

**BOARD OF TRUSTEES  
VILLAGE OF GREENPORT**

**NOTICE OF PUBLIC HEARING  
ON A PROPOSED LOCAL LAW OF 2022  
AMENDING SECTION 150-4; ZONING MAP  
OF THE GREENPORT VILLAGE CODE  
AND AMENDING THE ZONING OF CERTAIN PROPERTIES  
IN THE WC WATERFRONT COMMERCIAL DISTRICT**

**PLEASE TAKE NOTICE** that the Board of Trustees of the Village of Greenport will conduct a Public Hearing on Thursday, September 22, 2022 at 7:00 p.m. at the Third Street Fire Station, Third and South Streets, Greenport, New York, 11944 regarding a proposed local law of 2022 amending Section 150-4; Zoning Map, of the Greenport Village Code and amending the zoning of certain properties in the WC Waterfront Commercial District.

The purpose and intent of the proposed local law is to amend Section 150-4; Zoning Map of the Greenport Village Code to amend the zoning of certain properties in the Village of Greenport WC Waterfront Commercial District of the Village of Greenport to CR Retail Commercial or a Residential Zone, in order to have the zoning designation of those properties be more consistent with the uses of those particular properties and the neighboring properties, and the development and uses that have evolved on those properties, and to allow the Board of Trustees of the Village of Greenport to address the uses that are provided for in the WC Waterfront Commercial zoning district to enhance the protection of the waterfront in the Village of Greenport on the properties that will be remaining in the WC Waterfront Commercial District.

The title of the local law is "Local Law of 2022 – A Local Law amending Section 150-4; Zoning Map of the Greenport Village Code and amending the zoning of certain properties in the WC Waterfront Commercial District."

Any interested party will be heard at the public hearing.

BY ORDER OF THE VILLAGE OF GREENPORT BOARD OF TRUSTEES  
Village Clerk Sylvia Lazzari Pirillo, RMC

LOCAL LAW NO. \_\_\_\_ OF THE YEAR 2022  
OF THE INCORPORATED VILLAGE OF GREENPORT  
A LOCAL LAW CHANGING THE ZONING DISTRICT OF  
CERTAIN PROPERTIES LOCATED IN THE WC WATERFRONT COMMERCIAL  
DISTRICT TO THE CR RETAIL COMMERCIAL DISTRICT, AND THE  
R1 AND R2 RESIDENTIAL ZONING DISTRICTS  
IN THE VILLAGE OF GREENPORT AND AMENDING SECTION 150-9(18)

Section 1.0    Enactment, Effective Date, Purpose and Intent and Findings.

Section 1.1.   Title

Section 1.2.   Enactment.

Section 1.3.   Effective Date.

Section 1.4.   Purpose and Intent of Local Law.

Section 1.5.   Findings.

Section 2.0    General Provisions.

Section 2.1.   Amendment of the Zoning District of Certain Properties from WC  
Waterfront Commercial to CR Retail Commercial, and R1 and R2  
Residential Districts of the Village of Greenport (Amendment to  
Section 150-4 Zoning Map).

Section 2.2    Amendment of Section 150-9(18)

Section 3.0    Severability.

Section 3.1    Severability.

Section 1.0    Enactment, Effective Date, Purpose and Intent and Findings.

1.1.    Title

This Local Law shall be entitled, "A Local Law No.    of 2022 Changing the Zoning District of the Certain Properties located in the WC Waterfront Commercial District to CR Retail Commercial, and R1 and R2 Zoning Districts of the Village of Greenport".

1.2    Enactment:

Pursuant to Municipal Home Rule Law, including without limitation, Sections 10 and 20 thereof, the Board of Trustees of Village of Greenport, County of Suffolk and State of New York ("Board of Trustees"), hereby enacts this Local Law amending the zoning of certain properties that are located in the Village of Greenport Waterfront Commercial District to the CR Retail Commercial, and R1 and R2 zoning districts of the Village of Greenport.

1.3    Effective Date.

This local law shall become effect when it is filed with the New York State Department of State which shall be within 20 days of the date of its adoption, and when published and posted in accordance with Section 7-703 of the New York State Village Law.

1.4.    Purpose and Intent of this Local Law.

The purpose and intent of the Local Law is for the Village of Greenport to amend the zoning of certain properties in the Village of Greenport that are located in the WC Waterfront Commercial District of the Village of Greenport to either the CR Retail Commercial zoning district or the R1 or R2 residential districts in order to have the zoning designation of those properties more consistent with the uses of those particular properties and the development and uses that have evolved on those properties and to allow the Village of Greenport to address the uses that are provided for in the WC Waterfront Commercial zoning district to enhance the protection of the waterfront in the Village of Greenport on the properties that will be remaining in the WC Waterfront Commercial District.



### 1.5 Findings.

The Board of Trustees after a review of available information and due deliberation hereby finds that it is in the health and welfare and best interests of the residents and property owners and of the quality of life, safety and well-being of the residents of the Village, the orderly development and planning for those properties that are currently located in the WC Waterfront Commercial District that together with the properties surrounding those properties have developed and been used as traditional commercial uses, or single family or two family residential uses, and for the protection of the waterfront nature and uses of those properties that will be remaining in the WC Waterfront Commercial District that the Village of Greenport amends the zoning district of the properties located in the WC Waterfront Commercial District that have been developed for commercial uses to CR Retail Commercial, for the properties that together with their neighboring properties have developed as single family residential or two family residential to R1 or R2 Residential zoning as provided in this local law.

### 2.0 General Provisions

#### 2.1 Amendment of the WC Waterfront Commercial Zoning District of the Village of Greenport (Amendment to Section 150-4 Zoning Map)

A. The Zoning District of the following properties is hereby changed from Village of Greenport WC Waterfront Commercial to Village of Greenport CR Retail Commercial:

Section	Block	Lot	Street Address	Last known owner/occupant
5	4	3	104 3rd St.	NoFo Ventures LLC/Port Restaurant
		4	3rd St.	American Legion
		5	207 Front St.	AE Menhaden LLC
		6	211 Front St.	Maxwell Winston LLC/Greenport Theatre

		7.2	Front St.	HF Hotel Owner LLC/Harborfront Hotel
		9.3	Front St.	U.S. Government Postal Service/Post Office
		17	103 Front St.	103-105 Front Street LLC/Aldos Coffee
		18	101 Front St.	Village of Greenport/Red Schoolhouse
		19	47 Front St.	ASCM Property LLC/Anker Restaurant
		20	45 Front St.	45 Front Prop LLC/Alpina Restaurant
		21	39 Front St.	39-43 Front Street Property LLC Burton's/Weathered Barn
		23.1	37 Front St.	37 Properties LLC/Ralphs
		24	ROW off Front St.	ROW Off Front Street LLC/Little Creek Oyster
		26	29 Front St.	Perry Angelson/Retail
		27	27 Front St.	Eugene Avella/Frisky Oyster Restaurant
		28	25 Front St.	Rock Realty Corp./Kessie
		29	19 Front St.	Kathleen M. Wolff/Kates Cheese
		31.1	15 Front St.	Yellowfin Galleria LLC/Galleria
		33.1	125 Main St.	125 Main Street LLC/Creation by Lisa/Verbena
		34	119 Main St.	119 Main LLC/Lucharito's Restaurant
		35.2	Main St.	Greenport Hedges LLC/Retail
		35.1	Main St.	Village of Greenport/Pump station
5	3	6.1	Carpenter St.	Village of Greenport/Jail
		6.2	Carpenter St.	Star Hose Enterprises LLC/Greenport Harbor Brewery

B. The Zoning District of the following properties is hereby changed from Village of Greenport WC Waterfront Commercial to Village of Greenport R1 Single family residential.

2	2	31	220 Atlantic Ave.	Phillips Family Atlantic Avenue LLC
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33 214 Atlantic Avenue/Phillips, Mary B.

C. The Zoning District of the following properties is hereby changed from Village of Greenport WC Waterfront Commercial to Village of Greenport R2 One and Two family residential.

3	5	16.3	127 Sterling Ave.	Joseph Flotteron
3	4	31.1	Sterling Ave.	Christine McCabe
		31.2	Sterling Ave.	Alexander Ciaputa
		31.3	Sterling Ave.	James F. Kelley
2	3	182	Sterling St.	Patricia Mundus

2.2 Amendment to Section 150-9A(18)

Section 150-9A (18) is hereby amended to read as follows:

“Section 150-9A(18) Accessory Apartments as a Permitted Use in the CR Residential Overlay Zone.

In addition to the uses permitted in the CR Retail Commercial District, accessory apartments shall be a permitted use as provided in this Section and not subject to the requirements of Article VII Multifamily Dwelling.

1. Accessory Apartments are one or more dwelling units on a property that are accessory in that they are not the primary use on the property as follows;

a. Accessory Apartment: A dwelling unit with a kitchen or kitchen area with not more than two bedrooms that is not less than 450 square feet and not more than 750 square feet in interior area, and where the residential use is not the principal use on the property. An accessory apartment may be used for a residential use as provided in this Section only, and may not be used for transient rental or habitation or a short term rental or a hotel or motel use.

- b. Is subject to Planning Board approval as a permitted use with a site plan requirement.
- c. There is provided at least one off street parking space per accessory apartment.
- d. Remains subject to any area zoning limitations of the Greenport Village Code.
- e. Each accessory apartment must have a valid rental permit. A copy of the lease for each apartment must be submitted to the Village with the rental permit application must provide the Village with a copy of the lease prior to the occupancy of the accessory apartment which lease must be for a term of at least one (1) year, and which may be renewed thereafter for a term of not less than one year.
- f. There shall be a one-time accessory apartment fee to be paid by the owner of the property on which the accessory apartment is located, upon the creation of and prior to the approval and occupation of the accessory apartment in an amount that shall be from time to time established and modified by the Board of Trustees of the Village of Greenport.”

### 2.3 Removal of Section 150-9(C)(2) from the Greenport Village Code.

Section 150-9(C)(2) Artist Dwellings is hereby removed from the Greenport Village Code.

### 3.0 Severability

#### 3.1 Severability

The provisions of this Local Law are declared to be severable, and if any section, sentence, clause or phrase of this article shall for any reason be held to be invalid or unconstitutional, such decision shall not affect the validity of the remaining sections, sentences,

clauses and phrases of this Local Law, but they shall remain in effect, it being the legislative intent that this Local Law shall stand, notwithstanding the invalidity of any part.