

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*

11 *February 15, 2022*
 12 *6:00 p.m.*

13 *B E F O R E:*

- 14 JOHN SALADINO - CHAIRMAN
 15 DINNIE GORDON - MEMBER
 16 SETH KAUFMAN - MEMBER
 17 JACK REARDON - MEMBER

19 *NOT PRESENT:*

- 20 CONNIE SOLOMAN - MEMBER
 21 *****

22 *ALSO IN ATTENDANCE:*

- 23 PAUL PALLAS - VILLAGE ADMINISTRATOR
 24 ROBERT CONNOLLY - ZONING BOARD ATTORNEY
 25 AMANDA AURICHIO - SECRETARY TO THE BOARD

1 *(*The meeting was called to order at 6:01 p.m. *)*

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

5 *Item No. 1 is a motion to accept and*
6 *approve -- oh, that's different. It's a motion*
7 *to accept and approve the minutes of the January*
8 *18th, 2022 Zoning Board of Appeals meeting.*

9 So moved

10 MEMBER GORDON: Second.

11 CHAIRMAN SALADINO: All in favor?

12 MEMBER KAUFMAN: Aye.

13 MEMBER GORDON: Aye.

14 MEMBER REARDON: Aye.

15 CHAIRMAN SALADINO: And I'll vote aye.
16 *(January 18, 2022 Minutes Accepted & Approved -*
17 *VOTE: 4/0/0/1 - Not Present: Member Soloman).*

18 *Item No. 2 is a motion to accept and*
19 *approve the minutes of the December 21st, 2021*
20 *Zoning Board of Appeals meeting. So moved.*

21 MEMBER REARDON: Second.

22 CHAIRMAN SALADINO: All in favor?

23 MEMBER GORDON: Aye.

24 MEMBER REARDON: Aye.

25 MEMBER KAUFMAN: Aye.

1 CHAIRMAN SALADINO: And I'll vote aye.
2 (*December 21, 2021 Minutes Accepted & Approved -*
3 *VOTE: 4/0/0/1 - Not Present: Member Soloman*).

4 *Item No. 3 is a motion to schedule the next*
5 *Zoning Board of Appeals meeting for March 15th,*
6 *2022 at 6:00 p.m. at the Station One Firehouse,*
7 *Third and South Streets, Greenport, NY, 11944.*
8 So moved.

9 MEMBER GORDON: Second.

10 CHAIRMAN SALADINO: All in favor?

11 MEMBER KAUFMAN: Aye.

12 MEMBER REARDON: Aye.

13 MEMBER GORDON: Aye.

14 CHAIRMAN SALADINO: And I'll vote aye.
15 (*March 15, 2022 Meeting Scheduled - VOTE: 4/0/0/1*
16 *- Not Present: Member Soloman*).

17 The next item is 440 First Street. We're
18 going to put a pin in that and we're going to do
19 the public hearing first.

20 *Item No. 5 is 145 Central Avenue. It's a*
21 *Public Hearing regarding the area variances*
22 *applied for Tom Innamorato. Am I getting that*
23 *right?*

24 MR. SIDOR: Yep.

25 CHAIRMAN SALADINO: *The applicant proposes*

1 *to raise the roof and ceiling height to create*
2 *appropriate inside footage for a second floor.*
3 *This property is located in the R-2 (One and*
4 *Two-Family) District and is located in the*
5 *Historic District. This proposed renovation*
6 *requires area variances; and if we have the*
7 *agenda, the area variances are listed on the*
8 *agenda.*

9 I'm going to -- I'm going to ask the Clerk
10 that this was -- the notice was published in the
11 newspaper and --

12 MS. AURICHIO: Yes.

13 CHAIRMAN SALADINO: And we do have the form
14 that the applicant filled out that his
15 representative would represent him. I have the
16 mailings. If it's okay we'll read the mailings,
17 or -- yeah, we'll read the mailings.

18 Notified was Dennis McMahon, 133 Central
19 Avenue; Robert Allen, 151 Central Avenue,
20 Greenport, NY; David (*sic*) (Daniel) Hulsebosch --
21 am I getting that right -- 99 James Street, New
22 York, NY; Joseph Giacalone, 94-38 110th Street in
23 Richmond Hill, NY; Pal-Singh Manmohan, 178 High
24 Street, Hastings on Hudson, NY; Kae Lieblein, 141
25 Central Avenue, Greenport, NY; and 130 Bay

1 Property LLC, 201 Hedges Lane, Sagaponack, NY.

2 If there was -- we can open the Public
3 Hearing. Is there anyone -- the applicant is
4 here, we'll let the applicant speak. Name and
5 address for the stenographer.

6 MR. SIDOR: My name is Ryan Sidor
7 representing Robert I. Brown Architect; the
8 address is 205 Bay Avenue.

9 CHAIRMAN SALADINO: Is there something you
10 want to tell us about this property?

11 MR. SIDOR: Yeah, it's -- as you said,
12 we're getting rid of two wings in the south --
13 the rear of the house and constructing a more
14 solid addition. We're building within the
15 existing building footprint, we're actually
16 shrinking the square footage and we're going to a
17 second story above. The roof will have to be
18 raised in the front and the side, and then the
19 shed that's in the backyard will be moved to the
20 appropriate setbacks.

21 CHAIRMAN SALADINO: So we're not going
22 to -- we're not going to consider a variance for
23 the shed tonight. The applicant agrees to move
24 the shed.

25 MR. SIDOR: Yes.

1 CHAIRMAN SALADINO: Okay, that's good.

2 The only question I would have for you, and
3 I'm sure maybe my colleagues would have some, on
4 your EAF, I see on your EAF you make -- it asks
5 you about storm water runoff, that you say there
6 won't be any. It's our experience we find that
7 hard to believe. You know, the storm water is
8 going to have to go someplace, it's got to be
9 contained on the property.

10 MR. SIDOR: Uh-huh.

11 CHAIRMAN SALADINO: Can you kind of give us
12 an idea how you're going to address that?

13 MR. SIDOR: As far as I know we're
14 shrinking the square footage, so we wouldn't be
15 increasing any runoff. I'm not sure what --

16 CHAIRMAN SALADINO: But you have no plans
17 for dry wells.

18 MR. SIDOR: Oh, yeah, no, we do.

19 CHAIRMAN SALADINO: Oh, you do?

20 MR. SIDOR: Yeah, we do. When we do the
21 application for the Building Department we'll put
22 the dry well back.

23 CHAIRMAN SALADINO: Oh, okay.

24 MR. SIDOR: Sorry about that.

25 CHAIRMAN SALADINO: That's good. The only

1 other question I might have is there's three
2 parking spaces required.

3 MR. SIDOR: Yes, yes, you had mentioned
4 that.

5 CHAIRMAN SALADINO: And you'll address that
6 with --

7 MR. SIDOR: Yes, we'll put two in the back.

8 CHAIRMAN SALADINO: Because I don't see it
9 on the site plan. But as far as I'm concerned,
10 that's all I have. Anybody?

11 MEMBER GORDON: I have a question.

12 MR. SIDOR: Yes.

13 MEMBER GORDON: Was this building a
14 preexisting non-conforming? Was it --

15 ADMINISTRATOR PALLAS: I don't --

16 MEMBER GORDON: In the Village, was it
17 listed as preexisting non-conforming?

18 ADMINISTRATOR PALLAS: We don't have a list
19 of preexisting non-conforming.

20 MEMBER GORDON: All right. It seemed --
21 it's a very old building. Its violation of our
22 regulations about setbacks are, it seems to me,
23 attributable to its age.

24 ADMINISTRATOR PALLAS: Yeah. Well, I mean,
25 it -- yes, it would clearly be a preexisting

1 non-conforming, but we don't have a list.

2 I don't have a list.

3 MEMBER GORDON: Okay. But if it's
4 preexisting non-conforming, does it really have
5 to have these variances, or some of them? The
6 ones that have to do with setbacks that were, you
7 know, in -- it's very, very close to the road --

8 ADMINISTRATOR PALLAS: Sure.

9 MEMBER GORDON: -- I acknowledge that, but
10 it says 1838 which is very impressive.

11 ADMINISTRATOR PALLAS: Sure. I mean, there
12 is substantial reconstruction of this building,
13 house, and it's been our policy, as you know,
14 that we bring in all the variances whenever
15 there's an alteration or structural.

16 MEMBER GORDON: Okay. All right. Well,
17 that -- so it's Building Department policy,
18 essentially.

19 ADMINISTRATOR PALLAS: Correct.

20 MEMBER GORDON: Yeah. Okay, that's it.

21 CHAIRMAN SALADINO: Do you -- just to -- I
22 apologize. Do you want the -- do you want -- do
23 you have this list? Do you want -- the
24 stenographer.

25 MS. MAHONEY: *(Shook head yes)*.

1 CHAIRMAN SALADINO: Okay, good.

2 Jack, anybody, questions for this guy?

3 MEMBER REARDON: I'd like to tag along with
4 what Dee said, is that there's a regular
5 occurrence here of applicants that are required
6 to apply for variances that they have no control
7 over, they're purchasing or they're renovating a
8 preexisting non-conforming piece of property.
9 And bringing all that into perspective in an
10 administrative way is a good idea. I think it's
11 fine to make sure that all the t's are crossed
12 and the i's are dotted.

13 But looking at it from a homeowner
14 perspective, I presume that there is a fee
15 involved in applying for this variance and that
16 is -- you know, to some people that's a
17 substantial occurrence for things that have
18 already been approved. Though administratively
19 we seem to want to approve them again and make it
20 right. Which, again, I agree with, but I don't
21 think the customer in this case should incur a
22 cost for something that they did not occur
23 themselves.

24 And I just want to start that dialogue.
25 I've mentioned it before, Dee has mentioned it

1 before, and I just want to put that out there.
2 Because I think at some point, you know, I'll
3 probably be one of those homeowners that wants to
4 apply for something and I already have something
5 built and it's just preoccurring non-conforming,
6 and to incur that cost might be a little
7 subjective.

8 ADMINISTRATOR PALLAS: Mr. Chairman, if I
9 may; can I comment on that?

10 CHAIRMAN SALADINO: Sure.

11 ADMINISTRATOR PALLAS: Just a
12 clarification. It wasn't approved ever. If
13 there was any -- when we look at these policies,
14 if there was any prior work that had been brought
15 on variances in the past we would not be -- we
16 would not do that, so. They have not been
17 approved by any board.

18 MEMBER REARDON: Right. We're just giving
19 it approval by virtue of its age. You know,
20 nothing had to -- could have been approved, you
21 know, back in those days.

22 ADMINISTRATOR PALLAS: Right.

23 MEMBER REARDON: So they're coming to the
24 game with that in tow and I just want to put that
25 out there. Thank you.

1 ADMINISTRATOR PALLAS: Sure.

2 CHAIRMAN SALADINO: Okay. I don't know --
3 you know, maybe -- as a matter of fact, maybe if
4 we have a couple of minutes, if this -- maybe
5 Item 6 we can kind of --

6 MEMBER REARDON: Thank you.

7 CHAIRMAN SALADINO: -- discuss that a
8 little bit. Me personally, I don't think we
9 should be making policy for the Building
10 Department, but, you know. We have our own water
11 to carry, so let them do what they do and we do
12 what we do. But we can discuss that after, after
13 we deal with these agenda items. Seth, you got
14 anything?

15 MEMBER KAUFMAN: No.

16 CHAIRMAN SALADINO: Thank you.

17 MR. SIDOR: Thank you.

18 CHAIRMAN SALADINO: Is there anyone from
19 the public that would like to speak? Name and
20 address for the stenographer, please.

21 MR. MARTIN: My name is Eli Martin, 182
22 Central Avenue. I understand there's a height
23 variance involved here; is that correct?

24 CHAIRMAN SALADINO: No.

25 MR. MARTIN: No?

1 MEMBER KAUFMAN: No.

2 CHAIRMAN SALADINO: Side yard, front yard,
3 accessory structure.

4 MR. MARTIN: Okay.

5 MEMBER REARDON: Are you concerned?

6 MR. MARTIN: I have a question, actually,
7 for the Zoning Board.

8 CHAIRMAN SALADINO: Sure.

9 MR. MARTIN: When do they go to the
10 Historic Preservation Commission?

11 CHAIRMAN SALADINO: We -- we don't set
12 their schedule.

13 MR. MARTIN: No, but the applicant is
14 required to appear before the HPC, I'm assuming.

15 CHAIRMAN SALADINO: My Notice of
16 Disapproval -- I honestly don't know if that
17 property is in the HPC.

18 MR. MARTIN: It is.

19 CHAIRMAN SALADINO: But my notice says,
20 *"This property is located in the R-2, this*
21 *property is not located in the Historic*
22 *District."*

23 MR. MARTIN: It says that? That's
24 incorrect.

25 CHAIRMAN SALADINO: Well --

1 MR. MARTIN: This property is required to
2 get HPC approval.

3 CHAIRMAN SALADINO: If it's in the Historic
4 District, you're a hundred percent right.

5 MR. MARTIN: I am a hundred percent right.

6 CHAIRMAN SALADINO: Okay.

7 MR. MARTIN: I live on the block.

8 CHAIRMAN SALADINO: Okay, we believe you.

9 MR. MARTIN: Okay. So my question is when
10 does that approval process happen?

11 CHAIRMAN SALADINO: After it --

12 MR. MARTIN: Before or after you hear the
13 applicant?

14 CHAIRMAN SALADINO: HPC -- Zoning comes
15 first, HPC will come later.

16 MR. MARTIN: Okay.

17 ADMINISTRATOR PALLAS: Right.

18 CHAIRMAN SALADINO: And, again, we
19 certainly take you at your word.

20 MR. MARTIN: Okay.

21 CHAIRMAN SALADINO: But we have this Notice
22 of Disapproval in front of us. Everybody makes a
23 mistake at times.

24 MR. MARTIN: Okay.

25 CHAIRMAN SALADINO: But not us.

1 MR. MARTIN: Can that be corrected?

2 CHAIRMAN SALADINO: Oh, absolutely.

3 MR. MARTIN: So that it doesn't -- yeah.

4 CHAIRMAN SALADINO: Absolutely.

5 MR. MARTIN: Okay. So --

6 CHAIRMAN SALADINO: If it's in the
7 Historic -- we're going to ask the Building
8 Department now.

9 ADMINISTRATOR PALLAS: Yes, it is in the
10 Historic District. Yes, there is every intention
11 to direct them to once this process is concluded.

12 CHAIRMAN SALADINO: Okay.

13 MR. MARTIN: Now, if you grant approval of
14 the variances and the HPC does not approve the
15 project, what happens then?

16 CHAIRMAN SALADINO: The HPC gives a
17 Certificate of Appropriateness. I don't know --
18 I'm not positive what the appeals process with
19 the HPC is. I'm going to ask either the attorney
20 or the Building Department. I don't know if it
21 goes to -- if it's an Article 78 or if it goes to
22 the Village Board, I'm not sure.

23 I'm not sure what the HPC does, to be
24 honest with you *(laughter)*.

25 COUNSEL CONNOLLY: I think with an Article

1 78 proceeding in Supreme Court.

2 CHAIRMAN SALADINO: For a Certificate of
3 Appropriateness?

4 COUNSEL CONNOLLY: Yeah.

5 CHAIRMAN SALADINO: I'm not sure.

6 ADMINISTRATOR PALLAS: To be honest, I'm
7 not either. I can check the Code real quick.

8 CHAIRMAN SALADINO: If you could give us a
9 second.

10 MR. MARTIN: I did know that when I had to
11 apply for a building permit for our home I had to
12 first appear before the Historic Preservation
13 Commission before -- before I was able to submit
14 a building permit. I'm assuming that's going to
15 be the case here.

16 MEMBER REARDON: That's what it says in the
17 Code.

18 CHAIRMAN SALADINO: It certainly will, it
19 certainly will. Because there's variances
20 involved, it'll come to -- it'll always come to
21 Zoning first. And then if the property is in the
22 Historic District it'll go to HPC.

23 MR. MARTIN: Okay. So my response to this
24 applicant is probably more appropriate to the
25 HPC, but I do want to just voice my opinion.

1 CHAIRMAN SALADINO: Sure.

2 MR. MARTIN: I think -- I am very happy
3 that the applicant wants to make improvements to
4 a very -- maybe the oldest house on the block,
5 and there are many old houses on Central Avenue
6 if you walk down Central Avenue. And I think
7 1838 is the day it was built.

8 CHAIRMAN SALADINO: That's the date that's
9 on the front of the building.

10 MEMBER GORDON: There's a sign on the
11 front.

12 MR. MARTIN: A Federal period frame house
13 is pretty unique. Okay? I think by raising the
14 roof line as they are, it is -- it is an
15 inappropriate fix to that home. Okay? I think
16 it would be more appropriate to construct
17 something at the rear so that the front
18 street-scape and elevation would remain in tact.
19 Because I think you're ruining some original
20 historic fabric which is irreplaceable. I think
21 it's the volume and the scale of that front
22 facade which is the most redeeming character of
23 that building. I think that's critical here.

24 I have no problem whether you have a very
25 deep lot, you can add on as much as you want to

1 the rear of the building and it accomplishes the
2 same thing. I think they need to go back to the
3 drawing board and do something more appropriate
4 and I think the HPC is going to feel the same
5 way.

6 CHAIRMAN SALADINO: Well, that's certainly
7 their area of expertise. They would --

8 MR. MARTIN: Now, as far as -- let me just
9 finish. As far as all the side yard and front
10 yard setback requirements, it's a non-conforming
11 building, obviously from 1838 it predates the
12 zoning ordinance, and there are probably half, if
13 not more, of the buildings on Central Avenue
14 don't comply. So, you know, that's not an issue
15 for me and it shouldn't be an issue for the
16 Board.

17 CHAIRMAN SALADINO: Just to explain our
18 position.

19 MR. MARTIN: Yes.

20 CHAIRMAN SALADINO: This Board, we respond
21 to an appeal, we respond to a Notice of
22 Disapproval. We don't make policy in the
23 Building Department. The Building Department
24 makes policy for the Village. We can voice our
25 opinion, we can agree, we can disagree, but we

1 don't make policy.

2 MR. MARTIN: I understand.

3 CHAIRMAN SALADINO: Our opinion -- our
4 opinions are expressed in our vote. We get a
5 Notice of Disapproval, we weigh the facts.
6 There's a balancing test that we have to follow
7 for an area variance and that's what we do.

8 As far as preexisting side yard, rear-yard,
9 front yard setbacks. Again, that's a policy that
10 the Building Department has and that they use.
11 And in all fairness to all the property owners in
12 Greenport, in my tenure on the Zoning Board I
13 can't remember ever --

14 MR. MARTIN: Not granting a variance,
15 right.

16 CHAIRMAN SALADINO: For a front yard that
17 was like --

18 MEMBER GORDON: No, no. It's not that we
19 don't grant variances, it's that it's very
20 difficult. It feels foolish to be ruling on a
21 variance when it's something that has been there
22 for a hundred years.

23 MR. MARTIN: No, I agree with you. I'm a
24 hundred percent yes, I agree. So it's an
25 existing non-conforming use that doesn't comply

1 with the current zoning, which is understandable.
2 So it's the remodeling of a house that I'm
3 against.

4 CHAIRMAN SALADINO: Well, as far as that,
5 as far as that, again, that would be more the
6 purview, that would be more with HPC.

7 The only thing -- we deal with land use,
8 you know, so -- so front yard, side yard, rear
9 yard, square footage.

10 MR. MARTIN: Right.

11 CHAIRMAN SALADINO: That's more in our
12 area.

13 MR. MARTIN: Okay.

14 CHAIRMAN SALADINO: But one of the
15 questions of the balancing test is whether an
16 undesirable change will be produced in the
17 character of the neighborhood, or a detriment to
18 nearby properties will be created by the granting
19 of these area variances.

20 MR. MARTIN: That is something you could
21 rule on, yes.

22 CHAIRMAN SALADINO: But we have to look
23 at -- we also have to look at it like we can't
24 single one house out. If the house next door is
25 two stories and the house next door on the other

1 side is two stories and the house across the
2 street is two stories, the Zoning Board has to
3 look at the block in totality. The HPC could
4 say, *Well, no, we don't want to -- we don't want*
5 *to, you know --*

6 MEMBER KAUFMAN: So these variances alone
7 are not causing a change to the neighborhood.
8 But doing as-of-right raising the roof, that --
9 we can argue whether that's changing the
10 character of the neighborhood or not, but it's
11 not on for review, they're doing that
12 as-of-right.

13 MR. MARTIN: Okay.

14 MEMBER KAUFMAN: It's really an HPC --

15 MR. MARTIN: I understand your position.

16 MEMBER KAUFMAN: Yeah.

17 MR. MARTIN: I just want to make my
18 position --

19 MEMBER KAUFMAN: Yeah.

20 MR. MARTIN: -- clear. Okay?

21 CHAIRMAN SALADINO: And if you talk --
22 after what happens here tonight, if you talk to
23 the building, if you talk to Mr. Pallas or
24 Amanda, they'll tell you when this will be on the
25 HPC's agenda.

1 MR. MARTIN: Okay. I just hope I've
2 inspired the architect to reconsider the design.

3 CHAIRMAN SALADINO: Well, you can talk to
4 him (*laughter*). You can talk to him later at
5 your leisure.

6 MR. MARTIN: Thank you very much.
7 I appreciate your time

8 MEMBER REARDON: Can I ask you a couple of
9 questions?

10 MR. MARTIN: Yes.

11 MEMBER REARDON: I did not get your name at
12 the beginning.

13 MR. MARTIN: Eli, E-L-I; Martin,
14 M-A-R-T-I-N.

15 MEMBER REARDON: Thank you. Eli, have you
16 seen proposed elevations of the renovation?

17 MR. MARTIN: Right here.

18 MEMBER REARDON: Okay. And have you spoken
19 to the homeowner or the architect --

20 MR. MARTIN: No.

21 MEMBER REARDON: -- about your concerns?

22 MR. MARTIN: No, I just saw this today.

23 MEMBER REARDON: Okay. All right. That
24 was it. Thank you.

25 MR. MARTIN: Thank you very much.

1 CHAIRMAN SALADINO: Thank you.

2 Is there anyone else from the public that
3 would like to speak? Please, name and address
4 for the stenographer.

5 MS. SHANK: Ruth Shank, 320 Carpenter
6 Street. I live on the corner of Carpenter and
7 Central and I have a house that's approximately
8 1810.

9 I feel like when I look at the plans that
10 the second story addition totally -- I realize
11 you're not the Historic Review Board, but it
12 changes the whole character of that house. I
13 don't care if every house around there is two
14 story, my house is one story. And I don't think
15 changing the character of an historic home in
16 both the scale and the appearance is the right
17 thing to do.

18 If the gentleman wants to add on to thbe
19 back, like Eli said, where it does not show from
20 the front, I think that's acceptable. That's all
21 I have to say. Thank you.

22 CHAIRMAN SALADINO: Okay. Did you want to
23 -- see, the problem -- just to respond, the
24 problem that we have, we have a -- that's
25 prescribed by law, we have a balancing test and

1 these questions that we'll ask of each other is
2 prescribed by law. And it doesn't say the
3 character of the house, it says the character of
4 the neighborhood; the character of the house
5 would be the next board.

6 MR. MARTIN: It would be detrimental to the
7 character of the neighborhood.

8 MEMBER KAUFMAN: It's also about the
9 variances we're considering. And these variances
10 are not about height, they're about the lot use.
11 So we're not -- we can't really consider that.
12 That's why HPC exists, for these things.

13 MR. MARTIN: Okay.

14 CHAIRMAN SALADINO: Thank you. Is there
15 anyone else from the public that would like to
16 speak? Name and address for the stenographer,
17 please.

18 MR. LIEBLEIN: Will Lieblein, 141 Central
19 Avenue. I just have one quick question. You
20 said it was something -- you need three parking
21 spaces and you were going to provide part of that
22 in the rear of the house? Is that correct?

23 MR. SIDOR: Yes.

24 MR. LIEBLEIN: Okay. I just wanted to get
25 that clear.

1 MS. LIEBLEIN: Will, there are sewer
2 lines --

3 MS. MAHONEY: State your name, please.

4 MS. LIEBLEIN: Kay Lieblein, Central
5 Avenue. Um, the --

6 MR. LIEBLEIN: Yeah, the sewer line runs
7 right down the property line that runs out to --
8 you know, to connect both houses to the Greenport
9 sewage. So, you know, the only thing that I'd be
10 a little concerned about is, you know, how that's
11 paved out to get to the parking spots in the
12 back. That's why --

13 CHAIRMAN SALADINO: Isn't there a driveway
14 there currently?

15 MR. LIEBLEIN: There is and it runs right
16 down the middle of that. I'm just concerned
17 about, you know -- when we put -- when that
18 driveway got put in, all of that had to be, you
19 know, very carefully considered when we poured
20 the concrete. I was actually part of it, I
21 helped pour it.

22 Further back, beyond where the driveway
23 is, if you're going to go into the backyard,
24 you're going to be on it, you're going to be
25 right on it, and it gets closer to the surface

1 the further back you go. That's my only
2 consideration, is that once you pass where the
3 driveway ends now, that's when I would be a
4 little concerned. I'm not saying it can't be
5 done, I'm just saying that that's --

6 CHAIRMAN SALADINO: All we're saying is is
7 that the property requires three parking spaces.
8 We don't see them -- we don't see them on the
9 site plan, but it's going to require three
10 parking spaces.

11 As far as the sanitary system, that would
12 be a Building Department -- they would -- that
13 would be up to them to decide if -- if --

14 MR. LIEBLEIN: Well, there's already two as
15 it stands right now. We've parked two cars on
16 both sides of that, our side and their side, for
17 years. So, going a little bit further isn't a
18 huge big deal, just that it be done with care,
19 that's all *(laughter)*.

20 CHAIRMAN SALADINO: Well, the -- the thing
21 -- the thing is you're only allowed to park one
22 car in the driveway; the other two spaces have to
23 be other than the driveway. It's going to be
24 required by the applicant to show the Building
25 Department where these two parking spaces are

1 going to be. This is not for site plan approval,
2 this is just --

3 MR. LIEBLEIN: Okay.

4 CHAIRMAN SALADINO: This is just -- so
5 they're going to have to show the Building
6 Department that, yeah, we have a legal two-family
7 house, we're required to have three parking
8 spaces, we're going to use one space in the
9 driveway and two spaces elsewhere, someplace
10 else. If it runs over the sewer line and it's a
11 safety hazard or a problem, that'll be for the
12 Building Department to decide.

13 MEMBER GORDON: This is also something you
14 could discuss with the architect.

15 MR. LIEBLEIN: Yeah, yeah. I just -- I
16 only raise it because I know what happens when
17 sewer lines break.

18 (*Laughter*)

19 Firsthand. Thank you.

20 CHAIRMAN SALADINO: Okay, sure. Thanks.

21 Is there anyone else from the public that
22 would like to speak? No? I'm going to make a
23 motion that we close this public hearing.

24 So moved.

25 MEMBER GORDON: Second.

1 CHAIRMAN SALADINO: All in favor?

2 MEMBER GORDON: Aye.

3 MEMBER REARDON: Aye

4 MEMBER KAUFMAN: Aye.

5 CHAIRMAN SALADINO: And I'll vote aye.

6 *(Public Hearing is closed - VOTE: 4/0/0/1 - Not*
7 *Present: Member Soloman).*

8 ADMINISTRATOR PALLAS: Mr. Chairman, if I
9 may.

10 CHAIRMAN SALADINO: Sure.

11 ADMINISTRATOR PALLAS: I do apologize for
12 interrupting. We inadvertently left off an
13 agenda item which would have been the discussion
14 and possible motion on this application; we
15 typically have that on the agenda.

16 CHAIRMAN SALADINO: Okay. We can adjust to
17 that.

18 The next item, prior -- before we take up
19 the discussion of this is *440 First Street*, it's
20 *a motion to accept the application, schedule a*
21 *public hearing and arrange a site visit regarding*
22 *the application of Eric Urban for the property*
23 *located at 440 First Street, Greenport, NY,*
24 *11944. This property is located in the R-2 (One*
25 *and Two-Family) District and is located in the*

1 *Historic District. This property requires a use*
2 *variance. The Suffolk County Tax Map # is 1001-*
3 *4-7-1.*

4 Is the applicant here? In the back over
5 there? No? All right. I think we'll -- since
6 there's no one here, and there are some questions
7 about this application, I'm thinking we'll put it
8 on the agenda for next month since -- and since
9 there are some questions about this application,
10 maybe the Building Department can talk to the
11 applicant before next month and square some of
12 those things away.

13 All right. Moving on is -- what are we
14 doing?

15 MEMBER REARDON: So we're not going to have
16 a site visit yet on that?

17 CHAIRMAN SALADINO: No, we're going to --
18 we're going to table that.

19 MEMBER REARDON: Okay, fine.

20 CHAIRMAN SALADINO: That application, I'll
21 make a motion that we table this until our next
22 meeting.

23 MEMBER KAUFMAN: Second.

24 CHAIRMAN SALADINO: All in favor?

25 MEMBER KAUFMAN: Aye.

1 MEMBER REARDON: Aye.

2 MEMBER GORDON: Aye.

3 CHAIRMAN SALADINO: Aye. (*Tabled - VOTE:*
4 *4/0/0/1 - Not Present: Member Soloman*).

5 CHAIRMAN SALADINO: And our next item is a
6 (*Item No. 5*) *Discussion and possible vote on 145*
7 *Central Avenue and -- it's 145 Central Avenue and*
8 *the Suffolk County Tax Map No. Remains the same,*
9 *1001-5-2-2. Comments, guys?*

10 MEMBER GORDON: Well, looking at the -- it
11 would be good if I had my correct -- looking at
12 the individual variance requests, it seems to me
13 we are -- we can't really -- we can't make a
14 judgment on the side yard setback because that's
15 fixed and preexisting and we can't on the front
16 yard requirements. You know, that 1838 placement
17 of the building is right up next to the front
18 yard setback of 7.1 feet, but there's no way that
19 could be changed.

20 The accessory structure is presumably easy
21 to alter and the applicant has agreed to do that
22 without any -- without any hesitation, as I
23 understand.

24 MR. SIDOR: Uh-huh.

25 MEMBER GORDON: So, I'm not convinced we

1 have anything to do here, but I could be
2 persuaded otherwise. I think maybe --

3 COUNSEL CONNOLLY: Is the new -- Paul, is
4 the new construction part of the renovation going
5 to be impacting the side yard setback?

6 ADMINISTRATOR PALLAS: Well, yeah, it
7 follows the same lines.

8 COUNSEL CONNOLLY: Right. It's the --

9 ADMINISTRATOR PALLAS: The distance would
10 be the same and the variance would be identical,
11 whether it's the addition or the existing
12 structure it's the same dimension. I don't know,
13 is that responsive?

14 MEMBER GORDON: There's actually a
15 reduction in the square footage.

16 CHAIRMAN SALADINO: Yeah, but the -- I'm
17 sorry. But the side yards are going to be the
18 same, they're going to tear off part of the
19 building --

20 MEMBER GORDON: That's correct.

21 CHAIRMAN SALADINO: -- and then --

22 MEMBER GORDON: The side is the same and
23 the front is the same.

24 CHAIRMAN SALADINO: Yeah, but they're going
25 to tear off a part of the building, so now that

1 part of the building that comes off, the land is
2 fallow, the land is vacant. Now they're going to
3 construct a new portion and that's going to
4 approach on the side yards.

5 I understand what -- the discussion that
6 we've been having for the last few months is that
7 this is preexisting, it's non-conforming. My
8 contention, though, was all we're doing is
9 legitimizing what's there by voting on it. Some
10 of us don't agree with that concept, but now
11 it's -- there's going to be new construction.
12 And if we followed the Code, that new
13 construction would have to conform to side yard
14 and rear yard setbacks, although we're not
15 dealing with a rear yard. It would have to deal
16 with a side yard setback.

17 MEMBER GORDON: Well, it's going to be
18 identical in the dimensions of the building. It
19 fits with the original front, you know, the front
20 salt box building.

21 MEMBER KAUFMAN: But it isn't the same
22 because they're taking those two additions off
23 and putting on a straight. So, I mean, it is new
24 construction; I mean, it depends how you want to
25 parse it.

1 MEMBER REARDON: It's a renovation. It's
2 not new construction, new construction is new.
3 This has an existing foundation, they're
4 shortening it by a few feet but they're following
5 everything that's existing; that's a definition
6 of a renovation.

7 MEMBER KAUFMAN: But they're not. The back
8 of the building is being -- those two extensions
9 are being torn off and a new back of the building
10 is being put up that is a different shape. In
11 other words, it's a u-shaped now, it'll be a
12 (*indiscernible word*) after that. So, it depends
13 on how you want to interpret it. I'm not
14 convinced that what I'm saying is actually the
15 way to look at it, but it is -- I could see the
16 Chairman's ideas on this.

17 CHAIRMAN SALADINO: I just -- I don't know
18 -- I'm looking at our concerns with this
19 application and previous applications that were
20 the same and future applications that are
21 probably going to be the same. And I don't want
22 to sound flippant about this, but I look at it as
23 being overly concerned about this as an elaborate
24 solution to an almost non-existent problem.

25 And without revealing anything here or

1 saying something out of turn, I'm pretty sure
2 we're going to approve this. We always have.
3 There's -- no one would ever suggest that we make
4 them tear the front of the house down, no one
5 would ever suggest that they should tear a
6 portion of the side of the house down; at least I
7 would never suggest that.

8 So, I think until the Building Department
9 and the Village Attorney and the Zoning Board
10 attorney come to some agreement on how to
11 progress this policy, I think our opinions should
12 be expressed in our vote. If -- and I don't see
13 the problem that -- I don't have enough
14 information or maybe foresight to see a problem
15 that can be created by us taking this odd-line
16 stand. I'm not sure.

17 I understand -- I understand we want to
18 cross the t's, dot the i's and do everything by
19 the book. And in a perfect world, that's a great
20 -- that's a great thing. But --

21 MEMBER KAUFMAN: So what exactly are you
22 saying? *(Laughter)*

23 CHAIRMAN SALADINO: I'm saying we should
24 vote on these variances. I'm saying we have this
25 Notice of Disapproval in front of us, we either

1 grant them or deny them.

2 MEMBER KAUFMAN: Well, yeah, but I think
3 that's obvious. But, I mean, if they're going to
4 bring up these variances to legitimize them, then
5 clearly they're asking us to decide whether
6 they're -- whether they should be allowed to
7 continue to exist or not. Otherwise why would
8 they be brought to us? So either they should be
9 brought to us or we should look at it and say,
10 you know, do we want to -- if we start changing
11 the building then you do need to fix this. Now,
12 do these things need fixing? That's a whole
13 other ball game. But if you're going to ask us
14 to actually look at this stuff, then maybe we
15 should be looking at, you know, if you want to
16 change the building you will need to resolve
17 this.

18 CHAIRMAN SALADINO: Well --

19 MEMBER KAUFMAN: I'm saying in general, I'm
20 not saying for this particular application.

21 CHAIRMAN SALADINO: I think that's what
22 I kind of said. I think --

23 MEMBER KAUFMAN: Yeah. No. Okay, I'm just
24 making sure, because otherwise we're just rubber
25 stamping stuff and what's the point of doing

1 this? We're saying *Yes, this is fine the way it*
2 *is because it's old*, then they should just be
3 they're old and that's the way they are, not that
4 the Zoning Board needs to say, *Yes, it's fine*
5 *now*.

6 CHAIRMAN SALADINO: Again, how it gets in
7 front of the Zoning Board is -- I'm not sure how
8 -- I'm not sure -- I'm not sure what the Zoning
9 Board's option is to say *No, we're not going to*
10 *address this Notice of Disapproval*.

11 COUNSEL CONNOLLY: Right.

12 CHAIRMAN SALADINO: I don't know if we have
13 that option to say no, we're not --

14 MEMBER KAUFMAN: I'm not saying you should.
15 I'm simply saying --

16 CHAIRMAN SALADINO: Well, that was Diana's
17 suggestion, that these variances, you know,
18 shouldn't be considered because they're
19 pre-existing, they're non-conforming and they
20 shouldn't be considered. I don't know if we have
21 that option to not consider them.

22 COUNSEL CONNOLLY: Right. The Zoning Board
23 has to consider the application before them.
24 What might be helpful is if in the future if an
25 applicant who has these nonconforming and

1 preexisting, instead of asking for a variance,
2 asks -- comes to the Board for an interpretation
3 and then the Board can rule on whether or not
4 these preexisting non-conformings actually
5 require variances and that would be precedent for
6 the future.

7 CHAIRMAN SALADINO: Or, or the Building
8 Department decides --

9 MEMBER GORDON: Isn't that the Building
10 Department's job?

11 COUNSEL CONNOLLY: Well, the Building
12 Department --

13 MEMBER GORDON: Writes them.

14 CHAIRMAN SALADINO: -- writes the
15 disapproval letter and if the applicant doesn't
16 agree with that, then it's the Zoning Board's
17 jurisdiction to rule on that. Or, I mean, it
18 could be brought up at the Village Trustees, too.

19 CHAIRMAN SALADINO: As a -- *(laughter)*.

20 COUNSEL CONNOLLY: If they wanted to change
21 policy.

22 CHAIRMAN SALADINO: *(Laughter)*. I -- I
23 think until -- until someone decides
24 definitively, you know, what comes in front of
25 us, we just -- we can talk about it, we can

1 question it, but we can't ignore it, you know.

2 MEMBER GORDON: Right. Okay. So, are we
3 going to vote on this?

4 CHAIRMAN SALADINO: Are we done talking
5 about it?

6 MEMBER KAUFMAN: I already used more words
7 than I meant to, so.

8 CHAIRMAN SALADINO: *(Laughter)* If we're
9 done talking about it --

10 MEMBER REARDON: You both bring up good
11 points.

12 CHAIRMAN SALADINO: -- then we'll do a
13 little administrative stuff here. I'm going to
14 make a motion that --

15 MEMBER GORDON: Did you do SEQRA?

16 CHAIRMAN SALADINO: I'm going to make a
17 motion that the Zoning Board declares itself Lead
18 Agency for the purposes of SEQRA. So moved.

19 MEMBER GORDON: Sorry.

20 MEMBER REARDON: Seconded.

21 CHAIRMAN SALADINO: All in favor?

22 MEMBER GORDON: Aye.

23 MEMBER REARDON: Aye.

24 MEMBER KAUFMAN: Aye.

25 CHAIRMAN SALADINO: And I'll vote aye.

1 And I'm going to make a motion that this is
2 a Type II Action. So moved

3 MEMBER KAUFMAN: Second.

4 CHAIRMAN SALADINO: All in favor?

5 MEMBER GORDON: Aye.

6 MEMBER REARDON: Aye.

7 CHAIRMAN SALADINO: And I'll vote aye.

8 All right, we'll go through these -- we'll
9 go through these -- we're going to take the
10 architect at his word that they're going to move
11 the shed so we're not going to -- do we have to
12 deny that for them to move, or we just take him
13 for his word that they're going to -- it's a tiny
14 shed and it's vinyl.

15 COUNSEL CONNOLLY: Right, right. Are you
16 withdrawing that request for that variance for
17 the shed?

18 MR. SIDOR: Actually, that was not me. The
19 Building Department brought that one up and put
20 it on the variance list, but we will remove it.
21 It's a vinyl shed, it's I'm assuming concrete
22 block and I know our client has no problem
23 bringing it to the appropriate setback which is
24 five feet for a rear yard.

25 CHAIRMAN SALADINO: Well, it would work for

1 us that you moved it, this way we don't
2 legitimize a shed that's less than five feet from
3 the property line. We care about the neighbors,
4 the guy behind you, maybe the guy next to you.

5 MEMBER KAUFMAN: Would it be appropriate to
6 deny that variance and then they would have to
7 rectify the situation?

8 MR. SIDOR: Yes.

9 CHAIRMAN SALADINO: Or they could --

10 MEMBER GORDON: Withdraw that part of the
11 application.

12 COUNSEL CONNOLLY: I think he's on the
13 record stating that he's going to move the shed,
14 so I don't think you really need to deny it.

15 MEMBER KAUFMAN: Okay.

16 CHAIRMAN SALADINO: All right, we did
17 SEQRA. We'll go through these questions and
18 then -- these five questions as a balancing test.

19 Question No. 1 is whether an undesirable
20 change will be produced in the character of the
21 neighborhood or a detriment to nearby properties
22 will be created by the granting of this area
23 variance. Jack?

24 MEMBER REARDON: No.

25 CHAIRMAN SALADINO: Dinnie?

1 MEMBER GORDON: No.

2 CHAIRMAN SALADINO: Seth?

3 MEMBER KAUFMAN: No.

4 CHAIRMAN SALADINO: And I'll vote no.

5 Whether the benefits sought by the
6 applicant can be achieved by some method feasible
7 for the applicant to pursue other than an area
8 variance. Jack?

9 MEMBER REARDON: No.

10 CHAIRMAN SALADINO: Diana?

11 MEMBER GORDON: No.

12 CHAIRMAN SALADINO: Seth?

13 MEMBER KAUFMAN: No.

14 CHAIRMAN SALADINO: And I'll vote no.

15 Whether requested area variance is
16 substantial. Jack?

17 MEMBER REARDON: No.

18 CHAIRMAN SALADINO: Dinnie?

19 MEMBER GORDON: No.

20 CHAIRMAN SALADINO: Seth?

21 MEMBER KAUFMAN: No.

22 CHAIRMAN SALADINO: And -- actually it'll
23 reduce and I'll vote no also.

24 Whether proposed variance will have an
25 adverse effect or impact on the physical or

1 environmental conditions in the neighborhood or
2 district. Jack?

3 MEMBER REARDON: No.

4 CHAIRMAN SALADINO: Dinnie?

5 MEMBER GORDON: No.

6 CHAIRMAN SALADINO: Seth?

7 MEMBER KAUFMAN: No.

8 CHAIRMAN SALADINO: And I'll vote no.

9 Whether the alleged difficulty was
10 self-created which consideration shall be
11 relevant to the decision of the Board of Appeals
12 but shall not necessarily preclude the granting
13 of an area variance. Jack?

14 MEMBER REARDON: Yes.

15 CHAIRMAN SALADINO: Dinnie?

16 MEMBER GORDON: No, because -- well, no.

17 CHAIRMAN SALADINO: You can explain.

18 MEMBER GORDON: No because -- because --

19 CHAIRMAN SALADINO: Never mind, you
20 can't explain (*laughter*).

21 MEMBER KAUFMAN: Yes, and that was since
22 1838, so it's actually let's say about a hundred,
23 whatever, seventy years old, it's self-created.

24 MEMBER GORDON: Right.

25 MEMBER KAUFMAN: No.

1 CHAIRMAN SALADINO: I'm going to vote no
2 also.

3 I'm going to make a motion that we grant
4 these two area variances. So moved. Jack? Oh,
5 wait, wait, let me get a second.

6 MEMBER GORDON: Second.

7 CHAIRMAN SALADINO: Jack?

8 MEMBER REARDON: I second and agree.

9 CHAIRMAN SALADINO: Dinnie?

10 MEMBER GORDON: Yes.

11 CHAIRMAN SALADINO: Seth?

12 MEMBER KAUFMAN: Yes.

13 CHAIRMAN SALADINO: And I'll vote yes.

14 That's it; easy peasy.

15 Item number -- I'm not sure of the number
16 any more. *Item No. 6 is any other Zoning Board*
17 *of Appeals business that might properly come*
18 *before this Board.*

19 (No Response)

20 Anybody? No. Maybe, should we -- should
21 we make -- I have one thing for the Building
22 Department, and the Village Administrator brought
23 it up last month, that why do we accept minutes
24 and then in a separate resolution approve
25 minutes, and I didn't have an answer. I don't

1 really know why we do that, so I'm going to defer
2 to the attorney. Is there any reason we do that?

3 COUNSEL CONNOLLY: No.

4 (*Laughter*)

5 CHAIRMAN SALADINO: Okay. So would we all
6 be comfortable in just eliminating that practice?

7 MEMBER GORDON: Combining them.

8 CHAIRMAN SALADINO: Combining, accept and
9 approve like every other.

10 MS. AURICHIO: That's what I did for this
11 meeting.

12 CHAIRMAN SALADINO: I'm sorry?

13 MS. AURICHIO: That's what I did here.

14 CHAIRMAN SALADINO: I see that, but we're
15 going to make it official.

16 MS. AURICHIO: Okay.

17 CHAIRMAN SALADINO: We're going to make it
18 official.

19 MS. AURICHIO: All right.

20 CHAIRMAN SALADINO: This way -- and just as
21 an explanation to the public in the back there
22 and stuff, we kind of inherited that, you know,
23 so we just went with what we had.

24 MEMBER KAUFMAN: I can't believe they all
25 walked out, this is the best part.

1 CHAIRMAN SALADINO: What?

2 MEMBER KAUFMAN: This is the best part of
3 the meeting.

4 CHAIRMAN SALADINO: (*Laughter*) And --

5 ADMINISTRATOR PALLAS: I just want to say,
6 Mr. Chairman, it's a bold move.

7 (**Laughter**)

8 CHAIRMAN SALADINO: I have to be honest
9 with you, I never gave it a thought. I just
10 thought that was the way it was and so shall it
11 be and so shall it be forever. I don't know.

12 And are we going to make any suggestions to
13 the -- do we have any suggestions for the
14 Building Department about our concerns about --

15 MEMBER KAUFMAN: I was just saying, you
16 know, what is the -- is the point for us to
17 actually review these things and determine if
18 allowing -- you know, using this as a trigger,
19 the fact that they're changing the building to
20 review if these things are actually detrimental,
21 or are we just supposed to rubber stamp them? I
22 mean, that's not the implications of them, or
23 what's the implication of putting these in there?

24 ADMINISTRATOR PALLAS: Generally, it's
25 to -- as the Chairman said, to legitimize the

1 condition that it's in. For example, if this --
2 I'm going to use this application as an example
3 for two different reasons. If ten years from now
4 none of us are in the same role we're in now and
5 they want to make another change, someone would
6 look at this and say, *Yeah, but they never got*
7 *disapproved in the first place.* Now we're
8 rolling the clock back to -- to that, so that's
9 one of the issues.

10 But using, again, as a very specific
11 example, the idea that a part of this building
12 was removed, then that space that was there, it
13 doesn't exist as part of the structure any
14 longer. So now you're adding on to a structure,
15 you are increasing the degree of non-conformity
16 in this particular case.

17 MEMBER KAUFMAN: So then it follows that we
18 should actually, you know, assess these things.
19 You don't have to, just because they're
20 preexisting, say yes if in the course of changing
21 that building we feel like it's going to
22 exacerbate the problem by increasing the degree
23 of non-conformance.

24 ADMINISTRATOR PALLAS: I'm not going to
25 speak for how you look at it. I'm just telling

1 you --

2 MEMBER KAUFMAN: I'm saying to Jack --

3 ADMINISTRATOR PALLAS: *(Inaudible)*.

4 MEMBER KAUFMAN: Yeah, but that -- so
5 again, then that makes sense to bring these
6 things up and that's the reason why we're looking
7 at it.

8 MEMBER REARDON: That's on a -- you know,
9 and if that's on a line where construction is
10 going on, but if work is going on in the back of
11 the house and we're approving variances for the
12 front stoop which isn't touched and it's not part
13 of the project, that's --

14 MEMBER KAUFMAN: But that's -- to me that's
15 the answer, though, which is like, Yeah, we are
16 supposed to actually look at these, and even
17 through most of the time they're fine, it's not
18 always going to be the case. So then I think, to
19 me at least, it's fine to do, keep on doing what
20 you're doing.

21 CHAIRMAN SALADINO: I always kind of look
22 at with the front yard it was always -- it was
23 always a quandary. But with a side yard,
24 especially with -- I mean, it would be -- it's
25 the seeable that a different applicant, not this

1 application, but an application like this on a
2 different piece of property chose to just remove
3 the wings in the back, and then a new owner would
4 buy this house and decide, *Well, I want to add on*
5 *to this*; he would have to comply, he would have
6 to come and ask.

7 So I don't see the difference between that
8 scenario and the scenario we just addressed. I
9 think if it's new construction or a new addition,
10 they're increasing the non-conformity by tearing
11 down the old portion, so now it's that is not
12 there anymore, and creating a new portion. So
13 that increases the non-conformity.

14 MEMBER GORDON: How does it increase the
15 non-conformity? It's the same number of feet and
16 the purpose of the setback is to regulate the
17 feet, so I don't really see how it's --

18 MEMBER KAUFMAN: Because it depends on the
19 project and I know keeping that length the same.

20 MEMBER GORDON: Well, then we would --

21 MEMBER KAUFMAN: Exactly, but that's the
22 point.

23 MEMBER GORDON: Then if there were -- for
24 instance, we've had a couple of recent ones where
25 there was an old pre-existing non-conforming

1 setback on the side, but the applicant was going
2 to put a little bump out, you know, for a nice
3 little window.

4 MEMBER KAUFMAN: Yeah, I remember.

5 MEMBER GORDON: And that's different, that
6 does change.

7 MEMBER KAUFMAN: But I think --

8 CHAIRMAN SALADINO: Well, let me ask -- I'm
9 sorry, Seth.

10 MEMBER KAUFMAN: Go ahead.

11 CHAIRMAN SALADINO: Let me ask you.

12 Suppose -- and you hate to deal with
13 hypotheticals, but they come up and it happens.
14 Suppose this applicant -- well, this is closed
15 this case, so we could say an applicant like this
16 decided just to remove that portion of the house,
17 those two wings in the back, just remove it. And
18 a new owner decided in the future, *Well, I want*
19 *to put an addition on the back of the house.* I
20 don't see why he wouldn't have to conform, why he
21 wouldn't have have to come to the Zoning Board to
22 -- you know, even though the old portion --

23 MEMBER GORDON: Yeah, it doesn't exist
24 anymore, yeah.

25 MEMBER KAUFMAN: But the question --

1 CHAIRMAN SALADINO: Well, once they tear it
2 down it doesn't exist anymore.

3 MEMBER KAUFMAN: But isn't the question
4 we're trying to answer here why are we getting
5 these variances this way, because that's what --
6 and the answer is because sometimes they will
7 have to be reviewed, they will -- there may well
8 be a change. We may well turn them down, they're
9 not just rubber-stamped. So that's what I'm
10 saying. The policy makes sense to me, then. We
11 have to review these things, even if most of the
12 time there's nothing to do. That's enough for
13 me.

14 MEMBER GORDON: The point that both Paul
15 and John are making about the future is about --

16 MEMBER KAUFMAN: So there's nothing to
17 complain about. In other words, I see the point
18 of the process now, so.

19 CHAIRMAN SALADINO: So, what are you going
20 to do about it?

21 MEMBER KAUFMAN: Nothing.

22 (*Laughter*)

23 CHAIRMAN SALADINO: All right. The last
24 item on our agenda is *Item No*, I think *No. 7*, is
25 *a motion to adjourn*. So moved.

1 MEMBER REARDON: Second.

2 CHAIRMAN SALADINO: All in favor?

3 MEMBER GORDON: Aye.

4 MEMBER KAUFMAN: Aye.

5 MEMBER REARDON: Aye.

6 CHAIRMAN SALADINO: And I'll vote aye.

7 Thank you, folks. Guys in the back, thank
8 you for coming.

9 **(*The meeting was adjourned at 6:53 p.m. *)**

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