING: There's no business in the -- in
24 the Village that actually rents them out on using the
25 water, I mean, like launching from the shore.

1 MR. JAUQUET: Right. The vendee selects their
2 own put-in place after they rent the board on --

3 MR. DOWLING: Right.

4 MR. JAUQUET: Right, okay. And the next
5 closest thing --

6 MR. DOWLING: And there's really no place --
7 the only place to put in a paddle board and say --
8 really, is the beach by the ferry dock, which is not
9 a safe place, so.

10 MR. JAUQUET: Yeah, yeah.

11 MR. BURNS: My only -- if you brought that to
12 me 30 years ago, I would be happy. But right now --

13 (Laughter)

14 MR. CURRICK: You could still come and try it
15 May 16th.

16 MR. BURNS: I don't know.

17 MR. CURRICK: It's never too late.

18 MR. BURNS: But safety is the big thing of
19 mine.

20 MR. CURRICK: Yes.

21 MR. JAUQUET: Right, that's --

22 MR. BURNS: Not just for the participant, but
23 for the numbers of boats that are in that water --

24 MR. CURRICK: Of course.

25 MR. BURNS: -- on a Sunday afternoon or a

1 Sunday morning --

2 MR. CURRICK: Of course

3 MR. BURNS: -- or a Saturday. It's filled with
4 boats and people on paddle boards, and all kinds of
5 things.

6 MR. CURRICK: And coming from my background,
7 safety is not only second nature, but a priority to me.

8 MR. BURNS: I understand that, but the person I
9 would turn to would be the Harbor Master and anybody
10 that has a business there. What about the guys who
11 have the sail boats that go out on days, and that
12 sort of -- those are the people that I would be
13 concerned about.

14 MR. CURRICK: Right

15 MR. BURNS: And Claudio's especially.

16 MR. CURRICK: Claudio's was --

17 MR. JAUQUET: What did they say?

18 MR. CURRICK: Claudio's was going to host me,
19 like Preston's. The only issue with them is that
20 their restaurant is for sale, so they didn't want to
21 commit anything with that.

22 MR. JAUQUET: Are they going to be -- they're
23 going to be operating in the summer, Claudio's?

24 MR. CURRICK: Yes, but they didn't want to tell
25 me yes and have me, you know, commit to their dock

1 space, and everything, and their restaurant is for
2 sale.

3 MR. JAUQUET: Well, what did they say about
4 the activity itself off from their business? Not
5 that they own that water, but, you know --

6 MR. CURRICK: As in if they would like to have
7 it or --

8 MR. JAUQUET: Yeah. Well, yeah, maybe I
9 shouldn't be asking that question.

10 MR. MOORE: Well, no. My understanding was
11 actually -- but for their rumors to sell, they
12 actually contemplated hosting.

13 MR. CURRICK: Right.

14 MR. MOORE: So that wouldn't be --

15 MR. JAUQUET: Because I would think that it
16 would be a terrific entertainment to anybody sitting
17 there.

18 MR. CURRICK: Which is the reason I wanted to
19 come to Greenport, one of many reasons, but just for
20 being there and adding to the diversity and the value
21 to Greenport.

22 MR. JAUQUET: Yeah, I know. I mean, in
23 Glynis' comments here, they all seem to me to be
24 with -- you know, concerned with safety.

25 MR. DOWLING: Yeah.

1 MR. JAUQUET: You know, the thing about the
2 marine life, there's so many boats in there already,
3 that I'm not sure one more surface --

4 MS. BERRY: It actually could do some good if
5 it makes suction.

6 MR. JAUQUET: Disturbing it. Yeah, you'd be
7 aerating the water. So maybe you should put a filter
8 on there, like an oyster.

9 MR. DOWLING: My -- I think my first concern
10 when I heard about it was where you're going to be
11 doing it. And I think you have on your map there,
12 you have that Operating Area 1 and Operating Area 2.

13 MR. JAUQUET: Operating Area 2?

14 MR. DOWLING: It's on another map.

15 MR. CURRICK: It's on the bigger, the bigger
16 map.

17 MR. DOWLING: And I think just from personally,
18 from having -- spending a lot of time in the water, I
19 think Area 2 is going to be a better area for you,
20 because you're more -- you're off of the shipyard and
21 STIDD, where there is far less boat traffic.

22 MR. CURRICK: Right.

23 MR. DOWLING: But it's almost out of the line
24 to the end of the jetty to Claudio's dock where
25 boats --

1 MR. CURRICK: Right.

2 MR. DOWLING: -- go back and forth. So I think
3 that would be a -- and it's a lot less traffic there,
4 because most people are either coming -- turn to the
5 jetty, going straight into Stirling Harbor, or
6 they're continuing on.

7 CHAIRMAN MC MAHON: So there is a lot of
8 traffic coming in and out of Stirling Basin.

9 MR. JAUQUET: There is, yeah. But right --

10 CHAIRMAN MC MAHON: There's a lot of --

11 MS. BERRY: It's constant.

12 MR. JAUQUET: But, right, Area 2, if you --
13 the west side of Area 2 would have the least, because
14 you're right off from Steve's place.

15 MR. DOWLING: Yeah. This area is much better,
16 because it's very -- not a lot of people are
17 traversing right there.

18 MR. CURRICK: And the good thing about what I
19 want to do is I can choose where I go, so -- and
20 which is why I chose two operating areas. If I see
21 traffic is heavy at one moment at one, I go to
22 Number 2 and operate it and I just avoid it.

23 MR. JAUQUET: Right. Well, then --

24 MR. DOWLING: I think if you've ever been out
25 there on a Sunday at 4 o'clock, you're probably going

1 to say, "I'm not operating after 4 o'clock, because
2 that's when you have the parade leaving Claudio's and
3 you don't want to be there.

4 MR. JAUQUET: And what is the amount of time
5 that a client gets in --

6 MR. CURRICK: We can do --

7 MR. JAUQUET: Beginning to end.

8 MR. CURRICK: -- 20 minute slots, 40 minute
9 slots.

10 MR. JAUQUET: And that's how you charge, on a
11 time basis?

12 MR. CURRICK: Yes.

13 MR. JAUQUET: Once you leave the dock, I
14 guess, or sign them up?

15 MR. CURRICK: Flight time. Flight time. I
16 won't -- I'm not --

17 MR. JAUQUET: How many? How long is flight
18 time?

19 MR. CURRICK: Twenty minutes, 40 minutes, hour.

20 MR. JAUQUET: Because they got to get out and
21 they fall down --

22 MR. CURRICK: Right.

23 MR. JAUQUET: -- and they get up. Okay.

24 MR. BURNS: I still can't let loose of my first
25 question, because you're operating in Village

1 property, that is the water there belongs to the
2 Village.

3 MR. CURRICK: Yes.

4 MR. BURNS: Not to this Board. So the Board of
5 Trustees really are responsible for that area, not us.

6 MR. PROKOP: Well, I think that, you know, the
7 other thing is that we need to have this reviewed for
8 -- since we don't have a Harbor Management Plan that
9 I'm aware of in the LWRP, what we need to do is to
10 have -- to have a recommendation as to whether or not
11 it's consistent with the LWRP, I believe, if I'm not
12 mistaken; do you agree with that? I mean, there has
13 to be some kind of consistency, since all the
14 waterfront is supposed to be regulated by the LWRP.
15 I think that's --

16 MS. BERRY: I didn't do that search, so.

17 MR. PROKOP: Yeah.

18 MR. BURNS: I should think because it's
19 boating.

20 MS. BERRY: Right, that's a good point.

21 MR. BURNS: It has as much right there as --

22 MR. JAUQUET: Yeah, I think so, too.

23 MR. BURNS: As a --

24 MR. JAUQUET: And limited operation times.

25 MR. PROKOP: I think that one of, if you --

1 just to move ahead, it's here for accepting the
2 application.

3 MR. JAUQUET: Yeah.

4 MR. PROKOP: So I think you might consider
5 accepting the application, but then provide the
6 applicant with a list of things that he needs to give
7 us by the next meeting.

8 CHAIRMAN MC MAHON: Yeah.

9 MR. PROKOP: And just in general terms.

10 CHAIRMAN MC MAHON: Okay.

11 MR. JAUQUET: Can you put like a -- like a
12 100-foot diameter buoy around your operation once you
13 get out there?

14 MR. CURRICK: I can put a buoy.

15 MR. JAUQUET: Would that be dangerous?

16 MR. CURRICK: I could put a buoy, but --

17 MR. JAUQUET: I mean, like a --

18 MR. DOWLING: Well, at that point, then you
19 have to -- you have to get permission from the Coast
20 Guard to do that, and that's --

21 MR. CURRICK: Right.

22 MR. DOWLING: That's really nuts, I think.

23 CHAIRMAN MC MAHON: Yeah. I mean, I think that
24 would present more of a hazard.

25 MR. JAUQUET: How long is the tether line from

1 the ski-doo?

2 MR. DOWLING: Thirty feet of hose.

3 MR. CURRICK: The hose, so it's --

4 MR. JAUQUET: So it's 30 feet.

5 MR. CURRICK: It's a 60-foot hose.

6 MR. JAUQUET: Sixty feet.

7 MR. CURRICK: But the first eight feet to 10
8 feet is under the jet ski --

9 MR. JAUQUET: Okay.

10 MR. CURRICK: -- and close to the front of the
11 jet ski, so it's really 50 feet of free hose.

12 MR. JAUQUET: And then when it starts going
13 up, it's --

14 MR. CURRICK: You lose that, you lose the
15 horizontal.

16 MR. JAUQUET: You lose the diameter.

17 MR. CURRICK: Right.

18 MR. JAUQUET: Right.

19 MR. CURRICK: So I'm really operating in a
20 small area.

21 MR. JAUQUET: How many do you think -- how
22 many clients a day on a Saturday and a Sunday do you
23 think you'd have? And what are your times of
24 operation?

25 MR. CURRICK: 8:30 a.m. to 7 p.m.

1 MR. JAUQUET: Eight to 7?

2 MR. CURRICK: Well, 8:30 for me, because I have
3 to get there and set everything up.

4 MR. JAUQUET: Yeah. What's your client
5 turnover?

6 MR. CURRICK: I wouldn't be in the water until
7 9:30.

8 MR. JAUQUET: 9:30 to?

9 MR. CURRICK: 9:30, 10 to 6.

10 MR. JAUQUET: To 6.

11 CHAIRMAN MC MAHON: Also, if you're out there
12 and then you drift outside of the Village waters, is
13 it Southold Town that would then need to get involved
14 with that or --

15 MR. CURRICK: Which is the Southold Bay
16 Constable.

17 MR. BURNS: Outside of Village water, I think
18 it's County water.

19 CHAIRMAN MC MAHON: Is it County water?

20 MR. PROKOP: We regulate to 1500 feet.

21 CHAIRMAN MC MAHON: Fifteen hundred feet?

22 MR. CURRICK: Right, and then it's Shelter
23 Island Bay Constable; Southold Bay Constable and
24 Shelter Island Bay Constable.

25 MR. DOWLING: I don't believe we actually

1 regulate the business that happens on the water,
2 unless it's interstate traveler, the ferries, things
3 like that. I don't think the Village can regulate
4 things like that. Like, otherwise, every boat that
5 comes in on a charter we'd have to regulate. I don't
6 believe we do that.

7 MR. PROKOP: Well, we regulate surface water
8 use, so we can determine what the uses are in the
9 surface water. It's under the New York State
10 Navigation Law. We regulate surface water out to
11 1500 feet, and there's a constant dialogue between
12 the Towns, the two Towns over where exactly the
13 boundary is. Generally, it's halfway, considered to
14 be. And I guess parts of it might be -- even be the
15 Village of Dering Harbor might be involved.

16 CHAIRMAN MC MAHON: Okay. So --

17 MS. BERRY: And it's kind of similar to when
18 you have a beach. You know, to me --

19 MR. JAUQUET: Say that again.

20 MS. BERRY: It's sort of similar to when you
21 have a beach and you decide swimming is allowed here,
22 surfing is allowed here, boating is allowed there.
23 To me, it's like this graduation of going from
24 swimming to boating, and you're kind of like right in
25 the middle there for me. So people do regulate where

1 you're allowed to do which kind of activity, in fact.

2 MR. JAUQUET: Then why did you choose --

3 MR. DOWLING: But we allow boating and boating
4 instruction in the waters.

5 MS. BERRY: Pardon?

6 MR. DOWLING: We allow boating and boating
7 instruction, right, because that's in the code?

8 MS. BERRY: Well, that's why I'm saying.

9 MR. JAUQUET: Yeah, it is sort of like that.

10 MS. BERRY: I think the key to this is whether
11 you think this is boating or not. To me, that's the
12 crux of the issue.

13 I do have one question about safety. Somebody
14 sent in an article, and in Maryland they introduced
15 regulations for it, and they did talk about having a
16 neck brace in that and requiring that. Do you know
17 anything about that?

18 MR. CURRICK: I haven't heard that, unless it's
19 a recent thing. But I have everything required by
20 the insurance company, and I want to be as safe as
21 possible, so I will do what's necessary and what is
22 required. So I have the life jackets that are
23 approved by the Coast Guard, the boards float. I
24 have wet suits so everyone will be covered, all their
25 open skin is covered, and I have a helmet, and I

1 require all that.

2 MR. JAUQUET: Did you ever consider operating
3 this off a beach area? Like, you know, Glynis was
4 suggesting swimming, boarding and then this. I mean,
5 I don't know.

6 MR. DOWLING: I would assume that since it is
7 a -- you know, he can't operate in shallow water,
8 because --

9 MR. JAUQUET: Well, you drive out.

10 MR. DOWLING: And also, it's a jet ski, so it's
11 a water pump, basically. So you're in shallow water,
12 you suck up a lot of sediment, and it's not good for
13 the jet ski, either. So you need to be in deep water
14 with these things.

15 MR. MOORE: And we're also in the business, as
16 opposed to using someone privately. I asked if there
17 was a hotel or somebody he could link up with, and
18 could easily blend this into a recreational accessory
19 summer --

20 MR. JAUQUET: Adjunct.

21 MR. MOORE: -- activities to the hotel, but it
22 wasn't -- that wasn't suitable, and he already worked
23 out with Andrew the dock location. And it really is
24 in one sense very similar to a sailing school or a
25 cruise that goes out there, so this is one more type

1 of water use out there.

2 And as Brian said, there are differences in the
3 distances for activities, jet ski at 300 feet and
4 boating 500. You're right, boats transverse, but at
5 a very low speed.

6 If there's information that you'd like from us,
7 LWRP consistency, we can work on getting that to you.
8 But we're hoping at some point --

9 (Firehouse Siren Sounded)

10 MR. PROKOP: You know, the Harbor Master is the
11 main piece.

12 CHAIRMAN MC MAHON: Yeah.

13 MR. MOORE: Okay.

14 MS. WINGATE: Joe, we don't have a Harbor
15 Master.

16 MR. PROKOP: Or Marina Manager.

17 MS. WINGATE: Okay.

18 CHAIRMAN MC MAHON: Okay. Yeah. I mean, this
19 is something a bit out of our depth the way it is.
20 So perhaps we can try to move this along by --

21 MR. JAUQUET: What else -- who else would
22 weigh in on this, then?

23 CHAIRMAN MC MAHON: Yeah, I think we should get
24 a list here of who we need to confer with. If we
25 don't have a Harbor Master, then --

1 MR. PROKOP: Well, no, it would be the
2 Marina -- well, then it would be the Trustees. But
3 what about the CAC, can we --

4 MS. WINGATE: We could ask them.

5 MR. PROKOP: I would ask the CAC, get a
6 recommendation from the CAC.

7 CHAIRMAN MC MAHON: Okay. Coming from us or
8 coming from the applicant?

9 MR. PROKOP: Well, they go to CAC.

10 MR. DOWLING: Can we ask right now?

11 MS. WINGATE: They're here.

12 MR. JAUQUET: I mean, when do we give our
13 recommendation? I mean, we have an opinion as a
14 Board.

15 CHAIRMAN MC MAHON: Yeah.

16 MR. DOWLING: Just wondering if the CAC has any
17 opinion on this. We know you got opinions.

18 MR. SALADINO: You're looking for an elaborate
19 solution to a nonexistent problem. Can you really --
20 we would have to discuss it, David and I and the rest
21 of the CAC members.

22 MR. JAUQUET: Yeah.

23 MR. SALADINO: But we don't know if you -- if
24 once he goes out onto the water, if he's fishing, if
25 he's flyboarding, if he's just sightseeing.

1 MR. JAUQUET: I know.

2 MR. SALADINO: Aside from what's happening on
3 Preston's dock, I'm not sure if you guys should even
4 be involved.

5 CHAIRMAN MC MAHON: Yeah, I mean, I sort of
6 agree. I'm trying to determine that, because it is a
7 different sort of an operation.

8 MR. SALADINO: Well, we're not privileged to
9 what's happening on the docks, so we don't know. You
10 know, he said a small building and we --

11 MR. CURRICK: A tent. A tent.

12 MR. MOORE: A pop-up.

13 MR. JAUQUET: I mean, are you suggesting
14 some --

15 MR. MOORE: The closest thing I have as an
16 example for you is out of -- I believe it's out of
17 Goldsmith's, operates a water sports -- couple of
18 guys where they take -- teach them how to wakeboard
19 and surf, waterski and things like that. So,
20 obviously, the boat comes into the marina, ties up,
21 operates their business there, and is advertising,
22 come learn how to wakeboard, come learn how to
23 waterski from the marina.

24 MR. DOWLING: Operate out of Preston's dock.

25 MR. MOORE: Right.

1 MR. JAUQUET: But are you -- just in your
2 comments so far, are you suggesting that someone else
3 should be weighing in on this and not us?

4 MR. DOWLING: I think they're saying nobody
5 should.

6 MR. JAUQUET: Nobody should, okay. I just --

7 MR. SALADINO: I don't think there should be a
8 lot of weighing.

9 MR. JAUQUET: Yeah. That's what I -- yeah.

10 MR. MOORE: That's why I'm back to we're
11 showing you the very limited -- I can't call it site
12 improvements. It's a pop-up vendor's tent, and a
13 dock box, and a portable shower, or changing room,
14 rather.

15 MR. JAUQUET: And when are you trying to
16 start?

17 MR. CURRICK: In two weeks.

18 MS. BERRY: Could I make a recommendation? I
19 think you need to decide if that's an accepted use or
20 not, because then it would be a permitted use.

21 MR. JAUQUET: Right.

22 MS. BERRY: You know, to me, that's the crux of
23 the matter.

24 MR. JAUQUET: Right.

25 MS. BERRY: So that would totally change how

1 you deal with the application, and then it's up to
2 you whether you want to hear it or not, depending on
3 what that decision is, and which coordination you
4 want.

5 MR. JAUQUET: Does the Village have liability
6 on a thing like this if someone gets killed. Huh?

7 MR. PROKOP: I wouldn't say that at a public
8 meeting.

9 (Laughter)

10 MR. DOWLING: He carries all the insurance.

11 MR. JAUQUET: I know, but it's --

12 MR. PROKOP: If you want to, call me tomorrow,
13 I'll tell you.

14 (Laughter)

15 So what, do we accept the --

16 MR. DOWLING: So as far as the, I mean --

17 MS. BERRY: Boating school -- I'm sorry.

18 MR. DOWLING: Are we in agreement, that it's a
19 boating instruction school? Do we all think --

20 MR. JAUQUET: Yeah.

21 CHAIRMAN MC MAHON: I think it's boating
22 instruction, that's my --

23 MR. DOWLING: So do I. I mean, you're
24 connected to a boat and getting lessons.

25 MR. JAUQUET: Yeah. I mean, it's a --

1 CHAIRMAN MC MAHON: Boating instruction.

2 MR. JAUQUET: It's a waterfront use.

3 CHAIRMAN MC MAHON: Whether or not there are
4 any concerns with the Harbor Master or any of that
5 other stuff is not --

6 MR. DOWLING: Did the Coast Guard consider -- I
7 mean, must consider the fly board be part of that
8 vessel, the jet ski, right?

9 MR. CURRICK: Yes.

10 MR. DOWLING: So it's a boat.

11 CHAIRMAN MC MAHON: Well, I would consider
12 boating instruction is a permitted under the --

13 MR. JAUQUET: Yeah.

14 MS. BERRY: Okay. So that changes the whole
15 tenor --

16 MR. JAUQUET: Yeah, right.

17 MS. BERRY: -- of the application.

18 MR. JAUQUET: Or it would at least establish
19 the gray area as not a gray area anymore.

20 CHAIRMAN MC MAHON: All right. Well, if it's a
21 permitted use, then where we --

22 MR. JAUQUET: Do we have to vote on that?

23 MR. DOWLING: I think we could accept the
24 application.

25 MS. BERRY: Accept the application.

1 CHAIRMAN MC MAHON: Well, I guess.

2 MR. JAUQUET: By accepting the application, we
3 accept it as a permitted use?

4 MS. BERRY: No. Well, I think you determine
5 which SEQRA category, because that will determine --
6 and then you have to determine if you want a hearing
7 or not, right?

8 MR. PROKOP: Yes.

9 CHAIRMAN MC MAHON: Okay.

10 MS. BERRY: So I would just take it step by
11 step. If you consider it a permitted use, then what
12 kind of action do we want to take? And then you have
13 the option of -- depending on what your answer is,
14 you have an option of if you want a hearing or not.
15 I would just take it one by one and go down.

16 MR. BURNS: I just get a feeling we're getting
17 more complicated than we really need to be, more --

18 MS. BERRY: If you say it's a permitted use, it
19 makes it much simpler.

20 MR. JAUQUET: Yeah, it makes it much simpler.

21 MR. PROKOP: The problem is there's a piece of
22 this that is not before the Board and we need
23 somebody else's --

24 MR. JAUQUET: What?

25 MR. PROKOP: We need somebody else's

1 recommendation on it. I just --

2 MR. JAUQUET: On what? A recommendation, what
3 other --

4 MR. PROKOP: On the water use. It's a
5 component of the application, and we don't -- I think
6 I would be hesitant to take action on the dock piece
7 without having somebody look at the water piece.

8 MR. DOWLING: We just got to figure out who
9 would we have look at it? I mean, we don't have a
10 Harbor Master.

11 CHAIRMAN MC MAHON: So it would be the
12 Trustees?

13 MR. DOWLING: The CAC has an unofficial shrug
14 at us.

15 MR. JAUQUET: Well, they have an opinion.

16 MR. DOWLING: Yeah, but --

17 MR. JAUQUET: And, you know, I think that's a
18 good place to go.

19 MR. PROKOP: You know, I think what we should
20 do is accept the application --

21 MR. JAUQUET: Yeah.

22 MR. PROKOP: -- and put it on for the next
23 meeting, and then we'll make a -- if I think that --
24 I have to review it and I'll make a recommendation if
25 I think that there's anything else involved.

1 MR. DOWLING: Okay.

2 MR. JAUQUET: So we can't --

3 MR. PROKOP: We're not going to solve that
4 problem tonight.

5 MR. DOWLING: Okay.

6 MR. PROKOP: Excuse me, that question.

7 MR. JAUQUET: What about accepting?

8 CHAIRMAN MC MAHON: Okay. Is there anything
9 else that we would like to --

10 MR. JAUQUET: I don't have anymore questions.

11 CHAIRMAN MC MAHON: -- have the applicant
12 provide to us with, or is everything else going to be
13 after us, you know, get a recommendation from Joe and
14 whether or not we have to have approval from another
15 agency, or someone else that has jurisdiction here?
16 Is there anything else in addition to that? That
17 seems to be the main sticking point --

18 MR. DOWLING: Not me.

19 CHAIRMAN MC MAHON: -- to whether or not we
20 need the involvement of another jurisdiction; anyone?

21 MR. JAUQUET: I don't think we do. I don't
22 think we, you know -- so what are we going to do next
23 time?

24 CHAIRMAN MC MAHON: So, if we see it as a
25 permitted use, then we're going to accept the

1 application and we'll get a recommendation from the
2 Attorney with regards to whether or not we need to
3 have -- you know, have a recommendation from any
4 other jurisdiction. If there's -- if they have any
5 input, we'll -- we can address it at the next
6 meeting.

7 MR. PROKOP: It would go on our agenda for next
8 week.

9 CHAIRMAN MC MAHON: Yeah. Okay. So I'm going
10 to motion that we accept the application. We are
11 going to get a recommendation from the Village
12 Attorney as to whether or not we need to involve any
13 other jurisdiction, and we will discuss it again at
14 the next meeting, which is next Thursday.

15 MR. CURRICK: Next Thursday.

16 MR. MOORE: Very good.

17 CHAIRMAN MC MAHON: Okay?

18 MR. MOORE: Thank you.

19 MR. CURRICK: Thank you.

20 CHAIRMAN MC MAHON: All right. Well, actually,
21 I made the motion. Do I have a second?

22 MR. BURNS: Second.

23 CHAIRMAN MC MAHON: Second. All in favor?

24 MR. BURNS: Aye.

25 MR. DOWLING: Aye.

1 MR. JAUQUET: Aye.

2 CHAIRMAN MC MAHON: Aye. Okay.

3 MR. CURRICK: Thank you.

4 MR. MOORE: Thank you very much.

5 CHAIRMAN MC MAHON: Thank you. Item #4, motion
6 to accept the use evaluation application from Beth
7 Pike. Beth Pike represents Finns, LLC, doing
8 business as Deep Water Bar and Grille. Beth Pike has
9 leased 47 Front Street, formerly BBQ Bill's, and
10 proposes to use the existing restaurant as it was
11 approved by the Zoning Board of Appeals per the
12 approval dated 9/28/2005, and the Planning Board per
13 the approval dated 10/6/2005, and amended on
14 5/13/2009. The restaurant is located in the
15 Waterfront Commercial District; Suffolk County Tax
16 Map 1001-5-.4-19.

17 MR. DOWLING: Hello.

18 MS. PIKE: Hello.

19 MR. DOWLING: Hey there.

20 MS. PIKE: Hi, hi, hi. I'm Beth Pike. I
21 applied for the opening of the restaurant, which was
22 formerly BBQ Bill's. I didn't know what to expect
23 today, so I'll try to do the best I can.

24 I was unsure of the proper procedure, and when
25 I went into the Town, I was advised on, you know,

1 this process, and that I had to come in front of the
2 Board. I didn't know that it was necessary, because
3 it had been a restaurant. So I did not purchase that
4 business. This is a new business separate from what
5 it was. I plan on opening, you know, as soon as I
6 can with all the situations that are going on.

7 And a little bit about me: I have been in the
8 business for a very long time, 39 years. I formerly
9 worked in Claudio's for 18 years as a bartender. I
10 have left there, I retired last year, and this kind
11 of came about.

12 I am a nurse, I run a home care agency, and I'm
13 also a realtor in the area. I'm leaving nursing, 22
14 years, and I am doing this full time. So it is my
15 goal, it's my dream to do this. I, you know, needed
16 the guidance and direction, because I don't know the
17 process. So I'm here to seek the approval to open up
18 as soon as possible and have you tell me what I need
19 to do.

20 CHAIRMAN MC MAHON: Okay. I'm going to go
21 through just some of the recommendations from Glynis,
22 our Consultant, and then we can -- if there's
23 anything you can add onto, some of it we'll need to
24 discuss amongst ourselves.

25 Use Evaluation: The applicant is seeking

1 approval for use as a restaurant. The use is a
2 conditional use. Of issue is whether or not this is
3 considered a conforming use, as a permit was already
4 issued for a restaurant for this property.

5 The site's use as a restaurant has already been
6 approved for the prior tenant. 150-29(D) reads, "*Any
7 use for which a conditional use permit may be granted
8 shall be deemed to be a conforming use in the
9 district in which such use is located, provided that
10 such permit shall be deemed to affect only the lot or
11 portion thereof for which such permit shall have been
12 granted.*"

13 A restaurant is a conditional use, but since a
14 conditional use permit has already been issued, is
15 the use for this building considered conforming, and
16 therefore not required to have a hearing, unless the
17 Board stimulates it?

18 An increase in intensity or square footage is
19 not proposed. So the issue is: Is this a
20 conditional use normally yes, or just a use
21 evaluation? Must the use be continuous for the
22 conformance to apply?

23 As per 150-29(D), the Planning Board has the
24 right to require renewal of the permit.

25 SEQRA Recommendation is Unlisted Action.

1 Sign: No sign application has been made at
2 this time. Before the installation of any signs, the
3 applicant needs to apply to the Historic Preservation
4 Commission.

5 Site Plan: While the application indicates
6 intent to renovate the property entirely, the extent
7 of the renovation does not appear to vary much from
8 the existing establishment and should be clarified.
9 If the renovation costs are more than 50% of the
10 property value, the building must meet the new fire
11 code, existing building code, and accessibility
12 requirements.

13 Plan change: If the renovations were minor,
14 which appears to be the case, a clear space of 60
15 inches in diameter sphere is needed at the top of the
16 entry ramp. I believe that's at the front door.
17 This may preclude use of the screen. I believe
18 that's at the hostess station.

19 MS. PIKE: Right.

20 CHAIRMAN MC MAHON: If the renovations were
21 extensive, full compliance with accessibility codes
22 is required.

23 So the first issue would be the conforming use
24 and whether or not the prior approval for the use
25 still applies, because it was a different site plan,

1 it was a different business. Any thoughts?

2 MR. BURNS: How much are you going to change
3 the interior, how much renovation?

4 MS. PIKE: The interior? No, it's the same
5 exact layout. The way it was was the way it can only
6 be due to -- it's like a narrow lot home. It's a
7 narrow structure, so you really can't do much to it.

8 MR. JAUQUET: What are going to do to it,
9 then?

10 MS. PIKE: It's skinny

11 MR. JAUQUET: You're going to -- it's just the
12 finishes you're going to renovate?

13 MS. PIKE: Oh, yeah, yeah.

14 MR. JAUQUET: What does that consist of?

15 MS. PIKE: Painting.

16 MR. JAUQUET: The walls?

17 MS. PIKE: Right, painting.

18 MR. JAUQUET: Ceiling? Well, the ceiling is
19 probably acoustic tile.

20 MS. PIKE: No, the ceiling is sheetrock.

21 MR. JAUQUET: Sheetrock?

22 MS. PIKE: Yeah. A lot of painting, a lot of
23 repairing, and, you know, new --

24 MR. DOWLING: So cosmetic mainly?

25 MS. PIKE: Cosmetics.

1 MR. DOWLING: Any construction at all or --

2 MS. PIKE: I'm adding a -- two of these.

3 MR. DOWLING: Hostess.

4 MS. PIKE: Two hostess stands. I'm just --
5 there was also one upstairs that didn't look like it
6 had been on the original application or the original
7 survey, or whatever, but it was there. It was eight
8 feet. I just -- like a service station --

9 MR. JAUQUET: Oh, right.

10 MS. PIKE: -- at the top of the stairs. That's
11 all, you know. Like I sanded the floors, I stained
12 the floors, things like that, and I'm putting in only
13 like a small one, like a four-foot one on --

14 MR. JAUQUET: Oh, so you're removing the one
15 that's there and putting a smaller one in?

16 MS. PIKE: The one that -- the whole -- that
17 one was sold. He had like an auction.

18 MR. JAUQUET: Oh, I see, it's a restaurant
19 equipment piece.

20 MR. DOWLING: So what are -- are you going to
21 have built-ins, or they're just something --

22 MS. PIKE: No.

23 MR. DOWLING: Okay.

24 MS. PIKE: It's movable.

25 MR. JAUQUET: It's like restaurant equipment.

1 MS. PIKE: It's a kitchen island.

2 MR. JAUQUET: Yeah, yeah.

3 MS. PIKE: That's what I'll put there.

4 MR. JAUQUET: Commercial.

5 MS. PIKE: With a stainless steel top, just to
6 house --

7 MR. JAUQUET: The plumbing, the plumbing is
8 all there?

9 MS. PIKE: No plumbing.

10 MR. JAUQUET: Oh, there's no plumbing there?

11 MS. PIKE: No, no. It's just to house like the
12 silverware, the plates, the napkins, those --
13 ketchups.

14 MR. DOWLING: So, basically, you're not
15 altering the building. This just building a little
16 cart. But you're not altering the building.

17 MS. PIKE: I haven't changed the floor plan at all.

18 MR. JAUQUET: Yeah.

19 MR. DOWLING: The one thing I know that is --
20 was a problem with this place, under the front
21 awning, there are speakers mounted outside. Those
22 have to go --

23 MS. PIKE: Oh.

24 MR. DOWLING: -- because you're not allowed to
25 have outside music.

1 MS. PIKE: Oh.

2 MR. DOWLING: Those have to be removed. They
3 kind of tried to hide them, but had them on, so those
4 have to --

5 MR. JAUQUET: We're trying to get rid of --
6 we're trying to get rid of this music piped into the
7 street from the stores on Front Street.

8 MS. PIKE: I have no problem with that.

9 MR. JAUQUET: Okay, good.

10 MR. PROKOP: Well, that's what the last person
11 said and we've listened to them for 10 years.

12 MS. PIKE: No, I'm not the last person there.

13 MR. DOWLING: But they're literally hidden
14 under the canvas, so they're there.

15 MS. PIKE: I'm the new person, and I don't, you
16 know --

17 MR. JAUQUET: So no piped music, no outdoor
18 speakers.

19 MS. PIKE: No bands.

20 MR. JAUQUET: Well, no outdoor speakers,
21 because it was very annoying and no one took them
22 out.

23 MS. PIKE: I have no problem with that. If you
24 have driven by, all the, I'm going to say, red
25 awnings are gone, and I'm not -- I'm only putting

1 three back. There's not -- with all that writing and
2 all that stuff, that's all gone.

3 MR. JAUQUET: And there was outdoor seating
4 along the west wall, wasn't there, in the parking --
5 was there seating there?

6 MR. DOWLING: No.

7 MS. PIKE: That's only permitted with the two
8 times the street are closed, that's what I was told,
9 and I have to go for a permit to do that.

10 MR. JAUQUET: Oh, that's when I've seen it,
11 okay.

12 MS. PIKE: Yeah, that's July 4th and Maritime
13 Fest.

14 MR. JAUQUET: You can put outdoor seating
15 along --

16 MS. PIKE: That's what it says.

17 MR. JAUQUET: Along the alley. Okay.

18 MS. PIKE: Yeah.

19 MR. JAUQUET: I was asking to see how things
20 were going to operate.

21 MS. PIKE: No. That's where the motorcycles
22 park.

23 MR. PROKOP: Have you looked at the approval
24 that the last person got?

25 MS. PIKE: Did I look at what?

1 MR. PROKOP: The approval that the last person
2 received.

3 MS. PIKE: Did I look at it?

4 MR. PROKOP: Yeah.

5 MS. PIKE: I saw the information of -- that I
6 got from the Town.

7 MR. PROKOP: Okay, because there's a couple of
8 things about that, so --

9 MS. PIKE: Or the Village.

10 MR. PROKOP: I think the second floor, if I'm
11 mistaken, and please correct me if I am, I think the
12 second floor is supposed to be only used as a waiting
13 area for the first floor.

14 MS. WINGATE: (Shook head no.)

15 MR. PROKOP: No? The second thing is I think
16 there was an issue with the railing for the stairway,
17 where it had to be cut back in order to meet the fire
18 code, if I'm not mistaken. So I would just be
19 careful about -- with these things, these stations
20 you're talking about. Where the stairway comes down
21 into the first floor, that had to be cut back in
22 order to provide the access that's required by the
23 Fire Code, if I'm not mistaken. And so just be
24 careful, don't put another structure there. I know
25 there's a little bit of room now, but it's meant to

1 be there for the Fire Code, so just be careful about
2 that.

3 MR. JAUQUET: So maybe that's why one is not
4 there, because there's nothing there now. Is there
5 up at the top of the stairs? Oh, there is. They're
6 taking one out.

7 MS. PIKE: When you come up, you kind of walk
8 up, and you hit a wall, and you go this way, and you
9 go this way, and you go out.

10 MS. WINGATE: Okay, I got that.

11 MS. PIKE: And it was -- it was --

12 MR. JAUQUET: They had it there. They had an
13 eight-foot one there, and now you're putting a
14 four-foot one there.

15 MS. PIKE: Movable --

16 MR. JAUQUET: Moveable.

17 MS. PIKE: -- four-foot one, a kitchen island.

18 MR. JAUQUET: And Joe was saying that that may
19 not be possible.

20 MS. WINGATE: No. We're talking about two
21 different areas of the restaurant. Joe is right,
22 that we had -- they had increased their reach on the
23 bar area, and it intruded onto the egress, so we made
24 them cut it back. But that was at the head of the
25 stairs, in the outside stairs.

1 MS. PIKE: Oh.

2 MS. WINGATE: You're talking about the top of
3 the stairs and the interior stairs.

4 MS. PIKE: Right, correct.

5 MS. WINGATE: So we're talking about two
6 different places. But you're not changing your bar,
7 because the way your bar is --

8 MS. PIKE: Nothing is changed.

9 MS. WINGATE: Okay.

10 MS. PIKE: Everything is exact. And I did not
11 know what was the previous issues. I only know that
12 when I went in and met with the Village --

13 MS. WINGATE: We went over the old stuff pretty
14 thoroughly.

15 MS. PIKE: I did very -- yes, but I didn't know
16 the original issues.

17 MS. WINGATE: Right.

18 MS. PIKE: I only knew the current issues.

19 MS. WINGATE: Right.

20 CHAIRMAN MC MAHON: Okay.

21 MR. DOWLING: Where's garbage stored?

22 MS. PIKE: Okay. The garbage, I hired
23 Mattituck Environmental now, and they're going to
24 come twice a week, and three times a week when we
25 have excessive weeks. It is stored in that alcove

1 out back, which is on the Village -- on the private
2 property of -- that's part of the leased property,
3 and it's got the metal fence.

4 MS. WINGATE: It's got a chain link gate.

5 MR. JAUQUET: Yeah.

6 MS. PIKE: Gate. And I did also -- there was
7 an issue there that I noticed, was when I took over
8 the property, that the birds -- okay. So there's a
9 garbage issue, as everyone around has in the very
10 busy times, but what I did is I added netting up top
11 also because of --

12 MR. DOWLING: Seagulls?

13 MS. PIKE: The birds were going in there and
14 they were creating an issue with that, and I couldn't
15 -- so all I did was add fishing netting, so that it
16 didn't change the structure at all, but I did add
17 that, so that the netting prevents the birds from
18 going in and out. And it's only like an inch, and
19 it's black and you can't see it. And the other part
20 has the same white slats in the fence, so you can't
21 see is the garbage cans.

22 MR. DOWLING: Okay. And is there outdoor
23 lighting as well on the structure?

24 MS. PIKE: There is outdoor lighting, yes.
25 What do I -- the same exact lights that were there,

1 that came around the building, that were -- most of
2 them were broken, have been replaced, but not moved.
3 Just one taken off, new one put back exactly the
4 same. And out back, there's an exterior flood light
5 that I noticed. There's no other -- there's no other
6 lights, just the lights on the building and one
7 exterior floodlight.

8 MS. WINGATE: The floodlight was for security,
9 when late at night people -- it was good to have a
10 light in the circle for people getting to the their
11 cars. The other exterior lighting, I could look into
12 it, but I believe it was on the final site plan that
13 was approved.

14 MR. DOWLING: Okay.

15 MS. WINGATE: Keep the light bulb numbers down.

16 MS. PIKE: I used energy efficient bulbs, and I
17 didn't change -- like I didn't add anything, I just
18 made it clean and pretty and new, you know.

19 And my kids bought me a banner, and I didn't
20 know until today, when I read an email, about the
21 sign permit. For some reason, I thought that was
22 today that I was applying for it. But they hung a
23 banner last Saturday when they were there, so I'm --
24 I don't know if I need to take that down now. Is a
25 banner a sign? I don't know.

1 MS. WINGATE: A banner is a sign. Is it a
2 permanent banner?

3 MS. PIKE: No, it's a flop -- you know, it's
4 just --

5 MR. JAUQUET: What does it say?

6 MS. PIKE: It ties on.

7 MS. WINGATE: What does it say?

8 MS. PIKE: It says, "Coming Soon".

9 MS. WINGATE: Okay. So when you're there,
10 you'll take it down, right?

11 MS. PIKE: Yes.

12 MS. WINGATE: So you could be coming soon for
13 30 days, how's that?

14 (Laughter)

15 MS. PIKE: Maybe take me more than 30 days to
16 open. No, it better not.

17 MS. WINGATE: I think that is the way the code
18 reads.

19 MS. PIKE: Okay.

20 MS. WINGATE: If there's a temporary sign,
21 grand opening.

22 MS. PIKE: I didn't know until today, though,
23 and then I'm thinking, oh, my goodness, I did add the
24 banner. They put it up last Saturday, and I was
25 like, is that -- did I make a mistake? Is a sign

1 separate? Because I'm -- like I said, I'm new at
2 this. Is a sign separate from the awning with the
3 name on it? Is the name on it, that's the sign?

4 CHAIRMAN MC MAHON: That's part of the sign,
5 yeah.

6 MR. DOWLING: Part of the sign, yeah.

7 MS. PIKE: That's part of the sign?

8 MR. DOWLING: So that's the signage, yeah.

9 CHAIRMAN MC MAHON: Yeah, especially if it
10 comes out over the sidewalk.

11 MS. PIKE: Yes.

12 CHAIRMAN MC MAHON: You need to have -- show us
13 exactly what that's going to look like. That needs
14 to be part of the application, the dimensions of it,
15 and a mock-up of what it would look like. So for the
16 awnings, you know, any of the lettering on the
17 awnings, and if you're going to have additional signs
18 that are outside.

19 MS. PIKE: No.

20 CHAIRMAN MC MAHON: No? Okay.

21 MR. BURNS: And it also has to go before the
22 Historic Preservation.

23 MS. WINGATE: Actually, that's a -- that's a
24 mistake. That does not, unless you guys want it to.

25 MR. DOWLING: It's not Historic District?

1 MS. WINGATE: No, it's not Historic District.

2 MS. BERRY: Sorry.

3 MS. WINGATE: It's you guys, but Beth could
4 come back with her sign package when she -- when I
5 sat down with Beth, she didn't really -- wasn't
6 focused on the signage.

7 MR. DOWLING: Right.

8 MR. JAUQUET: Right.

9 MS. WINGATE: It was about -- you were still
10 cleaning.

11 MS. PIKE: A lot of other things. But, so the
12 awnings that -- I didn't realize that was a sign as
13 well. The awnings that I ordered -- the awnings that
14 are currently gone, I ordered the front lower, the
15 upper and the side, that was it. I ordered it. And
16 I came today and the one in the back is up. So I
17 called Mills and I said I'm going to this -- I think
18 I made a mistake, because I didn't realize the
19 process. Do I -- because the awnings were there
20 already, do I have to go for a permit to replace the
21 dirty awnings?

22 CHAIRMAN MC MAHON: Well, you wouldn't be
23 getting a permit to do that. It's part of the site
24 plan, is any of the signage that's included. So it's
25 the -- the aesthetics of the building is part of the

1 site plan. So it will be part of your application.
2 It's not a separate issue, it's not something else,
3 it's just -- it's part of the packet that needs to be
4 looked at.

5 MR. DOWLING: When you ordered from Mills, did
6 they give you a little mock-up of what it's going to
7 look like at all?

8 MS. PIKE: It's on my phone.

9 MR. DOWLING: Okay. Well, if you could just
10 get a copy of that, that's got to be part of the
11 application, showing what it's going to look like.

12 MS. PIKE: Okay.

13 MR. JAUQUET: Yeah, from the front and the
14 west side.

15 MS. PIKE: It's just basically that awning, and
16 there's a bottom, and there's a name.

17 MR. DOWLING: Great. So just a mock-up or a
18 picture of it, have it part of the application. Get
19 it to Eileen --

20 MS. PIKE: Okay.

21 MR. DOWLING: -- as soon as you can, and that
22 way it's part of the application.

23 MR. PROKOP: I think it's a separate
24 application.

25 MR. DOWLING: Is it? Eileen, would that be?

1 CHAIRMAN MC MAHON: For what?

2 MR. PROKOP: The sign.

3 MS. BERRY: It doesn't need to hold up her site
4 plan.

5 MR. PROKOP: That's what I'm saying, it should
6 be a separate application.

7 MR. DOWLING: Okay.

8 CHAIRMAN MC MAHON: All right. The one other
9 issue that we didn't resolve is whether or not -- if
10 this is Waterfront Commercial, and this is a
11 conditional use that was approved prior, we would
12 then need to -- if it needs to be -- the renewal of
13 the conditional use permit would need to be renewed
14 for this site plan. Generally, I believe any
15 conditional use in the Waterfront Commercial District
16 requires a public hearing. There was one on the
17 prior property, so we just need to make a
18 determination, I think among us, or if Joe has any
19 legal --

20 MR. PROKOP: How long have they been out of
21 there?

22 CHAIRMAN MC MAHON: -- counsel?

23 MR. PROKOP: Excuse me. How long have they
24 been out of there?

25 MS. PIKE: February 28th.

1 MR. PROKOP: Of this year?

2 MS. PIKE: Uh-huh.

3 MR. PROKOP: Okay. And there's no change in
4 the use, you're not going to change it at all?

5 MS. PIKE: No.

6 MR. PROKOP: So I think it's probably okay to
7 let it go without a hearing.

8 CHAIRMAN MC MAHON: Without the hearing. So it
9 is the same use, no increase in intensive use or
10 anything else. In all intents and purposes, other
11 than the name, the same use that was approved prior,
12 correct?

13 MR. PROKOP: Right.

14 CHAIRMAN MC MAHON: Okay. All right. So then
15 do we have to make a motion to approve the
16 conditional use tonight?

17 MR. PROKOP: No. It's a motion to accept and
18 we'll have it on the agenda for next week, and then
19 we would consider it for approval.

20 CHAIRMAN MC MAHON: Okay. So are we missing --
21 what else? Are we missing anything else from the
22 site plan here? We need indications of -- there is
23 the sheet seating chart. Do we have a -- anything
24 that's indicating where the garbage is going to be
25 stored on the plans?

1 MS. BERRY: Yeah, that's on the plans.

2 CHAIRMAN MC MAHON: It's on the plans?

3 MS. BERRY: Yes.

4 CHAIRMAN MC MAHON: Okay.

5 MS. BERRY: I think the only thing is in your
6 entry, you were proposing that screen.

7 MS. PIKE: Yes.

8 MS. BERRY: And I think you would need to make
9 sure you allow 60 inches.

10 MS. PIKE: Right, and I was aware of that.

11 MS. BERRY: Okay.

12 MS. PIKE: And I haven't done that yet.

13 MS. BERRY: Okay.

14 MS. PIKE: I haven't done anything yet.

15 MS. BERRY: That's the only thing I could see.

16 MS. PIKE: That's adding the podiums and --

17 MS. BERRY: Okay.

18 MR. PROKOP: I think she should show us where
19 these two -- whatever she was talking about, islands
20 or service stations, or whatever.

21 MR. DOWLING: It's on the site plan.

22 MR. PROKOP: It's on there?

23 MR. DOWLING: Yeah.

24 MR. PROKOP: Okay. I'm sorry. I don't have
25 any other comments.

1 CHAIRMAN MC MAHON: Does anyone else have any
2 comments or questions?

3 MR. DOWLING: No

4 CHAIRMAN MC MAHON: Okay. I'm going to make a
5 motion that we accept the site -- accept the
6 application, and we'll put it on the agenda for next
7 week.

8 MR. BURNS: Second.

9 CHAIRMAN MC MAHON: All in favor?

10 MR. BURNS: Aye.

11 CHAIRMAN MC MAHON: Aye. Yes, no?

12 MR. DOWLING: Aye.

13 MR. JAUQUET: Yeah, aye.

14 CHAIRMAN MC MAHON: All right. The motion
15 is -- so we'll see you next week.

16 MS. PIKE: Okay. So I have to come back here
17 next week?

18 MR. DOWLING: Yeah, because we just accepted
19 the application and next week we can approve it.

20 MS. PIKE: Okay. Is it the same time and same
21 day?

22 CHAIRMAN MC MAHON: Yup.

23 MS. PIKE: Okay.

24 CHAIRMAN MC MAHON: That works.

25 MS. PIKE: I'm sorry. Thank you.

1 CHAIRMAN MC MAHON: Thank you.

2 MR. DOWLING: You just need to follow up with
3 Eileen about the sign application.

4 MS. WINGATE: Or just stop in --

5 MS. PIKE: I'll stop in tomorrow.

6 MS. WINGATE: -- for the sign.

7 CHAIRMAN MC MAHON: Okay, great. Okay.

8 Item #5, Pre-submission conference for Robert Brown,
9 Architect. Robert Brown represents owner, Mayland
10 Shannon, LLC, and is before the Board to discuss
11 proposed uses and development of the site located at
12 the corner of Front and Third Streets. The
13 pre-submission package contains a preliminary site
14 plan and elevations of the proposed building. The
15 project as proposed will require several variance and
16 the proposed uses are not approved for the Waterfront
17 Commercial District, but are listed as conditional
18 uses.

19 We don't have the tax map number. This is the
20 empty lot at the corner of Front and Third Street.

21 MR. BROWN: Good evening. Robert Brown,
22 Architect.

23 CHAIRMAN MC MAHON: Hello.

24 MR. BROWN: For Ralph, and Carmela and Chris
25 Constantino.

1 First of all, I want to thank you all for
2 giving us the opportunity to talk to you about this
3 in this really sort of a pre-pre-submission hearing.
4 And let me explain a little bit of the background to
5 the situation here.

6 The Constantinos are in contract to buy the
7 property, have not closed on it. And the reason we
8 have asked to come before you, we are proposing a
9 conditional use, and at this point, just are looking
10 for a sense of the Board to see whether this project
11 is worth pursuing for the Constantinos. We know that
12 we have to go to the Zoning Board, there are a number
13 of issues. The site plan that was submitted is very
14 preliminary. It's really a matter tonight, I hope,
15 of discussion -- discussing the use, the property
16 itself, and whether or not this is viable from the
17 Planning Board's point of view.

18 CHAIRMAN MC MAHON: Okay.

19 MR. BROWN: We're looking for accommodation of
20 retail and restaurant assembly space. Right now,
21 it's intended as three distinct structures on the
22 property with walkways through them, not dissimilar
23 from Stirling Square in concept. And really beyond
24 that, if you have any questions, we'd like to --
25 we're hoping for a sense of whether or not you feel

1 this could be viable.

2 CHAIRMAN MC MAHON: Okay. Unless anyone has
3 any comments to start, I'm going to start with the
4 comments from Glynis, the issues she raises here.

5 Preliminary consultation for use evaluation:
6 Conditional use and site plan review. The applicant
7 is seeking approval for three new structures on the
8 proposed lot, including a restaurant and four retail
9 establishments, all of which are two-story
10 facilities.

11 SEQRA recommendation: Type I, with hearing
12 required.

13 Site variance is requested. Lot coverage --
14 lot coverage allowed, lot area, 8,834.24 square feet,
15 at 40%, Article V, 150-12, Subsection B, comes to
16 3,533.7 square feet. Lot coverage proposed, 7,998
17 square feet, which represents 226% increase over
18 code.

19 Note, the lot coverage proposed should be
20 increased by other structures shown on the plan, such
21 as garbage area, HVAC systems, etcetera, as
22 stipulated in the definition of a building, 150-2.

23 Parking: Off-street parking is required to be
24 provided, as the building is new. After 1991,
25 Article V, 150-12, Section C, need restaurant, 26

1 spaces; retail, 20.3 spaces, for a total of 47, an
2 underestimate.

3 Note: This evaluation does not include
4 calculations for the seating areas and the open
5 spaces, ground level, which is considerable, and also
6 does not appear to include the seats on the outdoor
7 deck on the second floor. These need to be
8 incorporated. Dimensions would be helpful.

9 Only one parking space is provided. Only about
10 10 feet of clearance is provided for access to the
11 dumpster, which is tight.

12 Two accessible parking spaces are required, but
13 not provided.

14 Note, the applicant will also need to make an
15 application to the Zoning Board of Appeals. There
16 may be other variances required.

17 Exterior passage is a courtyard. The exterior
18 passage seems to be only 12 feet in width and is used
19 for restaurant seating. The use classification of
20 this space needs to be considered, and clear
21 accessible paths maintained.

22 In the Village Zoning Code 150-14, Section B,
23 exterior courts need a minimum dimension of 20 feet,
24 and its depth shall not exceed its width. The use
25 and dimension of this exterior space seems

1 problematic.

2 Historic District: Proposed new construction
3 lies within an Historic District. Design will need
4 to be submitted to the Historic Preservation
5 Commission for review.

6 There is no indication on the plans where
7 signage will be located.

8 Energy use: The building configuration
9 maximizes energy consumption as exterior wall to
10 floor area ratio.

11 Utility issues: Only one dumpster is provided
12 for restaurant in all four retail spaces. The
13 restaurant is not adjacent to the dumpsters.

14 There appears to be no storage area in the
15 restaurant.

16 What is the heating system, location? The plan
17 needs to show water and sewer connections. The plan
18 needs to show how storm water drainage will be
19 retained on site. Accessibility ramps need to be
20 shown with the curb cut.

21 Other building code issues: Service sinks to
22 be provided in each tenant space. It appears that
23 egress requirements for the occupancies proposed are
24 not met in the plan.

25 The stair width appears to be only 36 inches,

1 while a minimum of 44 inches is required if occupant
2 load is 50 or more. Spaces with 50 or more occupants
3 need two exits.

4 Fire separation requirements, NYSBC 602, 704.3,
5 704.5 and 704.8. Need more detail in the
6 calculations.

7 Now I know that's quite a lot, and the plans
8 are very preliminary at this stage, so I --

9 MR. BROWN: Obviously, a majority of these
10 issues would be addressed if we were to proceed with
11 an actual application.

12 There were a couple of questions that I had.
13 I'd really like an opportunity to talk with you about
14 the lot coverage calculation and what constitutes a
15 building or not, because I had a very different take
16 on that, obviously.

17 MS. BERRY: Yeah. I was just only going by the
18 definition of the building, which lists --

19 MR. BROWN: As was I. And we obviously have
20 different takes on --

21 MS. BERRY: Okay.

22 MR. BROWN: -- on the definition. So I'd like
23 an opportunity to talk to you about it.

24 MS. BERRY: Absolutely. I'm learning and I
25 make mistakes.

1 MR. BROWN: As we're always all -- we're all
2 always learning.

3 MR. JAUQUET: Before you get into that, Bob,
4 were you going to get into some more historical
5 background about the site as part of your comments?

6 MR. BROWN: Well, I wasn't planning to, but,
7 obviously --

8 MR. JAUQUET: I mean, you said something about
9 when you introduced yourself.

10 MR. BROWN: Well, it's one of the most
11 prominent locations --

12 MR. JAUQUET: About the site. Say that again.
13 I'm sorry.

14 MR. BROWN: One of the most prominent locations
15 in the Village.

16 MR. JAUQUET: Right.

17 MR. BROWN: And for far too long has been a
18 vacant lot with a chain link fence. And the
19 Constantinos have put a great deal of thought and
20 consideration into how to make it a commercially
21 viable property. Obviously, it's Waterfront
22 Commercial, but it's not waterfront, so they're
23 looking to make it a commercial property.

24 MR. JAUQUET: Did you have more comments, you
25 know, from your professional point of view on the lot

1 and its -- you know, this long period of vacancy, and
2 anything more on that as a space that can contribute
3 to the Village's viability and the downtown street
4 wall, and the rest of it, as a walk-around Village?

5 MR. BROWN: You know --

6 MR. JAUQUET: I think we need to -- I think we
7 need to --

8 MR. BROWN: You're doing a great job for me.

9 MR. JAUQUET: Well, I think we need to hear
10 about that.

11 MR. BROWN: Yes, absolutely. When the
12 Constantinos approached me about doing something like
13 this with that property, I was ecstatic. It's been
14 vacant for far too long. It's a crossroads, the
15 crossroads of the Village, as far as I'm concerned.
16 It's where downtown starts. It's the gateway to the
17 Village. It's an anchor, you know. As in a shopping
18 mall, you know, they have anchors that make the rest
19 of the area viable, and this is an anchor, and --

20 MR. JAUQUET: What about the traffic?

21 MR. BROWN: Well --

22 MR. JAUQUET: You know, as a topic of
23 discussion.

24 MR. BROWN: Well, you know, that's one of the
25 issues that I wanted to get into.

1 MR. JAUQUET: I mean, there's good issues
2 about that, and, I mean, there's positive and
3 negative on that, you know.

4 MR. BROWN: Of course, of course. And that
5 ties intimately with the parking issue in terms of
6 its location, people coming off, you know, Shelter
7 Island, off the ferry, or off the bus, or the train.
8 It's the first major piece of property that they see,
9 you know, coming down the street. There's
10 Sterlington Commons, there's the restaurant, the Blue
11 Canoe, I think, the Legion Hall, and then this
12 magnificent corner that's a vacant lot with a chain
13 link fence right now. It could be a real focal point
14 for those people, and coming in on the main road.
15 You know, it's where Front Street really starts in
16 terms of how you perceive the Village. It's a
17 significant piece of property and needs to be treated
18 with a great deal of respect.

19 In terms of, you know, the downside of traffic,
20 and this is where the parking issue comes into, which
21 I hope to address to the Zoning Board in a similar
22 sort of setting in the near future, is, you know,
23 we're not showing parking one space. And, obviously,
24 that needs to be finessed. You know, there's no
25 question about it, this is not a finessed final site

1 plan. But you're talking about two streets, Front
2 Street, which is a State road, which would -- I don't
3 believe that there's any portion of the property that
4 is far enough away from the intersection to comply
5 with State DOT requirements for a curb cut.

6 On Third Street, it is, especially in season,
7 one of the most heavily trafficked roads in
8 Greenport, with traffic coming off the ferry. And to
9 provide -- there is a curb cut along there, which we
10 hope to use, at least part of. But to have any
11 significant amount of parking there becomes a
12 significant parking issue, because it is, you know,
13 so close to the -- to the intersection, and right
14 across from the Sterlington Square parking. It's
15 problematic. There are a lot of reasons to consider
16 parking as much a detriment as a positive on a piece
17 of property like this.

18 MR. BURNS: It seems to me, Bob, you've come up
19 with a creative --

20 MR. BROWN: Thank you. We try.

21 MR. BURNS: -- use of that lot. It's been
22 sitting there, you're right. We used to park our
23 cars there when we were going to the theater.

24 I attended a wedding in Cincinnati and we were
25 in a place where years ago a woman had purchased a

1 large amount of farmland and then hired an architect
2 to plan the Village. Well, we can't do that, and we
3 have to take what's there and try to make something
4 of it.

5 MR. BROWN: Exactly. And from my point of
6 view, this is a tremendous opportunity to do
7 something positive for the Village.

8 MR. BURNS: I agree. I think we should do all
9 we can to help further make whatever changes need to
10 be made and move ahead with something as positive as
11 this. Thank you.

12 MR. BROWN: Appreciate that.

13 MR. JAUQUET: I totally agree. I have a lot
14 of ideas, but, you know, they run smack into zoning,
15 and parking, all of the things that has kept this lot
16 vacant, you know.

17 MR. BROWN: And, you know, we intentionally,
18 the Constantinos intentionally want to keep the
19 density of use to a reasonable minimal level,
20 something that they feel they can make commercially
21 viable, but, at the same time, isn't going to
22 overwhelm that corner, as some previous applications.

23 MR. JAUQUET: And that's sort of your job, to
24 make those.

25 MR. BROWN: Yes.

1 MR. JAUQUET: Make the mass look smaller, or
2 whatever.

3 MS. BERRY: Do you have any ideas on how to
4 handle the parking?

5 MR. BROWN: Well, the position that I'm taking
6 on it is it is ideally located just about halfway
7 between the municipal lot along the railroad tracks
8 and the municipal lot on Adams Street. You know,
9 it's -- in many respects, that part of the Village is
10 a pedestrian area. I can't think of any other
11 properties on Front Street within a reasonable
12 distance that provide any parking whatsoever. And,
13 you know, we want to make this a part of the
14 pedestrian downtown area, and not, you know, a sort
15 of free-standing shopping mall kind of feel.

16 Everybody walks in the Village, everybody
17 complains about the parking, and parking is an issue,
18 but it is reasonably close to two municipal lots.

19 MS. BERRY: Right, but you're not thinking of
20 providing any additional parking in some other
21 location outside of this, then?

22 MR. BROWN: I don't know that that's -- that we
23 can, if that's viable. It's certainly something I
24 can discuss with the Constantinos.

25 MR. BURNS: Tell us where.

1 MR. DOWLING: What I see in the code here, it's
2 under 150-16(G), we can give you basically an
3 allowance or basically a waiver almost for up to 20
4 parking spaces, but you have to pay \$2,500 per
5 parking space; so am I right? I mean, that's what
6 I'm -- that's what I'm reading here.

7 MR. BROWN: Is that still part of the code?

8 MR. DOWLING: It's in the code that's published
9 right now online. So, I mean, by Glynis' -- I mean,
10 you're required to have 47 spaces. I mean, you'd
11 have to make 27 spaces.

12 MR. BROWN: You know, there are a number of
13 factors involved in that count.

14 MR. DOWLING: Right, but -- so what I'm saying,
15 if you could make it work so you figure out exactly
16 how many you do need, subtract 20, and try to make
17 those fit.

18 MR. BROWN: So the variance is much smaller. I
19 understand what you're saying.

20 MR. DOWLING: And we definitely -- I mean, I
21 hate seeing that empty lot there. It looks -- it's
22 an eyesore, having a chain link fence. It looks like
23 that's where we hold our prisoners, you know, before
24 we could take them to jail, beside the basketball
25 court there. So it would be --

1 MR. JAUQUET: Or an outdoor market.

2 MR. DOWLING: Yeah. But -- so it's something
3 that has to be done with that. I think we'd all
4 appreciate something nice there. So, I mean, if -- I
5 mean, if you -- I mean, this looks really nice, but
6 if you could make it work so that, you know, you're
7 lacking only 20 spaces that's required, then we could
8 help you out there by the code.

9 MR. BROWN: Yeah. There's, as I said, a lot of
10 finessing --

11 MR. DOWLING: Yeah.

12 MR. BROWN: -- that needs to be done, and some
13 discussion about what constitutes the lot coverage
14 and how the calculations are made. And, you know, I
15 cherish the opportunity to pursue that, but, you
16 know --

17 MR. JAUQUET: I think that line of thinking, I
18 mean, we're going --

19 MR. DOWLING: Yeah.

20 MR. JAUQUET: I think your line of thinking is,
21 you know, we should go through that and get to the
22 dollars and cents associated with that --

23 MR. DOWLING: Yeah.

24 MR. JAUQUET: -- so that we know where that is.

25 MR. DOWLING: So we can kind of -- you know, we

1 could help you out with 20 spaces. You're going to
2 look at it, it's going to cost you an additional
3 \$50,000 to do that, but maybe you can make it work
4 somehow with the, you know, creative use of the
5 building. Maybe that southern building can be made a
6 little narrower and you can put parking spaces there
7 or something. It leaves a little bit of retail
8 space, of course, takes away some of your income,
9 but --

10 MR. JAUQUET: Well, I think, you know, that
11 analysis is a good analysis. We should have that on
12 paper as a fact about the site and zoning. And then,
13 you know, basically have that as we still go back to
14 the drawing board and look at -- you know, just at
15 how this is going to work in the -- to the Village
16 going forward, whether we dump it in favor of taking
17 something else away, or dump it completely, because
18 it's a walk-around Village and we probably maybe
19 don't even need that parking.

20 CHAIRMAN MC MAHON: I would say one thing. Any
21 new construction, I would want to see reasonable
22 accommodations for handicapped parking. I think that
23 would be one thing. I wouldn't really want to see
24 any -- I mean, I think there does need to be some --
25 for me, personally, that needs to be a consideration

1 for any new construction.

2 MR. BROWN: I sincerely hope for an opportunity
3 to explore these issues.

4 MR. JAUQUET: And here's a global idea. You
5 know, if there's -- is there -- where does the
6 parking end as you get to Third -- as you get to
7 Front Street on Third, the park side?

8 MR. DOWLING: The parking on that side.

9 MR. JAUQUET: It's like -- what is it, about
10 50 feet from the corner where parking ends because of
11 the --

12 MS. MARTIN: Yes, yes.

13 MR. BROWN: I honestly don't know.

14 MR. JAUQUET: It ends somewhere there.

15 MS. MARTIN: There's a turning lane there, so
16 the parking spaces stop.

17 MR. JAUQUET: Stop right at -- maybe right at
18 the -- where the site begins.

19 MS. MARTIN: Kind of.

20 MS. WINGATE: Yes.

21 MR. JAUQUET: Right, okay.

22 MS. WINGATE: You can park --

23 MR. JAUQUET: Well, you know, a global idea,
24 what about -- you know, this is going to be a give
25 and take between all of the agencies involved --

1 MR. BROWN: Yes.

2 MR. JAUQUET: -- you know, to get to the right
3 place, I think. And just since we're talking
4 generally, you know, an idea might be to take some of
5 the site along the west side and make that -- make
6 that parking off of the -- you know, make that a
7 place to park along on the site and in --

8 MR. DOWLING: But you can't get back on the
9 street over there.

10 MR. BROWN: I understand what you're going for.
11 You know, I'm hoping to --

12 MR. JAUQUET: I don't know. And then -- I
13 mean, that's an idea. And then you're, you know,
14 forgiving some parking there. You get more --

15 MR. BROWN: No. I understand where you're
16 coming from. I don't want to create a situation
17 where cars are separating pedestrians from the
18 building.

19 MR. JAUQUET: I thought that would be good, to
20 create some quietness between the buildings and where
21 the traffic is going by.

22 MR. BROWN: Except that getting in and out of
23 those spaces on Third Street is problematic.

24 MR. JAUQUET: Right.

25 MR. BROWN: There are, you know, certainly

1 options to explore. The real question that I have
2 for this Board is, is it worth pursuing?

3 CHAIRMAN MC MAHON: The problem is it's
4 difficult to comment on a theoretical application.

5 MR. BROWN: Yeah.

6 CHAIRMAN MC MAHON: You know, I understand
7 you'd like to get a sense for where we are and I'm
8 sure --

9 MR. BROWN: That's all we're asking for.

10 CHAIRMAN MC MAHON: But it's difficult, because
11 then, you know, I don't want to say, oh, well, you
12 know, we'd be open to this, or we'd be, you know, not
13 really open to this without -- you know, the details
14 matter, essentially, you know, the entire picture.

15 MR. BROWN: Well, I appreciate that. We're
16 under the circumstances far from --

17 CHAIRMAN MC MAHON: Understood.

18 MR. BROWN: -- even starting to make an
19 application.

20 MR. JAUQUET: Well, my feeling is --

21 MR. BROWN: The real question that I have for
22 this Board is this is a conditional use. Obviously,
23 we need some variances that would have to be approved
24 by this Board and the Zoning Board. But given the
25 density and the types of use that are being proposed

1 here, does this Board have a sense that it's a viable
2 approach? That's really I think the question that
3 I'm asking.

4 MR. JAUQUET: When you say "approach", you're
5 meaning the approach in terms of getting the
6 variances for greater density and not as much
7 parking, those kind of issues?

8 MR. BROWN: Yes, and the conditional use,
9 because it is Waterfront Commercial and we --

10 MR. JAUQUET: Right, the restaurants and the --

11 MR. BROWN: -- do need to get commercial use --
12 a conditional use for retail and restaurant.

13 MR. JAUQUET: Well, my feeling, my feeling is,
14 you know, you really do have to have conditional --
15 what are the alternative uses if they're not
16 conditional, what are they?

17 MR. BROWN: Well, the approved uses are
18 flyboarding, I guess.

19 MR. JAUQUET: You know, that one we like.

20 MR. BROWN: No. But, seriously --

21 MR. JAUQUET: What are they, though, I mean,
22 office or --

23 MR. BROWN: No. It's all -- it's all marine
24 related.

25 MR. DOWLING: Yeah, unfortunately --

1 MR. JAUQUET: Yeah, okay.

2 MR. DOWLING: You know, that whole side of
3 Front Street is all Marine Commercial, where, really,
4 most of it is not waterfront property and really
5 should be rezoned. So everything pretty much on that
6 side, maybe the post office, are conditional use.

7 MR. JAUQUET: Right. So --

8 MR. DOWLING: They don't deliver the mail by
9 boat.

10 MR. JAUQUET: I'm all for conditional use.

11 MR. BURNS: It seems to me there's another
12 issue, but you almost have to eliminate the parking
13 as an issue, or just leave the place as it is.

14 MS. MARTIN: Right.

15 MR. JAUQUET: I know, and my feeling is that --

16 MR. BURNS: If you want to put anything there,
17 you can.

18 MR. JAUQUET: Yeah. I think --

19 MR. BURNS: No place for parking. And if you
20 try to put parking there, you confuse and mess up the
21 whole traffic.

22 MR. JAUQUET: That's right, yeah.

23 MR. BURNS: The second issue to me is what goes
24 on the second floors? Maybe limiting to one floor is
25 going to be better.

1 MR. BROWN: Yeah. Actually, part of the
2 conversation we've been having between myself and the
3 Constantinos is the second floors of those retail
4 spaces, maybe they're just mezzanines. Maybe they
5 just take up a small percentage of square footage of
6 the footprint. That's certainly going to reduce the
7 number of parking spaces, things like that. You
8 know, getting down to documenting how many outdoor
9 tables there might be, those are all issues that are
10 going to have an impact on the parking. And,
11 obviously, we're going to work to reduce the number
12 of parking spaces required.

13 I like the idea. Personally, I can't speak for
14 the Constantinos of, you know, the 20 dollar -- the
15 20-space payment in lieu, and reducing it to a point
16 where we're asking for a fairly nominal variance for
17 the parking. That's certainly an approach I would
18 want to take.

19 MS. BERRY: One of the things that might help
20 is part of your variances and the intensity, if you
21 compared that to what would be allowable by code, you
22 know, because you might have more second floor --

23 MR. BROWN: Sure. Well --

24 MS. BERRY: And then if you compare that, the
25 numbers will look different, and I think there's more

1 of a trade-off in how you approach it, and how you
2 use like the roof, or there might be ways of -- if
3 you're just looking for a reconfiguration that
4 creates the variance versus just an intense use, that
5 it --

6 MR. BROWN: Well, yeah.

7 MS. BERRY: You get what I mean, right?

8 MR. BROWN: Yes, absolutely. And, in fact, I
9 would take it a step farther, because part of what
10 the application would provide, the full application
11 would provide, would be a comparison of the density
12 and intensity of use compared to what the code
13 allows, and also compared to all of the adjacent
14 properties on Front Street.

15 MS. BERRY: Yeah.

16 MR. BROWN: And, you know, because a lot of the
17 -- a lot of the properties, most of the neighbors
18 down Front Street that are commercial are, you know,
19 85% lot coverage and above and zero parking.

20 MS. BERRY: But, at the same time, a lot of the
21 newer lots have provided parking. So I would be --

22 MR. JAUQUET: Which are the newer ones you're
23 talking about.

24 MS. BERRY: Right.

25 MR. BROWN: But it's a balance of the two

1 issues.

2 MS. WINGATE: You have two newer constructions
3 on Front Street, and that would be the Harbor Front
4 Hotel, which was mandated to have parking spaces, and
5 then you have the Galleria building closer to Main
6 Street, that's a --

7 MR. JAUQUET: Which is that one?

8 MS. WINGATE: -- 2002 construction. The one
9 with the four retail shops and four apartments above.

10 MR. JAUQUET: Where is their parking?

11 MS. WINGATE: In -- behind their building. So
12 the two new constructions --

13 MR. JAUQUET: In the IGA lot?

14 MS. WINGATE: No.

15 CHAIRMAN MC MAHON: No. Calypso and --

16 MS. BERRY: No, on the water side.

17 MR. BROWN: It's actually off the Claudio's
18 lot.

19 MS. MARTIN: Next to the old Mills building.

20 MS. WINGATE: Right.

21 MR. DOWLING: Oh, is that where --

22 CHAIRMAN MC MAHON: It's the white building,
23 Calypso.

24 MS. MARTIN: Where all the expensive boutiques
25 are.

1 MS. WINGATE: Yes.

2 MR. JAUQUET: Oh, they have parking in the
3 back there?

4 MS. WINGATE: Yes

5 MR. JAUQUET: And that's only used by whom?

6 MS. WINGATE: The residents and the
7 shopkeepers.

8 MR. JAUQUET: Oh, because they have the
9 residents, and so it's like just for the -- so it's
10 really minimal

11 MS. WINGATE: So it's not for clients,
12 customers, but it is for the residents and the
13 shopkeepers.

14 CHAIRMAN MC MAHON: They needed then some
15 concession on the number of parking spaces, even with
16 the parking they provided, correct, because they
17 didn't provide any parking for customers and there's
18 new construction?

19 MS. WINGATE: I'd have to go read the file.

20 CHAIRMAN MC MAHON: Okay.

21 MR. JAUQUET: Do you remember if there was a
22 concession on -- if parking was a big issue for that?

23 MS. WINGATE: I was --

24 MR. JAUQUET: Somebody insisted on parking
25 there. I mean, you had --

1 MS. WINGATE: It was before my time, and I had
2 read the file before. It's -- yeah, it was a long
3 process.

4 MR. JAUQUET: Yeah. Were you involved in the
5 plan that -- the plan that was for this site that
6 got --

7 MS. WINGATE: Galleria, were you --

8 MR. JAUQUET: No, this one, this one that's --

9 MR. BROWN: This one previously? No.

10 MR. JAUQUET: Previous.

11 MR. BROWN: This is my first shot at this
12 property.

13 MR. JAUQUET: And you weren't here for that
14 either, right?

15 MR. BROWN: No, but I do recall.

16 MR. JAUQUET: You were.

17 MS. MARTIN: I mean, that was really intense --

18 MR. JAUQUET: I know.

19 MS. MARTIN: -- use of this property.

20 MR. BROWN: And that was --

21 MR. JAUQUET: And that was what, retail on the
22 bottom?

23 MR. BROWN: -- complete solid retail on the
24 bottom and --

25 MS. MARTIN: And three stories.

1 MR. BROWN: And two stories and apartments
2 above, 12 apartments all together.

3 MR. JAUQUET: What was the -- what was the
4 reason for that one getting shot down?

5 MS. MARTIN: They ran out of money and time, I
6 think.

7 MS. WINGATE: No, because we -- it was --

8 MR. BROWN: I think there was a lot of
9 opposition to the density of the property.

10 MR. JAUQUET: Why was there opposition to the
11 density?

12 MR. DOWLING: Parking.

13 MS. BERRY: They did provide quite a bit of
14 parking.

15 MR. BROWN: They provided six spaces, as I
16 recall.

17 MS. WINGATE: No, there was way more than that.
18 They were turned down because Waterfront District
19 doesn't allow for residential use.

20 MR. JAUQUET: Is that still a hot issue --

21 MS. WINGATE: That is --

22 MR. JAUQUET: -- no residential for new
23 construction?

24 MR. DOWLING: New construction.

25 MS. WINGATE: New construction.

1 MR. JAUQUET: See, you know what I think
2 should go there, I think a four-story higher end type
3 one bedroom apartment complex with an elevator, and
4 doorman, and a little bit of parking for 55 and over
5 to create more people downtown Greenport.

6 MR. DOWLING: You're 54.

7 (Laughter)

8 MR. BROWN: Only if we're allowed to -- a
9 hotel.

10 MR. JAUQUET: And make it as dense as
11 possible, and have a rooftop overlook the harbor.

12 MR. BROWN: With a restaurant on the rooftop.

13 (Laughter)

14 MR. JAUQUET: I don't know what you put up
15 there, but that's what should go there.

16 MR. BROWN: Okay.

17 MR. JAUQUET: You know, that's what Riverhead
18 did. Riverhead has a four FAR on its downtown core
19 for that very purpose, to make businesses viable, and
20 that's the shortcoming of the Village's zoning code,
21 I believe, right now.

22 MR. BROWN: I don't disagree

23 MR. JAUQUET: And it should start, you know --
24 I mean, that's just my point, but that's just how I
25 feel about it. I feel as is dense as this thing can

1 get, the better, and I think that -- and the
2 handicapped parking, you know, there maybe should be
3 some spaces for that, because, you know, that's --

4 CHAIRMAN MC MAHON: Are there any particulars
5 you'd like us to address? I mean, because if -- I
6 know you're looking for a general sense, and we could
7 sit here and talk for the next four hours about what
8 an appropriate use for the property would be.

9 MR. BROWN: Of course, everybody has their own
10 thoughts about what should be on that property. No.
11 The issues I think are very straightforward. It's
12 retail and restaurant on a very important -- one of
13 the most important pieces of property, in my opinion,
14 in the Village, and doing what's right for the
15 Village in that location, and making it commercially
16 viable. Those are the two issues that we are
17 wrestling with.

18 CHAIRMAN MC MAHON: Okay. The parking I think
19 is going to be one of your --

20 MR. BROWN: The other issue is we're hoping to
21 be making an application to the Zoning Board to be on
22 their -- at their next meeting.

23 CHAIRMAN MC MAHON: Is that for lot use?

24 MR. BROWN: The lot coverage.

25 CHAIRMAN MC MAHON: Lot coverage?

1 MR. BROWN: And the parking.

2 CHAIRMAN MC MAHON: And the parking, okay.

3 MS. MARTIN: Do we have to be approved or
4 something before that?

5 MS. WINGATE: I haven't received --

6 MR. BROWN: I was under the impression I was
7 waiting for a disapproval.

8 MS. WINGATE: Based on the site plan that you
9 gave me?

10 MR. BROWN: Yes.

11 MS. WINGATE: I will work on it tomorrow, but I
12 don't think it's complete enough for the Zoning
13 Board.

14 MR. BROWN: In terms of? Well, we can discuss
15 that tomorrow, hopefully.

16 CHAIRMAN MC MAHON: So you're looking for a
17 denial so you can go to the Zoning Board?

18 MR. BROWN: Well, I'm asking if we need a
19 denial from you to go to the Zoning Board. I know we
20 need one from the Building Department.

21 MR. PROKOP: Well, any relief that you're --
22 any relief that you're looking for us to approve, you
23 would have to come here first to get -- if we can't
24 approve it because you need a variance, you need to
25 get the denial first and then go to the ZBA.

1 MR. BROWN: No, I understand, and I'm trying to
2 track both of them, coincidentally, so that the
3 Constantinos can get a sense of whether or not to
4 pursue the project further. So, you know, in a
5 sense, it's a preliminary application to the Zoning
6 Board, but we'll do everything we can to make it as
7 complete as possible so that we can talk to them.

8 CHAIRMAN MC MAHON: Okay. Well, I would
9 suggest a further fleshing out of the -- of the
10 parking, of your arguments as to whether or not it's,
11 you know --

12 MR. BROWN: Sure.

13 CHAIRMAN MC MAHON: -- serviced by the
14 municipal lots, whether or not the fees for the
15 number of lots that you would perhaps be looking to
16 have waived, just more detail on that. I would
17 suggest that would certainly further the process.

18 MR. BROWN: And I appreciate the fact that you
19 took the time to talk to us with as preliminary
20 presentation as we have. Part of the issue here is
21 that the Constantinos are on a very tight contractual
22 deadline by which they have to decide whether to
23 pursue the purchase or not, and that's an impending
24 deadline that's coming very, very rapidly. So we
25 really appreciate your taking the time to talk to us

1 on such a preliminary presentation.

2 CHAIRMAN MC MAHON: Okay. Is there anything
3 else you'd like to address with us now?

4 MR. BROWN: I think that the --

5 MR. PROKOP: Can I just ask you a question?

6 MR. BROWN: Sure.

7 MR. PROKOP: Something just doesn't make sense
8 to me here. Earlier tonight, you said this is all
9 basically conceptual and you want to get feedback
10 from us, and -- but how can you be -- have a plan
11 before the Zoning Board of appeals at their next
12 meeting and still be conceptual with the Planning
13 Board? I don't understand how that works.

14 MR. BROWN: Well, I guess my definition of
15 conceptual is loose. There are some very real
16 aspects to what I hope to be the final plan
17 incorporated in this, in what I've presented to you
18 now. Obviously, it needs fine-tuning. You know, I
19 continue to work on the project and to -- with your
20 input, I can pursue that that much further.

21 MR. PROKOP: Okay. I just wondered, that's all.

22 MR. BROWN: Yeah.

23 MR. PROKOP: Okay.

24 MR. BROWN: Yeah, it's not just -- you know,
25 it's not just strand of spaghetti thrown against the

1 wall to see if it sticks, it's what we intend to
2 pursue, as long as we don't feel like we're hitting a
3 brick wall.

4 CHAIRMAN MC MAHON: Okay. Well, like I said
5 before, it is difficult to comment on a plan --

6 MR. BROWN: Of course.

7 CHAIRMAN MC MAHON: -- without seeing the
8 specifics, because the specifics are really what's
9 going to determine whether or not it's a viable plan.

10 If there isn't anything further, I think we're
11 going to move on for now, if -- unless there's some
12 other particular issues you'd like to raise now.
13 Just --

14 MR. BROWN: No.

15 CHAIRMAN MC MAHON: Just like I said, we could
16 talk --

17 MR. BROWN: For hours.

18 CHAIRMAN MC MAHON: -- for hours.

19 MR. BROWN: Truly. No. Just, again, I thank
20 you for taking the time to discuss this with us.
21 It's greatly appreciated.

22 MS. MARTIN: We also do need clarification on
23 how the lot coverage is being allowed here.

24 MR. BROWN: Well, that will --

25 MS. MARTIN: Right.

1 MR. BROWN: But, hopefully -- are you available
2 some time maybe tomorrow or the beginning of next
3 week?

4 MS. BERRY: Sure.

5 MS. WINGATE: My deadline for ZBA for the month
6 of May is Tuesday.

7 MR. BROWN: I was told the 6th. I think that's
8 Thursday.

9 MS. WINGATE: No, because it's a Wednesday
10 meeting.

11 MR. DOWLING: The 6th is Wednesday.

12 MS. WINGATE: And it's the day before the week,
13 a week before the day, or however you want to say it,
14 it's Tuesday.

15 MR. BROWN: So I know what I'm doing this
16 weekend.

17 MS. WINGATE: Okay. Well, that --

18 MR. BROWN: Can we meet on Friday?

19 MS. WINGATE: You're putting me in a place
20 where I have to produce a Notice of Disapproval on a
21 very complicated project. That's not fair, Rob.

22 MR. BROWN: I had been -- I'm sorry, I don't
23 mean to be unfair. I had gotten the impression from
24 our conversation that you were about to write that
25 denial.

1 MS. WINGATE: But I don't even have a building
2 permit application. All I -- we'll work on this.

3 MR. BROWN: Are you in tomorrow?

4 MS. WINGATE: Yes, Rob.

5 MR. BROWN: Can we talk?

6 MS. WINGATE: Yes, we can talk.

7 MR. BROWN: Thank you.

8 CHAIRMAN MC MAHON: Okay, then. So, if there's
9 no other comments from the Board and comments from
10 anyone else, then we'll move on from this and go to
11 Item #6. Anything else?

12 MR. BROWN: Thank you.

13 MR. BURNS: Thank you.

14 CHAIRMAN MC MAHON: Thank you.

15 MR. PROKOP: Item #6, on that item, we had to
16 hoped to get some decisions ready for the Board to
17 approve tonight and they're really just not ready.

18 CHAIRMAN MC MAHON: Okay. So we're going to
19 table that until --

20 MR. PROKOP: Yes.

21 CHAIRMAN MC MAHON: Until the work session or
22 until the next --

23 MR. PROKOP: Glynis has done a -- Glynis has
24 done a good job trying to get a number of decisions
25 ready. She had to wait for -- we went through a

1 process where we were going back and forth with
2 comments and we need just a little more time.

3 CHAIRMAN MC MAHON: Okay. So we're just going
4 to table that until further notice, then. I'm going
5 to make a motion to table that until --

6 MS. WINGATE: Next Thursday?

7 MS. BERRY: (Nodded yes.)

8 MS. WINGATE: Yes? Okay.

9 CHAIRMAN MC MAHON: If you need more -- okay.
10 So I'm going to make a motion that we table that
11 until the regular meeting next week. Do I have a
12 second?

13 MR. DOWLING: Second.

14 CHAIRMAN MC MAHON: All in favor?

15 MR. BURNS: Aye.

16 MR. DOWLING: Aye.

17 MR. JAUQUET: Aye.

18 CHAIRMAN MC MAHON: Aye.

19 Okay. The motion passes.

20 We're going to Item #7, motion to accept the
21 minutes of March 12th, 2015, March 26th, 2015, April
22 2nd, 2015 meetings. Do I have a second?

23 MR. BURNS: Second.

24 CHAIRMAN MC MAHON: All in favor?

25 MR. BURNS: Aye.

1 MR. DOWLING: Aye.

2 MR. JAUQUET: Aye.

3 CHAIRMAN MC MAHON: Aye.

4 Motion is approved.

5 Motion to schedule the regular session for
6 May 7th, 2015, and the work session for May 28th,
7 2015. Do I have a second?

8 MR. BURNS: Second.

9 CHAIRMAN MC MAHON: All in favor?

10 MR. BURNS: Aye.

11 MR. DOWLING: Aye.

12 MR. JAUQUET: Aye.

13 CHAIRMAN MC MAHON: Aye.

14 It passes. Motion to adjourn. Second?

15 MR. BURNS: Aye.

16 CHAIRMAN MC MAHON: All in favor?

17 MR. BURNS: Aye.

18 MR. DOWLING: Aye.

19 MR. JAUQUET: Aye.

20 CHAIRMAN MC MAHON: Aye.

21 (Whereupon, the meeting was adjourned at 7:07 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 Publicfor 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 April 30, 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 15th day of May, 2015.

Lucia Braaten