

1 VILLAGE OF GREENPORT  
 2 COUNTY OF SUFFOLK : STATE OF NEW YORK  
 3 -----x  
 4 ZONING BOARD OF APPEALS  
 5 REGULAR SESSION  
 6 -----x  
 7 Station One Firehouse  
 8 3rd & South Streets  
 9 Greenport, NY, 11944  
 10  
 11 September 21, 2021  
 12 6:00 p.m.

13 B E F O R E:  
 14 JOHN SALADINO - CHAIRMAN  
 15 DINNIE GORDON - MEMBER  
 16 CONNIE SOLOMAN - MEMBER  
 17 SETH KAUFMAN - MEMBER  
 18 JACK REARDON- MEMBER

19 \*\*\*\*\*  
 20 ALSO IN ATTENDANCE:  
 21 PAUL PALLAS - VILLAGE ADMINISTRATOR  
 22 ROBERT CONNOLLY - ZONING BOARD ATTORNEY  
 23 AMANDA AURICHIO - SECRETARY TO THE BOARD

24  
 25

1           *(\*The meeting was called to order at 6:05 p.m. \*)*

2           CHAIRMAN SALADINO: Good evening, folks.  
3 This is the Village of Greenport Zoning Board of  
4 Appeals Regular Meeting.

5           *Item No. 1 is a motion to accept the*  
6 *minutes of the August 17th, 2021 Zoning Board of*  
7 *Appeals meeting. So moved*

8           MEMBER KAUFMAN: Second.

9           MEMBER REARDON: Second.

10          CHAIRMAN SALADINO: All in favor?

11          *(\*Audience Member's Phone Rings\*)*

12 I'm going to silence my phone, folks, so maybe we  
13 can do ours, too. Okay? All in favor?

14          MEMBER GORDON: Aye.

15          MEMBER SOLOMAN: Aye.

16          MEMBER KAUFMAN: Aye.

17          MEMBER REARDON: Aye.

18          CHAIRMAN SALADINO: And I'll vote aye.

19          *Item No. 2 is motion to approve the minutes*  
20 *of the -- (Gentleman speaking on his phone).*

21          *Item No. 2 is motion to approve the minutes of*  
22 *the July 20th, 2021 Zoning Board of Appeals*  
23 *meeting. So moved.*

24          MEMBER GORDON: Second.

25          CHAIRMAN SALADINO: All in favor?

1 MEMBER REARDON: Aye.

2 MEMBER KAUFMAN: Aye.

3 MEMBER GORDON: Aye.

4 MEMBER SOLOMAN: Aye.

5 CHAIRMAN SALADINO: And I'll vote aye.

6 *Item No. 3 is a motion to schedule the next*  
7 *Zoning Board of Appeals meeting for October 19th,*  
8 *2021, at 6 PM at Station One Firehouse, Third and*  
9 *South Street, Greenport, New York, 11944.*

10 So moved.

11 MEMBER KAUFMAN: Second.

12 CHAIRMAN SALADINO: All in favor?

13 MEMBER REARDON: Aye.

14 MEMBER SOLOMAN: Aye.

15 MEMBER GORDON: Aye.

16 MEMBER KAUFMAN: Aye.

17 CHAIRMAN SALADINO: And I'll vote aye.

18 *Item No. 4 is 511 Carpenter Street. It's a*  
19 *motion to accept the findings and determinations*  
20 *for Jenna and Donald Williams. The property is*  
21 *located in the R-2 One and Two-Family District*  
22 *and is located in the Historic District.*  
23 *The Suffolk County Tax Map is 1001-4-3-32.*

24 So moved.

25 Folks, we got these -- because of a

1 clerical thing, an Internet thing, we got these a  
2 little late today. If the members have read them  
3 we'll vote on them; if the members haven't read  
4 it and are uncomfortable voting, we could do it  
5 next month. I've read it. So, what's the  
6 consensus? Do we want to vote on it? Did we  
7 read the findings for 511 Carpenter?

8 MEMBER GORDON: Yes.

9 TRUSTEE SOLOMON: Yes.

10 CHAIRMAN SALADINO: All right. So, I'm  
11 going to make that motion; so moved. All in  
12 favor?

13 MEMBER SOLOMAN: Aye.

14 MEMBER KAUFMAN: Aye.

15 MEMBER GORDON: Aye.

16 CHAIRMAN SALADINO: And I'll vote aye. Jack?

17 MEMBER REARDON: Aye.

18 CHAIRMAN SALADINO: Okay.

19 *Item No. 5 is 302 6th Street, it's a motion*  
20 *to accept the application, schedule a Public*  
21 *Hearing and arrange a site visit for the*  
22 *application of Alex Bell for the property located*  
23 *at 302 6th Street, Greenport, New York, 11944.*  
24 *This property is located in the R-2 One and*  
25 *Two-Family District, is not located in the*

1 *Historic District. This property requires a use*  
2 *variance. The Suffolk County Tax Map is No.*  
3 *1001-6-7-8. I'm going to -- is the applicant*  
4 *here and would like to --*

5 MR. PORTILLO: I'm the architect.

6 CHAIRMAN SALADINO: Name and address for  
7 the stenographer.

8 MR. PORTILLO: Anthony Portillo, 1075 075  
9 Franklinville Rd, Laurel, New York.

10 CHAIRMAN SALADINO: You're the  
11 representative for the applicant?

12 MR. PORTILLO: Yes.

13 CHAIRMAN SALADINO: We don't have -- we  
14 don't have in the application the notarized  
15 statement that you're representing the applicant.

16 MR. PORTILLO: Okay. The applicant's here,  
17 actually.

18 CHAIRMAN SALADINO: Okay.

19 MR. PORTILLO: I can provide that to you  
20 guys for your office.

21 CHAIRMAN SALADINO: That's okay. We're not  
22 going to -- if that was the only thing, we --

23 MR. PORTILLO: I apologize for that.

24 CHAIRMAN SALADINO: Okay. So, we're going  
25 to need that if this goes forward.

1 MR. PORTILLO: That's fine.

2 CHAIRMAN SALADINO: Is there something you  
3 want to tell us about the application?

4 MR. PORTILLO: No, we're proposing a pool  
5 and a garage with a pool house. We are  
6 requesting some reliefs due to some of the site  
7 constraints on the property. The pool is  
8 currently -- the proposed pool is currently  
9 16 feet from the property lines. It is a corner  
10 lot.

11 CHAIRMAN SALADINO: Did you say how many  
12 feet?

13 MR. PORTILLO: Sixteen feet --

14 CHAIRMAN SALADINO: Sixteen feet.

15 MR. PORTILL: -- from the rear and front  
16 property line. And we also need a relief on the  
17 proposed garage due to the front yard setback.  
18 Again, it's a corner lot, but we're within the  
19 setbacks on the side and rear yard five feet.

20 CHAIRMAN SALADINO: Well -- okay. The  
21 Notice of Disapproval and -- not the agenda, but  
22 the Notice of Disapproval says you need a use  
23 variance.

24 MR. PORTILLO: That was -- we moved it. We  
25 originally had his art studio, we turned it into

1 a pool house. We reapplied, we needed to get the  
2 drawings and it should have been worked out  
3 through your office. That was done. We actually  
4 got set back a month because of that. We  
5 received the review comments like a few days  
6 before this hearing last month and then we made  
7 the revisions, I spoke with Greg and we  
8 resubmitted that.

9 CHAIRMAN SALADINO: Well, what could -- why  
10 should this Board consider a pool house? My  
11 understanding is that because the addition of a  
12 bathroom makes it a second dwelling unit.

13 MR. PORTILLO: It's a half bath, actually.  
14 It's just a toilet and --

15 CHAIRMAN SALADINO: Any sanitary facilities  
16 in the building would make it a second dwelling.

17 MR. PORTILLO: Okay.

18 CHAIRMAN SALADINO: So, I'm curious as to  
19 the difference between a pool house and anything  
20 else.

21 MR. PORTILLO: Like in living quarters or  
22 are you saying like a dwelling?

23 CHAIRMAN SALADINO: I'm saying any  
24 accessory building. What I'm saying is according  
25 to our Code, any accessory building that adds

1 sanitary facilities to it becomes a second  
2 dwelling unit.

3 MR. PORTILLO: Uh-huh.

4 CHAIRMAN SALADINO: I'm not sure why a pool  
5 house is different. Do you have an  
6 interpretation?

7 MR. PORTILLO: It's unheated, we're only  
8 doing a seasonal type of use. It wouldn't have  
9 -- it wouldn't be a dwelling.

10 CHAIRMAN SALADINO: Yeah, but the Code  
11 doesn't -- the Code doesn't provide for that.

12 MR. PORTILLO: So then we would be  
13 requesting a use permit if that was the case.

14 CHAIRMAN SALADINO: Okay. Have you --

15 MR. PORTILLO: I'm sorry. Just to be clear  
16 that the pool house would be considered a  
17 dwelling due to a bathroom and a sink and a  
18 toilet?

19 CHAIRMAN SALADINO: Yes.

20 MR. PORTILLO: Okay.

21 CHAIRMAN SALADINO: Unless you can provide  
22 an interpretation.

23 MR. CONNOLLY: It's my understanding that  
24 it's an interior dwelling, there would have to be  
25 living quarters, like sleeping quarters and a



1 kitchen.

2 CHAIRMAN SALADINO: Our interpretation is  
3 sanitary or the addition of cooking facilities.  
4 I mean, once you put -- the toilet is the big --  
5 is the big issue. I can't remember -- I'll ask  
6 my colleagues. I can't remember ever adding a  
7 bathroom to an accessory building and it didn't  
8 need a use variance.

9 MR. CONNOLLY: The real property tax law  
10 considers a dwelling -- considers a structure a  
11 dwelling only if there's a kitchen in it. That's  
12 New York State Property Tax Law, and it might  
13 differ from what the Village Code says.

14 CHAIRMAN SALADINO: Well, I know the  
15 Village Code is different from that. But if --  
16 if there's a previous interpretation where pool  
17 house is exempt. I spoke to Diana today about  
18 that. She's on the Zoning -- I'm on the Zoning  
19 Board a few years, five or six years, Dinny's on  
20 the Zoning Board a little longer than me.

21 MEMBER GORDON: Only a couple of years.

22 CHAIRMAN SALADINO: Neither one of us  
23 remember that. But if you have -- if you have an  
24 interpretation saying otherwise, we would -- we  
25 would take that into consideration.

1 MR. PORTILLO: New York State Building Code  
2 does indicate a home to have a full kitchen,  
3 that's how they represent a 12-unit. So, if I  
4 was using Building Code that's what that says.

5 Regarding the Village Code, I mean, really  
6 I have gone through it, I haven't found much of  
7 anything saying that the bathroom, or the half  
8 bathroom or the toilet and the sink would require  
9 a use variance. But if it does, I guess we're  
10 requesting a use variance if that's what the  
11 lawyer is saying.

12 CHAIRMAN SALADINO: Okay.

13 MR. PORTILLO: I would say it's not a  
14 dwelling unit, it's not intended to be a dwelling  
15 unit by the applicants by any means.

16 CHAIRMAN SALADINO: Well, you have to  
17 understand this Board's position, that sometimes  
18 what things are intended to be --

19 MR. PORTILLO: Sure.

20 CHAIRMAN SALADINO: -- and sometimes what a  
21 week or two down the road or a month down the  
22 road they turn into --

23 MR. PORTILLO: It's difficult to have a  
24 dwelling and taking a shower or cooking, it would  
25 be just requesting half a bathroom. I mean,

1 there's been other jurisdictions that have half  
2 bathrooms in garages, it's not uncommon.

3 CHAIRMAN SALADINO: Well, unfortunately for  
4 this, this is not one of those jurisdictions.

5 MR. PORTILLO: No, we'll refine it. I'm  
6 just saying --

7 CHAIRMAN SALADINO: We'll put it to him in  
8 a second.

9 MR. PORTILLO: Sure.

10 CHAIRMAN SALADINO: We're going to ask the  
11 attorney later about this. Someone had mentioned  
12 to me that there might have been an  
13 interpretation in the past. I couldn't find it.  
14 I looked at the disposition list in our Code and  
15 I couldn't find it. But there are a couple of  
16 other questions that we're going to have. I have  
17 one more also.

18 MR. PORTILLO: Sure.

19 CHAIRMAN SALADINO: According to your  
20 application, you intend to tear down the current  
21 garage?

22 MR. PORTILLO: Yeah, we're going rebuild  
23 that garage space.

24 CHAIRMAN SALADINO: You're going to take it  
25 down and rebuild it?

1 MR. PORTILLO: And make and it larger.

2 CHAIRMAN SALADINO: Unfortunately, again,  
3 going back to the Code, if you tear it down it's  
4 preexisting non-conforming. If you tear it down  
5 you're going to have to comply with the Code.

6 MR. PORTILLO: To make it what?

7 CHAIRMAN SALADINO: And the Code says you  
8 can't have an accessory building in the front  
9 yard because it's a corner lot, you have two  
10 front yards.

11 MR. PORTILLO: Right.

12 CHAIRMAN SALADINO: One on 6th Street and  
13 one on Front Street.

14 MR. PORTILLO: Sure.

15 CHAIRMAN SALADINO: So we're going to  
16 need -- you're going to need relief from that.

17 Also, because this particular property has  
18 two front yards, so 30 feet from the property  
19 line on Brown Street would be your front yard.

20 MR. PORTILLO: Correct.

21 CHAIRMAN SALADINO: The Code also -- and  
22 I've pulled the Code for you, it's 150-13 A1C.  
23 I computed the area of your rear yard and it's  
24 600 square feet.

25 MR. PORTILLO: *(Inaudible)*.

1 CHAIRMAN SALADINO: I'm sorry?

2 MR. PORTILLO: I'm sorry, can you repeat  
3 that?

4 CHAIRMAN SALADINO: The rear yard would be  
5 600 square feet and our Code says that the  
6 accessory building can only occupy 30% of the  
7 rear yard area. That would mean the accessory  
8 building in the rear yard could only be  
9 180 square feet. But the building, according to  
10 your plan, in that part of the yard would be  
11 340 square feet, so you're going to need relief  
12 from that also. And there might be one or two  
13 other things my colleagues --

14 MR. PORTILLO: Can I just mention --

15 CHAIRMAN SALADINO: Sure.

16 MR. PORTILLO: The existing building is  
17 10.4 feet currently and we are requesting to move  
18 it back another foot, basically, on the rebuild.  
19 But anyway, we're not arguing the case now.

20 CHAIRMAN SALADINO: I'm just going by your  
21 plan. I'm just going by your drawing.

22 MR. PORTILLO: Right, but you're saying we  
23 would need relief on this.

24 CHAIRMAN SALADINO: The drawing says that  
25 the building is going to be -- the drawing says

1 that the building is going to be six -- I have it  
2 here someplace.

3 MR. PORTILLO: Seven hundred and  
4 eighty square feet.

5 CHAIRMAN SALADINO: Seven hundred and  
6 eighty square feet. Of that 780 square feet, 340  
7 of those 780 square feet are going to be in the  
8 rear yard. The rear yard, you're only allowed  
9 30% lot coverage for an accessory building in the  
10 rear yard. So 30% of 600, if you do the  
11 dimensions of your rear yard, would be 180.  
12 So you would need relief from -- without us  
13 taking a pen to paper and doing the math.

14 MR. PORTILLO: Yeah. No, I guess -- I  
15 mean, the rear yard would start from the rear of  
16 the building back. Is that the way you're  
17 interpreting it?

18 CHAIRMAN SALADINO: No, the rear yard would  
19 be 30 feet -- would be computed according to a  
20 previous interpretation by the Zoning Board.  
21 The rear yard would be computed as 30 feet from  
22 the east property line.

23 MR. PORTILLO: Uh-huh.

24 CHAIRMAN SALADINO: And then 20 feet from  
25 the north property line, so 20 by 30 is 600

1 square feet.

2 MR. PORTILLO: Okay. Yeah, we would be  
3 requesting relief from that as well. We would be  
4 requesting relief from that..

5 CHAIRMAN SALADINO: Okay.

6 MR. PORTILLO: Or I could discuss reducing  
7 the size of the garage, possibly. But I think to  
8 get any type of structure there, it sounds like  
9 we're going to need a relief on the -- I can't  
10 tell we are under total lot coverage of 33% the  
11 entire lot.

12 CHAIRMAN SALADINO: At this point, at this  
13 point I don't think the total lot coverage is --  
14 we kind of haven't got to that yet.

15 MR. PORTILLO: Sure.

16 CHAIRMAN SALADINO: Because total lot  
17 coverage comes out to 34% and lot coverage in the  
18 R-2 is 30%. So, we might need a variance for  
19 total lot coverage, too.

20 MR. PORTILLO: Right, with the pool, the  
21 total lot coverage.

22 CHAIRMAN SALADINO: I'm going by your  
23 numbers.

24 MR. PORTILLO: No, I --

25 CHAIRMAN SALADINO: We don't even -- we

1 don't usually -- we don't consider the pool for  
2 lot coverage. I honestly don't understand that,  
3 why a pool shouldn't be considered lot coverage,  
4 but we don't. So, if you subtract whatever the  
5 pool is you might still come under the --

6 MR. PORTILLO: *(Inaudible)*.

7 CHAIRMAN SALADINO: Dinny, did you have a  
8 question?

9 MEMBER GORDON: Well, I have concern and  
10 that is that there is a provision in the Code in  
11 the Definition Section that specifies that pools  
12 are to be in rear lots only, and you're asking  
13 for a pool that will face on one of the front  
14 lots. I realize there is an awkwardness --

15 MR. PORTILLO: Sure.

16 MEMBER GORDON: -- with the corner lot  
17 situation.

18 MR. PORTILLO: Right.

19 MEMBER GORDON: But it's pretty clear and I  
20 can't think of a Greenport pool that's in  
21 anybody's front yard, and I think for pretty good  
22 reasons that pools aren't -- are limited. So  
23 you'd need -- you still need to get a variance  
24 from the requirement that it be in the rear yard.

25 I have one other thing which is not really



1 your concern, but I'm wondering if you -- if you  
2 have looked at and approved this Notice of  
3 Disapproval. Because it has a number small  
4 errors, but when they get added up it doesn't  
5 project a picture that I think we realize what  
6 your issues are.

7 One is that it still says artist studio,  
8 and we're supposedly relying on this Notice of  
9 Disapproval. And another is that it refers to  
10 157 R-1 looking at a provision for a one-family  
11 Residence District. Do you know why that is?  
12 Because it's not in the One-Family District.

13 And the third --

14 CHAIRMAN SALADINO: I'm sorry, I have an  
15 answer to that.

16 MEMBER GORDON: Okay.

17 CHAIRMAN SALADINO: I asked about that, but  
18 you can ask your question.

19 MEMBER GORDON: Can I just finish?

20 CHAIRMAN SALADINO: Sure.

21 MEMBER GORDON: The third thing is the  
22 setbacks listed here are for Section 150-8 rather  
23 than 7. I mean, as I said, these are little  
24 things.

25 MR. PORTILLO: Uh-huh.

1           MEMBER GORDON: But I just wondered whether  
2 you've had a chance to really review the Notice  
3 of Disapproval, because it's what you have to  
4 deal with.

5           MR. PORTILLO: Sure. So I did go through  
6 it, I might have missed that one point. And we  
7 have it as R-2 and Item C in the Zoning District  
8 on our drawings, but I can review the approval --  
9 I mean disapproval.

10          MEMBER GORDON: I understand, yeah.

11          MR. PORTILLO: I'm not going to speak to  
12 that right now. I'll get an answer, I could give  
13 you that answer another time.

14          MEMBER GORDON: Oh, I don't want to --

15          MR. PORTILLO: But I had requested a change  
16 from your office.

17          MEMBER GORDON: If you have --

18          CHAIRMAN SALADINO: I spoke to the -- I had  
19 spoken to the CEO about that, about why reference  
20 the One-Family, the R-1 as opposed to the R-2.  
21 Because it's listed in the R-1 and in the R-2 it  
22 says anything listed in the R-1 will be okay.

23          MEMBER GORDON: Why is it listed? What do  
24 you mean it's listed?

25          CHAIRMAN SALADINO: That no building

1 premise shall be used and no building or part of  
2 a building shall be erected. It's one of the  
3 conditions, it's one of the provisions of the  
4 R-1 District. And the R-2 says that everything  
5 in the R-1 should be applied to the R-2 also.  
6 So he listed where it was listed in in the Code

7 MEMBER GORDON: It says any use permitted  
8 in the R-1 can be included in the R-2.

9 CHAIRMAN SALADINO: Well, are we talking  
10 about the one dwelling unit on the lot; is that  
11 what we're talking about here?

12 MEMBER GORDON: I guess so.

13 Okay, it's a small matter. I just -- I  
14 think that the notice -- you know, we have to  
15 rely on the Notice of Disapproval and so do you,  
16 so I just think it should be --

17 MR. PORTILLO: We've actually requested it  
18 to be changed a few times.

19 MEMBER GORDON: It should be complete and  
20 correct, as my boss here would say.

21 CHAIRMAN SALADINO: Well, speaking of  
22 complete and correct, with the issues that were  
23 pointed out here tonight -- with the issues that  
24 were pointed out here tonight, if it was a  
25 singular issue like you didn't have the

1 authorization form, it's routine that we just  
2 give it to us next month.

3 MR. PORTILLO: Uh-huh

4 CHAIRMAN SALADINO: But in the totality of  
5 all these other things, and then you're going to  
6 need relief from 150-2B, you're going to need  
7 relief from 150-13A, you're going to need relief  
8 from 150-13A1; the totality of it makes it that  
9 -- and also, until we get a decision about  
10 whether it's use or area.

11 MR. CONNOLLY: I just looked up the  
12 definition of a dwelling and the way that it's  
13 written, they use *or* instead of *and*, so it looks  
14 like they're saying that anything that has a  
15 sanitary -- it doesn't say a kitchen facility and  
16 sanitary, it just says a kitchen --

17 CHAIRMAN SALADINO: Or a sanitary.

18 MR. CONNOLLY: -- or a sanitary.

19 CHAIRMAN SALADINO: Well, that's the way  
20 we've always dealt with it in the past. I don't  
21 know. But like I said, if there's a previous  
22 interpretation that I'm not aware of that my  
23 colleagues were aware of, we're going to go on  
24 the assumption that the Code is as its written.  
25 If there's an interpretation, we would have to

1 see it, we would have to decide if that  
2 interpretation applies to this particular  
3 property.

4 MR. PORTILLO: Uh-huh.

5 CHAIRMAN SALADINO: So the fact that we  
6 don't know -- we know there's going to be area  
7 variances. We don't know -- according to the  
8 Notice of Disapproval, it should be a use  
9 variance also. We're going to kind of take the  
10 Village's word for it.

11 So, in its totality, if it was one thing or  
12 something minor we would just accept the  
13 application and you would provide it for us at  
14 the Public Hearing next month.

15 MR. PORTILLO: Sure.

16 CHAIRMAN SALADINO: But I'm going to make a  
17 recommendation that we not accept this  
18 application. We're -- our -- the training  
19 seminars that we go to from the State tell us for  
20 us to accept an application it has to be  
21 complete --

22 MR. PORTILLO: Uh-huh.

23 CHAIRMAN SALADINO: -- and it has to be  
24 correct.

25 MR. PORTILLO: Uh-huh.

1           CHAIRMAN SALADINO: This application is not  
2 complete and, in my opinion, it's not correct.  
3 So, but I'll -- I'm going to ask my colleagues,  
4 what are thinking here?

5           MR. PORTILLO: Can I ask you a question?

6           CHAIRMAN SALADINO: Sure.

7           MR. PORTILLO: So if it's corrected and  
8 completed with the proper area variances  
9 requested and we would come back here to reopen  
10 the application?

11           CHAIRMAN SALADINO: Yeah. If we -- yes.  
12 If we have an application that this Board decides  
13 is complete and correct, this is -- you can --  
14 when you get a Notice of -- and I'm sure you know  
15 this. When you get a Notice of Disapproval you  
16 have the right to appeal.

17           MR. PORTILLO: Uh-huh.

18           CHAIRMAN SALADINO: And for us to accept  
19 that application for appeal it has to be complete  
20 and correct. If you give us an application  
21 that's complete and it's correct, we're obligated  
22 to accept it. But right now, my opinion -- and  
23 I'm only one vote. My opinion is that this  
24 application is not complete and --

25           MR. PORTILLO: And I'm not disagreeing

1 based on what we just discussed. I'm just saying  
2 that things are a little bit different other  
3 places, you know, local places, not like outside  
4 of this area. I just didn't realize that we  
5 needed to -- you know, all those things were  
6 going to be put on there. Normally the Village  
7 or the Building Department would get back  
8 us --

9 CHAIRMAN SALADINO: Well, this stuff is --

10 MR. PORTILLO: -- on the application.

11 CHAIRMAN SALADINO: This stuff is --

12 MR. PORTILLO: Or they would --

13 CHAIRMAN SALADINO: Well, I'd be glad --

14 MR. PORTILLO: On the determination.

15 CHAIRMAN SALADINO: -- to provide you with  
16 the Code provisions.

17 MR. PORTILLO: I know exactly --

18 MS. MAHONEY: Can you please speak one at a  
19 time?

20 MR. PORTILLO: Oh, I apologize.

21 MS. MAHONEY: It's fine. I can't take down  
22 two people at one time.

23 CHAIRMAN SALADINO: I'm a blabber mouth,  
24 what can I say? I'm sorry.

25 (\*Laughter\*)

1 MR. PORTILLO: Totally understand

2 CHAIRMAN SLADINO: You know, it's not -- I  
3 don't want to be flippant about it. It's not  
4 like we're making this stuff up. You know, it's  
5 coming right out of the book. So -- and the fact  
6 that sometimes we don't see it, sometimes the  
7 Building Department don't see it. We're all  
8 human.

9 MR. PORTILLO: Uh-huh.

10 CHAIRMAN SALADINO: You know, we all  
11 sometimes overlook stuff. So part of a role here  
12 is to look at the application in its entirety.  
13 If we see something --

14 MR. PORTILLO: Sure.

15 CHAIRMAN SALADINO: -- or if we overlook  
16 something, somebody else is going to point it out  
17 to us.

18 I'm going to ask my colleagues, what do we  
19 think? Should I make a motion? I'm going to  
20 make that motion that we not accept this  
21 application.

22 MR. PORTILLO: I'm sorry, Chairperson. Is  
23 there a way to basically table it and we'll come  
24 back next month and revise that issue?

25 CHAIRMAN SALADINO: Well, by not accepting



1 it we're basically tabling it.

2 MR. PORTILLO: It's the same thing, tabling  
3 it to that month?

4 CHAIRMAN SALADINO: Yeah.

5 MR. PORTILLO: Okay.

6 CHAIRMAN SALADINO: So we're not accepting  
7 this particular application.

8 MR. PORTILLO: Sure.

9 CHAIRMAN SALADINO: If you submit a new  
10 application to the Building Department and you do  
11 that 10 days prior to -- Amanda, is it 14 days  
12 prior to the meeting, 10 days?

13 AMANDA AURORA: Two weeks.

14 CHAIRMAN SALADINO: Two weeks prior to the  
15 meeting --

16 MR. PORTILLO: Sure.

17 CHAIRMAN SALADINO: It'll be on our next  
18 agenda.

19 MR. PORTILLO: You got it.

20 CHAIRMAN SALADINO: All right? I'm going  
21 to make a motion that we not accept this  
22 application.

23 MEMBER GORDON: Second.

24 CHAIRMAN SALADINO: All in favor?

25 MEMBER KAUFMAN: Aye.

1 MEMBER SOLOMAN: Aye.

2 MEMBER REARDON: Aye.

3 MEMBER GORDON: Aye.

4 CHAIRMAN SALADINO: And I'll vote aye.

5 MR. PORTILLO: Thank you. Appreciate it.

6 Have a good night.

7 CHAIRMAN SALADINO: Thank you.

8 And that was the easy one.

9 (\*Laughter\*)

10 *Item No. 6 is 220 5th Avenue. This is*  
11 *continuation of a Public Hearing regarding the*  
12 *area variances applied for by Ian Crowley and*  
13 *Angelo Stepnoski. The applicants propose to*  
14 *subdivide the property located at 2205th Avenue,*  
15 *Greenport, New York, 11944.*

16 *The proposed subdivision would allow for*  
17 *the construction of a new 16 -- I'm reading from*  
18 *the agenda, but I'm going to take exception to*  
19 *that. A new sixteen -- 1,665 square foot house*  
20 *with a footprint of 838 square feet. This*  
21 *property is located in the R-2 One and Two-Family*  
22 *District and is not located in the Historic*  
23 *District.*

24 *The plans shows lot five width is 50 feet.*  
25 *Why can't it be lot one? Lot five width 50 feet,*

1        *the minimum lot width is 60 feet, this would*  
2        *require an area variance of 10 feet.*

3                *The plan shows lot four is 50 feet, the*  
4        *minimum lot width is 60 feet, this would require*  
5        *an area variance of 10 feet.*

6                *The plan shows a lot area for the proposed*  
7        *lot four of 5,347.39 square feet. The minimum*  
8        *lot area is 7500 square feet, this would require*  
9        *an area variance of 2,152.61 square feet.*

10               *I'm guessing this shows the same; the plan*  
11        *shows a lot area for the proposed lot five of*  
12        *5,347.39 square feet. The minimum lot area is*  
13        *7500 square feet. This would require an area*  
14        *variance of 2,152.61 square feet.*

15               *This Public Hearing is continued from last*  
16        *month. The applicants asked us to adjourn this*  
17        *meeting till next month. I'm -- we kept it up.*  
18        *I -- I'm going to have to ask our attorney; is*  
19        *there a difference between adjourning a meeting*  
20        *and keeping it open?*

21               *MR. CONNOLLY: No, it's the same thing.*

22               *CHAIRMAN SALADINO: So we decided to keep*  
23        *it open and -- but as a concession to the*  
24        *applicants, unless one of them -- is an applicant*  
25        *here this evening? (No Response) No?*

1 As a concession to the applicants, we agreed to  
2 keep it up open until next month. So, we're  
3 going to hold the Public Hearing, we're going to  
4 listen to what everybody has to say. But before  
5 we end this we're going to keep the Public  
6 Hearing open until next month also, at the  
7 request of the applicants.

8 So, I have one letter that -- from  
9 Ms. Carol Pollock. Pollack. Is she here?

10 UNKNOWN AUDIENCE MEMBER: No.

11 CHAIRMAN SALADINO: No? So I guess I'll  
12 have to read it into the record?

13 *"To be read into the minutes of the*  
14 *September 21st ZBA Public Hearing.*

15 *Dear Chairman Saladino, all ZBA Members, I*  
16 *am writing regarding the variances required for*  
17 *the proposed subdivision of 2205th Avenue," and*  
18 *she gives the Suffolk County Tax Map No.*

19 *"First, our Zoning Code requires the lot*  
20 *width to be a minimum 60 feet. The variances*  
21 *requested are not for a matter of a few inches"*  
22 *but a foot two -- "or even a foot or two.*  
23 *Combined, the variances for lot width amount to*  
24 *20 feet which, in my opinion, is excessive.*

25 *Second, the sought-after relief for the lot*

1        *area requirement is nothing short of outrageous.*  
2        *Isn't a lot size of 7500 square feet already*  
3        *small enough in this already overcrowded*  
4        *Village?" I don't know. "Each of these proposed*  
5        *lots fall short, not by a few square feet, by a*  
6        *couple of hundred square feet, but by thousands*  
7        *of square feet. A variance should be granted to*  
8        *allow a bit of flexibility in our Zoning Code,*  
9        *not to render our Code utterly meaningless."*

10        *"Isn't our Village government supposed to*  
11        *be gradually reducing non-conforming? Granting*  
12        *these variances would increase non-conformity in*  
13        *ways not addressed in the disapproval letter.*  
14        *The combined side yards for the proposed lot five*  
15        *would be approximately six feet short of the 25*  
16        *feet combined side yard requirement, and neither*  
17        *the site plan nor the survey indicate the three*  
18        *parking spaces required for lot 5 Two-Family*  
19        *residence. In fact, there is no space reserved*  
20        *for any on-site parking whatsoever.*

21        *I don't know understand why these*  
22        *requirements were ignored in the disapproval*  
23        *letter as they are clearly stated under paragraph*  
24        *150-12.*

25        *Please deny these variances. They would*

1       *exacerbate our parking problem and greatly impact*  
2       *the quality of life of the surrounding areas.*  
3       *They would undoubtedly represent a significant*  
4       *opportunity for the property owner, but at the*  
5       *expense of the people who already live, work and*  
6       *pay taxes on 5th Avenue as well as the rest of*  
7       *Greenport. Thank you for your consideration.*  
8       *Karen Pollack, 630 First Street." And this -- we*  
9       got it on September 21st, 2021.

10               Having read that, I'm going to open the  
11       Public Hearing. Is there anyone in the public  
12       that would like to speak? I see Joanne in the  
13       back, she would like to speak. Joanne Kehl.

14               CHAIRMAN SALADINO: Sure, you can come up

15               MS. KEHL: *(Laughter)* So this is just  
16       photographs that I have and, from Chief Flatly,  
17       the accidents that have occurred on 5th Avenue.  
18       These are what I will be talking about.

19               So, first I -- can you hear me?

20               CHAIRMAN SALADINO: We can hear you.

21               MEMBER REARDON: What's your name?

22               MS. KEHL: Joanne Kehl, 242 5th Avenue.

23               So, first I have a concern, and I'd like to  
24       find out how can only part of the subdivision be  
25       used in this application and not the entire part

1 of the subdivision including the existing house  
2 and its setback. Isn't this what a subdivision  
3 is all about?

4 The subdivision has an existing building  
5 plus the created lot. So, why isn't the -- the  
6 application including -- it's only including the  
7 separate lot, it's not including the house. Do  
8 we know that answer?

9 CHAIRMAN SALADINO: I do.

10 MS. KEHL: Okay.

11 CHAIRMAN SALADINO: I know the Village's  
12 reasoning. The Village's reasoning is, in  
13 reading 150-21, the Code -- that portion of the  
14 Code -- and I could get the big book and read it  
15 to you, but it says that -- it says the building,  
16 not the property, has to -- has to enlarge, grow,  
17 has to change.

18 The Village's reasoning is that it's not --  
19 it doesn't say property, it says building.

20 MS. KEHL: Uh-huh.

21 CHAIRMAN SALADINO: If I understand.

22 Mr. Pallas is not here tonight.

23 MS. KEHL: Well, I can bring a little light  
24 to this.

25 CHAIRMAN SALADINO: Okay, just let me

1 finish. I kind of happen to agree with you in  
2 how I think of what the Code says. But unless --  
3 I don't know how my colleagues feel. But unless  
4 somebody asks for an interpretation of that  
5 portion of the Code to distinguish property,  
6 building, how it should be read and how it should  
7 be interpreted, we're going to go with the  
8 Building Department's interpretation of that  
9 portion of the Code.

10 MS. KEHL: Okay. Fair enough.

11 So, let me read the Code. In 50-21, "*The*  
12 *non-conforming building with conforming use is*  
13 *any building which does contain a use permitted*  
14 *in the district in which it is located but does*  
15 *not conform to the district regulations for lot*  
16 *area, width, depth, front, side, rear yards*" --  
17 sorry, I get tongue-twisted here. "*Maximum*  
18 *height, lot coverage or minimum*" -- look at me,  
19 I'm shaking. "*For a minimum livable floor area,*  
20 *upper dwelling unit.*"

21 "*Such building have been legally*" -- and  
22 this is where it all -- says it all. "*Such*  
23 *buildings shall have been legally existing prior*  
24 *to the effective date of this chapter or any*  
25 *amendment hereto.*" So in other words, if --



1       excuse me. Let's go back, let's go to A. So  
2       *"Nothing in this article shall deem to prevent*  
3       *normal maintenance and repair, structural*  
4       *alteration, moving, construction or enlargement*  
5       *of a non-conforming building provided that such*  
6       *actions does not increase the degree of or create*  
7       *any non -- new non-compliance that regards to the*  
8       *regulations pertaining to such building."*

9                So here's my go-to. Okay. As the lot  
10       stands today, how many feet is there on the south  
11       side yard setback today? Say 50, 60 feet, would  
12       you say? Ten, 50, 60 feet on the south side.  
13       So, the Code we know is a combination of 25, so  
14       on one side it's eight point -- 8-foot 7 inches,  
15       on the other side it's 10. It only adds up to  
16       18.7 -- 18 feet, 7 inches. We need a combination  
17       of 25. This now is self-created. So now this is  
18       a new variance that is created. Do you follow  
19       what I'm saying?

20               CHAIRMAN SALADINO: I do.

21               MR. CONNOLLY: You're saying that the new  
22       lot land is going to make the existing structure  
23       non-conforming to the setback.

24               MS. KEHL: Yes, that is correct.

25               MR. CONNOLLY: I agree with that.

1 MS. KEHL: (*Inaudible*)

2 (*\*Laughter\**)

3 I'll read it a little bit further, and  
4 here's one here as well.

5 CHAIRMAN SALADINO: Well, here you have a  
6 situation that the Chairman of the Zoning Board  
7 agrees with that logic and the Attorney agrees  
8 with that logic.

9 MS. KEHL: So, therefore --

10 CHAIRMAN SALADINO: Unfortunately,  
11 unfortunately the Building Department's policy --

12 MS. KEHL: Well, let me read a little  
13 further here. So, if we cannot go any further  
14 than this, because we are short with a  
15 combination of the two side yard setbacks of  
16 6 feet 5 inches, I'd like to challenge the law  
17 and can the public -- as you say, I feel the  
18 public can ask for an interpretation of the law  
19 150-21 and keep the hearing open until a  
20 discussion has been made, or a decision has been  
21 made until or unless our attorney is able to make  
22 that decision for us today.

23 CHAIRMAN SALADINO: I'm not -- I don't  
24 think the Village's Attorney is prepared to make  
25 that decision today.

1 MR. CONNOLLY: I can't.

2 CHAIRMAN SALADINO: I don't think he can.  
3 You're certainly entitled to ask for an  
4 interpretation. There's an application, you fill  
5 it out, you ask for an interpretation of that  
6 particular portion of the Code. It costs \$600, I  
7 believe.

8 MS. KEHL: That's not fair to me, honestly.  
9 You know, when -- when I'm reading the law --

10 CHAIRMAN SALADINO: Joanne, we don't get  
11 the money. We don't get the money (*laughter*).

12 MS. KEHL: This is the law.

13 CHAIRMAN SALADINO: It's all about -- it's  
14 all about what one person believes how the law is  
15 read as opposed to what another person believes  
16 what the law says. The way you decide that is  
17 you ask the Zoning Board of Appeals for an  
18 interpretation. There is a fee involved. But I  
19 will say that if the Zoning Board rules in the  
20 person that's asking for the interpretation, if  
21 they rule in their favor they get their money  
22 back. So, it's like going to Vegas, you know?

23 (*\*Laughter\**)

24 MS. KEHL: Oh, interesting.

25 CHAIRMAN SALADINO: I -- we -- we don't

1 have the right the waive the fee.

2 MR. CONNOLLY: No, we don't.

3 CHAIRMAN SALADINO: We don't have the right  
4 to waive the fee. But that would be the process;  
5 you would ask for an interpretation, the Zoning  
6 Board would hear what the people have to say as  
7 far as the Code. Not the validity of the  
8 project, only the written word of the Code and  
9 how it should be interpreted. They would make a  
10 decision and if they -- if they support it the  
11 person's decision, opinion of how it should be  
12 read, that would -- that would -- and actually,  
13 interpretations have the weight of precedence; it  
14 would carry forward to other applications as  
15 well.

16 I can understand -- I can understand the  
17 Building Department's point of view, since the  
18 building itself is not being altered, since the  
19 building itself is not creating any new  
20 non-conformity.

21 MS. KEHL: It is making a new  
22 non-conformity. It is because -- yes, on the  
23 south side yard setback --

24 CHAIRMAN SALADINO: Is 10 feet.

25 MS. KEHL: -- is 10 feet. A combination of

1       25. You can't say, *Oh, back then we considered*  
2       *the north side to be 15 feet*, because that's not  
3       true. It is existing at the eight point -- eight  
4       seven. So, this is 10, we're still short. And a  
5       combination, the law says, is 25 feet. So now  
6       when you move over -- say there's a possibility  
7       of them moving over the division of the lot, now  
8       the other lot is out of Code. So -- so there's a  
9       problem. This is preexisting but on the north  
10      side, the south side is not at all, so that is  
11      created. And again, that does say this in here,  
12      in this 150-21

13               CHAIRMAN SALADINO: Well, in 150-21 it also  
14      said, the last sentence of 150-21A says, "*Such*  
15      *action shall not increase the degree of or create*  
16      *any new noncompliance*" --

17               MS. KEHL: Right.

18               CHAIRMAN SSALADINO: Wait, wait. "*With*  
19      *regards to the regulations pertaining to such*  
20      *buildings.*"

21               MS. KEHL: They're not touching the  
22      building. They're --

23               CHAIRMAN SALADINO: We understand that.

24               MS. KEHL: You can expand the building, you  
25      can do whatever you want to the building, but you

1 also have to be -- so then you tell me, if that's  
2 the case, what other noncompliance could possibly  
3 be, otherwise they would have never written this.

4 In other words, there has to be -- so  
5 you're saying there wouldn't be any noncompliance  
6 issue coming on.

7 CHAIRMAN SALADINO: I'm -- what I'm saying  
8 is is -- actually, what I'm saying is I kind of  
9 agree with you. But what I'm also saying is is  
10 that this is the policy the Building Department  
11 chooses to use.

12 MS. KEHL: Uh-huh.

13 CHAIRMAN SALADINO: We don't write the  
14 Notice of Disapproval.

15 MS. KEHL: Okay. Well, I mean, we can't go  
16 any further than this today, obviously, and  
17 Pallas is not here. So, he would have been able  
18 to have a discussion with us had he been here,  
19 right?

20 CHAIRMAN SALADINO: If he chose to, sure.  
21 He would -- you could certainly ask him the  
22 question and if --

23 MS. KEHL: Okay.

24 CHAIRMAN SALADINO: You know, the -- does  
25 anybody have any thoughts on this? Folks? You

1 guys have any thoughts on this?

2 MEMBER KAUFMAN: I just think it's valid  
3 points and it needs to be explored further.

4 CHAIRMAN SALADINO: Well, it could be if  
5 somebody decides to pursue it. I'm not -- it's  
6 not up to us to pursue it. It's -- I'm not going  
7 to make any comments about the app -- I mean, the  
8 application I think is -- there's enough going on  
9 with the application for this Board to deal with  
10 the application. If the neighbors, if Joanne or  
11 the rest of the neighbors want to -- the Public  
12 Hearing is going to be open for another month at  
13 least, that would be more than enough time to ask  
14 for a new interpretation.

15 MS. KEHL: Certainly.

16 CHAIRMAN SALADINO: Get it in front of this  
17 Board. Interpretations require a Public Hearing.

18 MS. KEHL: Does that leave this hearing  
19 open until resolved?

20 CHAIRMAN SALADINO: I think -- I think the  
21 Board would be -- I think the Board would be  
22 inclined to not render a decision on the  
23 application before we did the interpretation.

24 MS. KEHL: Uh-huh.

25 CHAIRMAN SALADINO: Right? I'm thinking.

1 MS. KEHL: Okay.

2 CHAIRMAN SALADINO: We would need the  
3 interpretation --

4 MEMBER REARDON: I think that would be the  
5 appropriate thing to do.

6 CHAIRMAN SALADINO: So the interpretation  
7 requires a Public Hearing, so if you got it on  
8 the agenda for next month, we would schedule the  
9 Public Hearing for the month after. So in  
10 theory, we could actually close this particular  
11 Public Hearing next month. We have 62 days to  
12 make a decision. We could render a decision on  
13 the interpretation one way or the other and it  
14 still wouldn't effect putting this application,  
15 220 5th Avenue, in jeopardy of violating the  
16 timeline, so.

17 MS. KEHL: Although, it still would require  
18 -- if that was the case, it still would require a  
19 new filing, you know, notice, because it would  
20 have to go into the paper again and everybody  
21 will have to be notified and --

22 CHAIRMAN SALADINO: There would be a new  
23 Notice of Disapproval, yes.

24 MS. KEHL: Right, so a new hearing.

25 CHAIRMAN SALADINO: If there's a new Notice



1 of Disapproval, there would be a new Public  
2 Hearing.

3 MS. KEHL: Okay. So shall I go on?

4 (\*Laughter\*)

5 CHAIRMAN SALADINO: Sure.

6 MS. KEHL: Sorry. So, the Zoning Code was  
7 adopted in the interest of protecting public  
8 health, safety and welfare to include, in part,  
9 the following; privacy for family, prevention and  
10 reduction of traffic congestion. Promotion --  
11 and this is all from our Code, by the way; I do  
12 like to do some research here. So, prevention  
13 and reduction of traffic congestion, promote  
14 effective and safe circulation of vehicles and  
15 pedestrians, and the gradual elimination of the  
16 non-conforming uses.

17 Such -- excuse me. Subdivision Chapter  
18 118-7 takes into consideration the impact of --  
19 on the subdivision -- of the subdivision on  
20 public health, safety and welfare, the impact of  
21 the neighbors, community, adjacent properties,  
22 traffic, views and other environmental  
23 considerations, the preservation of the aesthetic  
24 assets of the Village and the impact of the  
25 utilities and emergency and other services that

1 are provided by the Village.

2 So the existing home that they have there  
3 is a concern because the existing home only has  
4 one parking spot, so our Code is three. So on  
5 the north side, of course we said it was 8.7,  
6 Code is 15, combination should be 25, I already  
7 discussed the 10-foot on the other side.

8 The front yard setback, 16 -- this is just  
9 the house lot. The front yard setback is 16 feet  
10 4-inches and then the Code is 30. We may have to  
11 take into some of these considerations because of  
12 the 150-21. So I'm not sure, but I will read  
13 them all.

14 The shed in the back, by the way, is 2 feet  
15 9 inches on both sides, rear yards and north  
16 side, and the Code is five feet. Of course, we  
17 are -- all were noticed that the width of the  
18 front yard was 50, the Code was 60 and that is  
19 the same for the proposed lot. And also, the lot  
20 area was 5347 and our Code of lot area should be  
21 7500 square feet.

22 With this said, there are seven, eight,  
23 nine variances -- seven, nine variances or so and  
24 I feel that these are excessive. But again, I  
25 think it's important for the -- to know what that

1 code is, the 150-21.

2 Based on the designs -- this is another  
3 issue. Based on the design plans, the new home  
4 can easily be converted into a two-family  
5 dwelling; just lay them one over the other,  
6 you'll see that they're just very, very easy to  
7 convert into a two-family. I did it myself.

8 I would believe that the applicant is well  
9 aware of the design and that the conversion from  
10 one-family to a two-family is simple as applying  
11 at the Building Department level only; no  
12 Planning or ZBA approval is necessary.

13 I recall at a previous ZBA subdivision  
14 meeting that Mr. Prokop mentioned -- mentioned  
15 conditions. Should this subdivision be granted,  
16 I would request that the condition of this house  
17 remain as only a single-family home.

18 So I sent some paperwork and this was based  
19 on Chief Flatly's sending me information on a  
20 FOIL. I FOILED the last five years of the police  
21 reports and the car accidents on 5th Avenue which  
22 is heavily traveled, crowded with parked cars and  
23 vehicles of excessive speed. All the accidents  
24 were parked cars, parked vehicles.

25 I handed -- so I handed it all to you. I think,

1 John, you have the pictures of it, the photos,  
2 and -- so if you want to pass them around, I only  
3 made one set of that.

4 I also sent a diagram of where the  
5 accidents were and I think everybody got a copy  
6 of that. There were eight accidents reported  
7 with ten damaged vehicles, two were totaled.  
8 Eight -- four accidents without police reports  
9 and three accidents that were older than five  
10 years, 17 damaged vehicles on 5th Avenue. I'm  
11 sure there are more that were not even reported,  
12 that I am not aware of or just forgot about, but  
13 that is over 2.4 accidents and 2.8 damaged cars  
14 per year.

15 I would like to ask all of you, how many  
16 accidents have there been on any street that  
17 you've ever lived at? Zero? Two? Four? Seven?  
18 Really? This was 17; this is 17 in a short  
19 period of time. So 17 is a big deal for me.

20 5th Avenue -- so I'm going on to the next  
21 subject. 5th Avenue is 29 feet 4 inches wide and  
22 1,065 feet long. Roads are generally 50 feet  
23 wide. The Town of Southold Code is 50 feet, I  
24 could not find the Village Code so I apologize  
25 for that. The same, we are 21 feet short on our

1 road. This is the reason why we have a good  
2 amount of accidents.

3 When the car -- when two cars are parked on  
4 each side of the road, only one car can pass  
5 while the other one must stop. This happens all  
6 day long. It's a busy road, especially with the  
7 added traffic from the eight apartment building  
8 that we have on 5th Avenue and the extra 16  
9 Lakeside Apartments on North Street. All of  
10 these cars use 5th Avenue as a pass-thru to Front  
11 Street and then they race down the road. So, of  
12 those pictures that I took, Monday morning I run  
13 out, on 9/6 and took pictures -- I did not take  
14 pictures Monday morning, they were Tuesday --  
15 there were 23 parked cars on 5th Avenue, nine  
16 were on South Street. Tuesday morning I went  
17 out, the next day, on 9/7, and there were 25  
18 parked vehicles on 5th Avenue, again, nine on  
19 South Street.

20 There are 28 residents, and this is also on  
21 your chart that you can see; 28 residents,  
22 residential homes on 5th Avenue, nine are  
23 two-family which equals 18 families. One eight  
24 apartment building, eight families; eighteen  
25 single homes, eighteen families; a total of 44

1 homes on 1,065-foot street. So think about this;  
2 26 families on 10 lots, 44 families on 28  
3 properties. This is why too many -- it's too  
4 many families, it's overcrowded. I assure you  
5 that there are plenty more families living on  
6 this street in these two-family homes. I kind of  
7 know that they are.

8 This is another -- this will be another  
9 property with another absentee landlord. Twelve  
10 properties on 5th Avenue out of 28 residential  
11 properties all have absentee landlords; that is  
12 42.8%; to me, that's very large.

13 So let's talk about the cast iron water  
14 mains. So the 4-inch cast iron water mains were  
15 installed between 1890 -- and I believe I sent  
16 you those as well, so they were these type of  
17 diagrams. So if you see in the 1890, there were  
18 no water pipes on that map. By nine -- 1897,  
19 there was a 4-inch water pipe that you could see.  
20 Well, since then nothing has been done. But we  
21 have one of the oldest water mains on 5th Avenue,  
22 and, of course, like I say, there are no updates.

23 We've had a lot of issues with each  
24 particular home and they had to do their own  
25 maintenance and at their expense, but the Village

1 has never taken into consideration fixing our  
2 water pipe -- our water main.

3 So today, and here's something that's very  
4 interesting. Today water main standard  
5 requirement -- requirements are a minimum of six  
6 inches for fire code water. 5th Avenue, 4-inch  
7 pipes are corroded and clogged. There is a  
8 danger of a 4-inch water pipe when there is a  
9 fire.

10 We recently had this happen to a home on  
11 Kaplan Avenue which is only about a hundred feet  
12 away from 5th Avenue. The giant fire pumper  
13 trucks that we have today were able to pull water  
14 from one fire hydrant at the corner of Kaplan and  
15 West Street, but they could not pull water from a  
16 second hydrant with the pumper north of Kaplan.  
17 The fire hydrants have low flow and these giant  
18 pumper trucks can suck everything dry.

19 The end of -- the end result was the house  
20 burnt to the ground, basically; I shouldn't say  
21 completely to the ground, but it was pretty  
22 charred. This is why the water mains are now  
23 required to have a minimum of six inches. We're  
24 not back into the late 1800s anymore. Like  
25 everything else, the water main on 5th Avenue

1 needs to be updated just like the pumpers were;  
2 they went from 4-inch to 6-inch and this needs to  
3 be done on 5th Avenue. This is a big reason why  
4 4-inch mains are a safety. There simply is not  
5 enough water volume for fire flow.

6 5th Avenue has three fire hydrants with two  
7 having low flow; again, not enough to sustain a  
8 house fully engulfed with fire.

9 I will also add that the Kaplan Avenue  
10 neighboring home, a two-family home, the roof was  
11 watered down by the fire department to save that  
12 home which is on the property line. And what I  
13 mean it's on the property line, it is exactly on  
14 the property line; right, Jim? *(Laughter)*.

15 MR. OLINKIEWICZ: Right, six inches away.

16 MS. KEHL: Yes. So, the end result was  
17 there was damage, smoke damage, obviously, to  
18 that neighboring home, but it was saved because  
19 there was enough water to get to it. This is why  
20 it is so important to adhere to the side yard  
21 setbacks. Setbacks are there for safety of fire  
22 spreading.

23 5th Avenue sewers, so, are made of clay  
24 pipe. The last -- the last time work was done on  
25 the sewer pipes was around 1920 when the sewer



1 plant and the pump stations were built. It is a  
2 known fact that tree roots grow right through  
3 them. The last two Summers, while sitting on my  
4 porch, quite often the smells of rotten sewers  
5 just breeze by in the air. The Village has done  
6 nothing to repair the 5th Avenue sewer lines in  
7 years.

8 The new owners of this property purchased  
9 this as an investment. Make no mistake, this is  
10 not for their family or themselves. This  
11 subdivision is self-created. They are taking one  
12 property to make two non-conforming properties; I  
13 I don't believe this is what our Forefather's  
14 intent was when the Code was written.

15 You as the Board may not see what the  
16 neighbors see. We are your ears and eyes. We  
17 hope -- we hope today you hear us, our concerns  
18 and have a clearer understanding of 5th Avenue  
19 issues. We have -- we have put our hearts and  
20 souls into our neighborhood. Should the  
21 subdivision be approved, the upcoming application  
22 of 221 5th Avenue may be approved; this would be  
23 -- this would add even more density to this  
24 already congested accident-prone street and  
25 another absentee landlord. Please protect the

1 quality of life and the privacy of us, our  
2 neighbors and the surrounding community.

3 I am asking the Zoning Code to be enforced  
4 for maximum protection of residential property  
5 and to eliminate non-conforming uses.

6 One last little thing. With this said, I  
7 strongly disagree to the subdivision of these two  
8 non-conforming properties and a -- and any other  
9 proposed subdivision in the Village of Greenport  
10 and would ask that the subdivision be denied  
11 tonight. 5th Avenue is over developed.

12 Thank you for listening to me tonight.

13 CHAIRMAN SALADINO: Thank you. We --  
14 before I -- if anyone else from the public would  
15 like to speak. Before they come up, at the  
16 beginning of this public hearing we didn't put a  
17 time limit on the time at the microphone.

18 (\*Laughter\*)

19 We're kind of hoping a lot of what Joanne  
20 said reflects the attitude of the people on the  
21 block. So maybe the -- having said that, is  
22 there anyone else from the public that would like  
23 to speak? Name and address for the stenographer,  
24 please.

25 MS. ALLEN: Chatty Allen, Third Street.

1 I strongly, strongly object to this application;  
2 99% of my reasons Joanne already covered.

3 And one reason is she's absolutely right.  
4 You're going to take a lot, which is conforming  
5 right now, and turn it into two non-conforming  
6 lots; that makes no sense at all.

7 You're also adding more density, more  
8 vehicles in an area. I thank God my school line  
9 doesn't use that road, because it is a mess on a  
10 daily basis. And the expression *an accident*  
11 *waiting to happen*, unfortunately the accidents  
12 happen way too much on that particular stretch.

13 When you're going to subdivide your  
14 property, it should come down to do you have the  
15 space. They should not have to be getting  
16 variances to subdivide a lot, because that means  
17 you don't have enough space to cut your lot in  
18 half.

19 I would have no objection if this was  
20 enough where they would all be what they were  
21 supposed to be, I would not as strongly object as  
22 I am, I would think a little bit more. I'm a  
23 former 5th Avenue resident and I used to go the  
24 opposite direction because of -- especially the  
25 top of the road. Now that we have a house on the

1 corner, the opposite corner, which is basically a  
2 B&B, and there's so many vehicles there and when  
3 they have their wedding --

4 MEMBER GORDON: Can you be specific about  
5 what house you're talking about? I'm not  
6 following.

7 TRUSTEE SOLOMON: Front Street, right?

8 MS. ALLEN: On the northwest corner, the  
9 great big house. I don't know -- it's the one --  
10 it's where they had those big hedges which they  
11 cut back.

12 MEMBER GORDON: Oh, okay.

13 MS. ALLEN: Or pulled back so that you can  
14 see better. But it's on --

15 MEMBER GORDON: The northwest corner of 5th  
16 Avenue and Front Street.

17 MS. ALLEN: Yes.

18 CHAIRMAN SALADINO: 201.

19 MEMBER GORDON: Okay.

20 MS. ALLEN: Yeah, I don't know what the --  
21 I don't know what the house number is.

22 MEMBER GORDON: Right. No, I understand.

23 MS. ALLEN: I'm old, I go by *remember that*  
24 *that place there?* Those are my directions. But  
25 when they have -- they rent that out all the

1 time. And I've gone past where the traffic --  
2 the cars are parked all the way up by Front  
3 Street down the whole block.

4 To me, this application is adding more  
5 danger to an already dangerous situation, and I  
6 strongly object to this being passed. Plus the  
7 fact that, if I'm not mistaken, we already denied  
8 an application across the street to subdivide.  
9 So, take that as you want. Thank you.

10 CHAIRMAN SALADINO: Thanks, Chatty.

11 Is there anyone else from the public that  
12 would like to speak? And just -- Jack, just  
13 before you start. It's a matter of semantics,  
14 but the Zoning Board doesn't grant subdivisions.  
15 The Planning Board grants subdivisions.

16 You know, it's kind of crazy, we're here  
17 for side yard, rear yard, front yard, whatever,  
18 setbacks, but we don't actually grant -- if those  
19 variances are approved, this application -- and  
20 I'm sure you's all heard this before. This  
21 application would go to the Planning Board and  
22 they would have the final say on the subdivision.  
23 So, having said that, name and address.

24 MR. WEISKOTT: Jack Weiskott, 2295th  
25 Avenue, Greenport, New York. One thing that we

1 would just like to clarify; you said that we  
2 could get an interpretation of that code, 512 or  
3 whatever it is.

4 CHAIRMAN SALADINO: 150-21 B --

5 MR. WEISKOTT: Yes, 150-21.

6 CHAIRMAN SALADINO: Would -- if you ask for  
7 an interpretation of that, we --

8 MR. WEISKOTT: Who do we ask?

9 CHAIRMAN SALADINO: The Building  
10 Department; you would go to Village Hall.

11 MR. WEISKOTT: And then who makes the final  
12 decision on --

13 CHAIRMAN SALADINO: The Zoning Board.

14 MR. WEISKOTT: -- on the --

15 CHAIRMAN SALADINO: Interpretation.

16 MR. WEISKOTT: -- interpretation?

17 CHAIRMAN SALADINO: The Zoning Board.

18 MR. WEISKOTT: Because does the Building  
19 Department ask the Village Attorney?

20 CHAIRMAN SALADINO: The Village -- the  
21 Zoning Attorney is our attorney.

22 MR. WEISKOTT: Uh-huh.

23 CHAIRMAN SALADINO: If we had -- if we had  
24 questions we would go to him.

25 MR. CONNOLLY: Right.

1 MR. WEISKOTT: Okay.

2 CHAIRMAN SALADINO: So --

3 MR. WEISKOTT: So there's a different  
4 Village Attorney?

5 CHAIRMAN SALADINO: Joe Prokop is the  
6 Village Attorney.

7 MEMBER REARDON: Oh, I see. So he would be  
8 the one advising the Building Department, or  
9 would they ask him or --

10 MR. CONNOLLY: No, you would just fill out  
11 the application for an interpretation and then it  
12 would have to go to the Zoning Board and the  
13 Zoning Board would rule on the application.

14 MR. WEISKOTT: Oh, I see. So the  
15 application would go to the Building Department  
16 who then forwards it to --

17 CHAIRMAN SALADINO: They would process it.  
18 They would process the application, they would  
19 give it to us to either accept or reject.

20 MR. WEISKOTT: They're not the arbiters of  
21 the interpretation.

22 CHAIRMAN SALADINO: No, no, we are.

23 MR. WEISKOTT: You guys are the arbiters.

24 CHAIRMAN SALADINO: We are.

25 MR. WEISKOTT: Okay. Because I do have to

1 say, I would agree with Joanne and probably most  
2 of you that subdividing that lot would create,  
3 from a house that is already conforming into a  
4 property that is non-conforming. It's obviously  
5 creating two non-conforming properties. I just  
6 wanted to make that clear.

7 I'm not going to go over everything that  
8 everyone said.

9 CHAIRMAN SALADINO: No, no, we --

10 MR. WEISKOTT: Joanne said everything that  
11 needed to be said, pretty much. The safety and  
12 the accidents are all true. I've been woken up  
13 twice in my house by really loud crashes and you  
14 go outside and there's some car that ran into a  
15 car that's parked in the street and the car  
16 parked in the street is totaled and pushed up on  
17 the sidewalk. That happened this past Fall, I  
18 believe, or Winter and it happened a couple of  
19 years before that, and these are people who have  
20 had to park in the street because there's not  
21 enough parking on the properties that they live  
22 on.

23 Anyway, again, so these are not people that  
24 can afford to fix those cars, they're old cars  
25 and they're totaled.



1           I just -- I wanted to mention just the  
2 slice of life on 5th Avenue, a quick little story  
3 illustrating. I'm getting -- trying to get out  
4 of my driveway one morning, I'm backing out of my  
5 driveway, because we have a driveway and we have  
6 two cars and I had to go out. But my wife's car  
7 is behind me and she is not there, so, therefore,  
8 I had to pull her car out and park it on the  
9 street. But I couldn't park in front of my house  
10 because there were already two cars parked there,  
11 and I couldn't park next to my house because  
12 there were already two cars parked there; I had  
13 to go across the street to park. But I couldn't  
14 pull out of my driveway right away because first  
15 there's a car coming down the road. After that  
16 car's coming down the road, there's someone  
17 coming from one of the the Air B&Bs with a  
18 stroller and he's walking his kid to the beach,  
19 so I had to wait for him to clear out of the way.  
20 Then I still had to wait because there was a guy  
21 coming from 7-11 with his coffee.

22           Finally, I was able to back my wife's car  
23 out of the driveway and park across the street  
24 from my house, since I couldn't park next to my  
25 driveway. Then I had to take my truck out of the

1 driveway and find another spot further away from  
2 my house and then go back to my wife's car to get  
3 that back into my driveway. And then I had to  
4 carry the things from my house, which takes two  
5 trips, that I needed for work that day, to the  
6 truck that was now parked about, you know, a  
7 house-and-a-half away from me.

8 So, I'm just telling you that our street is  
9 too crowded already, overly crowded, overly  
10 vehicle'd and too much activity already.

11 And as I've said before, I am opposed to a  
12 subdivision that make -- that is extreme in its  
13 nature. If it was a couple of feet, a couple of  
14 dozen feet, but thousands of feet less than the  
15 requirement is asking a lot.

16 Thank you for your time. I know you've  
17 heard all these things before.

18 CHAIRMAN SALADINO: Thank you. You were  
19 lucky that somebody didn't -- while you were  
20 waiting to pull your wife's car out, take the  
21 spot across the street.

22 (\*Laughter\*)

23 MR. WEISKOTT: I was hoping that someone  
24 next to my house would drive away, but I --

25 (\*Laughter\*)

1 Thank you.

2 CHAIRMAN SALADINO: Is there anyone else  
3 from the public that would like to speak? Name  
4 and address for the stenographer.

5 MS. JAEJER: Mary Ann Jaejer, 14 Front  
6 Street, Greenport; previously 430 Front Street.

7 I, for one, will vouch for what they're  
8 saying. Being on the Front Road, I was like the  
9 town crier who screams every time there was an  
10 accident.

11 Let's back get to the sewers. Years ago I  
12 couldn't -- or I've asked them to fix the sewers,  
13 they tried it one time. You know what I got for  
14 it? They black topped the road. I thought, *Gee,*  
15 *how wonderful. Now the sewers a little bit*  
16 *deeper, right?*

17 (\*Laughter\*)

18 But it still backs up. I was calling two, three  
19 times. Every time you smell an odor in the house  
20 you had to call them; you didn't know if it was  
21 going to come through your house or what. I even  
22 hired someone to come check the sewer. It wasn't  
23 me, but yet when I called the Village, oh no, it  
24 wasn't them. Next to Mike Grossman's house;  
25 remember that? The sewer backed up in the

1 street. So I called them and I said, *Now, let me*  
2 *explain something. Did I or did I not come here*  
3 *and tell you there was a problem with the sewer?*  
4 *Yes, you did. I said, You told me I should have*  
5 *it checked. I did. So it cost me money and now*  
6 *your sewers are all backed up there? He said,*  
7 *Oh, just give me the bill. Well, as luck turned*  
8 *out, a friend of mine owned it so he wouldn't*  
9 *charge me because there was nothing wrong. But*  
10 *had that sewer come into my house, I think I'd be*  
11 *owner of part of this Village, and I think some*  
12 *of these people right on that street would*  
13 *probably have joined me in that suit.*

14 I mean, things are getting ridiculous. You  
15 don't have the capacity to handle the sewer, that  
16 road cannot handle capacity of the cars that come  
17 through. And the day I saw a bus come down, I  
18 said now I've seen it all. And he's sitting  
19 there holding his breath waiting. It's not fair  
20 to the people that live on that street. Put  
21 yourself in that spot; how would you like it if  
22 everything came plowing down in your house? Oh,  
23 I put a property -- oh, let's see move the things  
24 over here. That's kind of ridiculous. You can  
25 only put so much in one space. And you have to

1 stop trying to appease people.

2 I don't care if they're your friends or  
3 enemies, I don't care. If you have a code  
4 written down, that code should be honored and by  
5 that means something you should follow. And like  
6 this lady said something she was told, the pool  
7 type things had to go back to that one, the pool  
8 had to be in the back of the yard. That was a  
9 crock, too, because when we went to get our pool  
10 they tried to convince me I should put it out in  
11 the front yard, and my answer to them was if I  
12 wanted to have a public pool I'd open a public  
13 area for it.

14 (\*Laughter\*)

15 PS, the pool was put in the back.

16 CHAIRMAN SALADINO: If you came before this  
17 Zoning Board the pool would have been in the  
18 back.

19 (\*Laughter\*)

20 MS. JAEJER: It's crazy, they keep changing  
21 all these rules to suit people.

22 Now, you said no before to a house on that  
23 lot. What's the difference with that house and  
24 this one? You're still lacking space. I mean,  
25 let's face it, that's the answer, you don't have

1 adequate space. It should be a simple decision;  
2 if you don't have enough you call it quits.

3 Thank you

4 CHAIRMAN SALADINO: Thank you. Is there  
5 anyone else from the public that would like to  
6 speak about this application?

7 *(No Response)*

8 No? Nobody? All right. By previous  
9 agreement, we agreed that we were going to keep  
10 the Public Hearing open to accommodate the  
11 applicants. So, we're going to adjourn this --  
12 we're going to keep this public hearing open and  
13 take it up again next month. So we want to thank  
14 everybody that showed up to speak.

15 Well, we're still -- the Public Hearing is  
16 still open so we can't comment. So, having said  
17 that, I have an agenda here.

18 *Item No. 7 is 220 5th Avenue, that's moot.*

19 *Item No. 8 is any other Zoning Board of*  
20 *Appeals business that might properly come before*  
21 *this Board.* This is your chance, folks. Any  
22 questions, any -- now's the time to ask them

23 MS. ALLEN: Can we make a comment, or does  
24 it have to be a question?

25 CHAIRMAN SALADINO: If you pose it as a

1 question.

2 (\*Laughter\*)

3 MS. ALLEN: My question is an accessory  
4 building being anything other than an accessory  
5 building. Because you did have an application  
6 where somebody wanted to put it in, they wanted a  
7 toilet in there and they were denied, so when you  
8 were discussing earlier. So just -- it's in the  
9 records to go back and check that out with  
10 accessory buildings. I don't remember the ruling  
11 off the top of my head, but there is somewhere on  
12 the books that says you cannot have the toilet  
13 and sink in an accessory building.

14 CHAIRMAN SALADINO: I think the question  
15 arose -- actually, there's been a lot of  
16 applications where we said no, you can't have a  
17 bathroom --

18 MS. ALLEN: Right.

19 CHAIRMAN SALADINO: -- in an accessory  
20 building. I think the question with this was --  
21 I think the Building Department's logic with this  
22 was, or is -- I don't know if they've changed  
23 their mind since Mr. Pallas is not here -- is  
24 that pool house somehow is different than artist  
25 studio or garage or --

1 MEMBER GORDON: Garden shed.

2 CHAIRMAN SALADINO: Garden shed, you know.

3 MS. ALLEN: Well, I know we have had  
4 applications that had a pool house that did not  
5 have any plumbing inside of it, it was to store  
6 the things for the pool and the mechanisms for  
7 the pools. *(Indiscernible)* comes to mind.

8 CHAIRMAN SALADINO: Yeah. We don't want to  
9 get into testimony about that.

10 MS. ALLEN: No, no, no, I just want to say  
11 because I've been here where it has been denied,  
12 so it is somewhere; I'm not sure what the code  
13 was used to deny that. And also, I just think,  
14 too, this property has also been already denied a  
15 pool. I know it is, it's a tiny property and to  
16 me personally --

17 CHAIRMAN SALADINO: Well, to set the record  
18 straight, it was never denied a pool because the  
19 people withdrew the application, so.

20 MS. ALLEN: Right.

21 CHAIRMAN SALADINO: So it was never denied.

22 MS. ALLEN: Okay.

23 CHAIRMAN SALADINO: And as far as -- and  
24 we're going to rely on the Building Department or  
25 the applicant to bring this Board something that



1 says there was an interpretation where pool  
2 houses were allowed to have bathrooms.

3 MS. ALLEN: Right, as long as he brings it  
4 within the Village Code.

5 (\*Laughter\*)

6 CHAIRMAN SALADINO: Anyone else?

7 MS. PETERSON: Diane Peterson, 228 6th  
8 Avenue which is one lot to the west of 226. I  
9 just -- I just want to clarify the point of what  
10 needs to be done for the application on 2205th  
11 Avenue. You would rule on the variances and then  
12 it would go to the Planning Board to be ruled for  
13 a subdivision?

14 CHAIRMAN SALADINO: Yes. The --

15 MR. CONNOLLY: Only if the variances are  
16 granted.

17 CHAIRMAN SALADINO: Only if they're upheld.  
18 They can't -- you can't subdivide the property  
19 without these variances.

20 MS. PETERSON: So if you guys -- you rule  
21 against variances they can --

22 CHAIRMAN SALADINO: It stops there.

23 MS. PETERSON: Okay, that's all.

24 CHAIRMAN SALADINO: Right?

25 MR. CONNOLLY: Correct.

1 CHAIRMAN SALADINO: Anybody else? Anybody  
2 else?

3 All right. Having said that, Item No. 9 is  
4 a motion to adjourn. So moved

5 MEMBER KAUFMAN: Second.

6 MEMBER REARDON: Second.

7 CHAIRMAN SALADINO: Guys. Guys, guys.  
8 Dinny, are you voting? Just say yes. Motion to  
9 adjourn.

10 MEMBER GORDON: Yes.

11 CHAIRMAN SALADINO: We're adjourned.

12 Thank you, folks.

13 **(\*The meeting was adjourned at 7:28 p.m. \*)**

14 \*\*\*\*\*

15 *(\*The following letter was  
16 Recorded into the record\*)*

17 \*\*\*\*\*

18 *"Mr. Saladino,*

19 *I had planned on attending this evening's*  
20 *meeting to voice my concerns and ask questions*  
21 *regarding this application, however I have a*  
22 *family conflict that precludes my attendance.*  
23 *I am hoping this gets to you for entry as my*  
24 *comments on the application and request they be*  
25 *entered into the record.*

1            *My initial concerns really have to do with*  
2            *the nature of variances in general and why we*  
3            *must appear as a neighborhood regarding the*  
4            *extreme and increasing use of variances to bypass*  
5            *the zoning codes which, I presume were*  
6            *thoughtfully created with the forward trajectory*  
7            *of Village life in mind. Myself, I live in a*  
8            *house that was built under smaller lot sizes and*  
9            *can attest to the difficulties including safety*  
10           *between houses, space for children, adequate*  
11           *on-property parking, sunlight and fresh air*  
12           *penetration.*

13           *Specifically with regards to the existing*  
14           *structure, it currently has only a single parking*  
15           *space (and from the plat drawings online it is*  
16           *unclear if that is even part of the property).*  
17           *As this unit is currently a multi-unit dwelling,*  
18           *I know you are aware of the required parking*  
19           *allowances. These have been understood to be in*  
20           *compliance as there is a curb cut and access to*  
21           *the lawn from the road, therefore "creating"*  
22           *parking and has been used extensively during snow*  
23           *emergencies to safely remove the multiple cars*  
24           *from street-side parking. No matter how you*  
25           *proceed with this subdivision request, it is my*

1        *opinion that no variance should be given to the*  
2        *required parking areas. Therefore, the existing*  
3        *structure needs at least parking for 3 to 4.5*  
4        *cars as per the units involved. Any changes to*  
5        *the property at all should trigger adherence to*  
6        *existing code. As I imagine that this property*  
7        *must be registered with the Village under the*  
8        *Rental Permit Law, I assume you may properly*  
9        *assess how many spots are required. If this*  
10       *means that an actual driveway must be added to*  
11       *the existing structure as well as create one for*  
12       *the new structure, I have concerns over the*  
13       *additional curb cuts required as on-street*  
14       *parking is at critical mass on our street as it*  
15       *is.*

16                *While I routinely disagree with the parking*  
17        *concerns over downtown, we have a density problem*  
18        *on our street which as resulted in multiple*  
19        *accidents over the past few years. We are near*  
20        *enough to a permanent issue stemming from number*  
21        *of cars per lot that we should begin discussions*  
22        *regarding turning the street into a one-way*  
23        *street for safety.*

24                *As to the new structure and the reduction*  
25        *of lot sizes required to build it, I believe we*

1        *opened up lot sizes and setbacks to avoid this*  
2        *type of building. If the Village is changing*  
3        *direction regarding planning and zoning, I*  
4        *believe it needs to be a plan, not an ad-hoc*  
5        *reduction of space. If this means that a smaller*  
6        *house needs to be build on the resulting*  
7        *subdivision or if it means that it simply cannot*  
8        *be divided, then we must face this as a longer*  
9        *term bit of planning.*

10        *As I sit in my own living room getting high*  
11        *off of my neighbors' pot smoking or listen to*  
12        *another neighbor work through what I assume was a*  
13        *particularly rough bowel movement, I must firmly*  
14        *state that skinny lots, overbuilt and crammed in,*  
15        *make for angry neighbors and therefore an angry*  
16        *Village.*

17        *Lastly, I was told that it was said that if*  
18        *nobody showed up to oppose then you would*  
19        *proceed. This is not my understanding of the*  
20        *role of the Boards, nor the nature of variances*  
21        *which, by definition are a departure from the*  
22        *agreed upon and expected nature. I must assume*  
23        *that this was a misunderstood message I received*  
24        *and not, in fact, your belief.*

25

1        *Regards, Ian Wile*  
2        *234 5th Avenue*  
3        *Greenport, NY 11944*  
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