

**VILLAGE OF GREENPORT**

**PLANNING BOARD PRE-SUBMISSION REPORT IN RESPECT OF:**

**HF2 HOTEL OWNER LLC –THE GREENPORT INN**

**200 MAIN STREET**

**(the “Application”)**

**SCTM 1001-04-10-16**

**MARCH 1, 2024**

**DESCRIPTION:**

HF2 Hotel Owner LLC (the “Applicant”) has applied to the Village of Greenport for approvals to permit the redevelopment of the property located at 200 Main Street, SCTM 1001-04-10-16 (the “Property”) into an 18-room hotel/inn (the “Project”). The Project involves the demolition of the existing commercial building and garden plaza area currently located on the Property and the construction of a new partially gabled roof building consisting of two floors with a total height of 35 feet at the ridge line. The Project would include: a gallery or retail store in a portion of the new building located along Front Street; a small lobby/office area in the rear of the building along Carpenter Street; a three-car parking area located along Carpenter Street; 18 guest rooms ranging from 233 square feet to 267 square feet per room; and other associated site improvements. The proposed footprint of the Project is 4,794 square feet (with a roof area of 4,828 square feet) and the gross floor area is 9,622 square feet. Applicant has indicated that there will be limited amenities available to guests on site (i.e., there will be no full-service restaurant, bar, room service or the like). Applicant has further indicated that the hotel will have no more than 3 employees on site at any time (consisting of 1 front desk person and up to 2 housekeepers) and that remaining services such as laundry, ground maintenance and any provided valet or transportation services will be provided by either employees of other hotels owned by the Applicant or outside service providers that are not direct employees of the hotel. Applicant proposes no on-site loading/drop-off area for check-in and check-out or parking area for maintenance and repair service vehicles.

**SUBMITTED DOCUMENTS:** As part of the Planning Board’s pre-submission review of the Application, the following materials were submitted to the Planning Board and the Board has considered all of these documents in its pre-submission review:

- Letter from Applicant dated January 3, 2024 responding to memo from Planning Board December 18, 2023 requesting additional materials, including (a) the Applicant’s response, (b) an updated Environmental Assessment Form in respect of the Project, (c) Parking and Traffic analysis from R&B Engineering dated 12/27/2023, (d) R&M Engineering drawing CP-1 Conceptual Alignment Plan dated 12/22/2023, (e) R&M Engineering drawing EX-1 Existing Conditions Plan dated 12/22/2023, (f) R&M Engineering drawing TMP-1 through TMP-6 Truck Maneuvering Plan dated 12/22/2023; (g) RIM& Engineering drawing AM-1 500’ Area map dated 12/27/2023 and (h) BLD architecture drawing set 9 pages dated 1/3/2023

- Affidavit of compliance with Section 150-31B(3) of the Code dated December 13th, 2023
- Site Review Plan Application filed by the Applicant on November 20, 2023 (including all attached materials, which includes: BLD architectural drawings, letter from Mark Boyle, HF2 Hotel Owner to Planning Board in respect of Site Plan Application)
- Memo from R&M Engineering dated November 20, 2023 in respect of a Traffic Impact Study prepared by R&M Engineering dated August 2022 and amended on October 2022 (including all attached materials)
- Letter from R&M Engineering dated October 25, 2022 addressed to the Village of Greenport in respect of the Village of Greenport Traffic Study Review for the Project
- The Traffic Impact Study prepared by R&M Engineering identified as R&M Job Number 2021-225 dated August 2022 as revised in October 2022 (including all attached Appendices)
- Full Environmental Assessment Form filed by the Applicant on May 24, 2022 (with all related attachments)
- Various letters and email correspondence received from members of the public in respect of the Application

**MEETINGS:** As part of the Planning Board’s pre-submission review of the Application, the Planning Board held public meetings at which the Application was discussed at the following times:

- Village of Greenport Planning Board Work Session held on December 15, 2023 at 4 pm
- Village of Greenport Planning Board Work Session, Public Hearing and Regular Meeting held on January 5, 2024 at 4pm
- Village of Greenport Planning Board Work Session, Public Hearing and Regular Meeting held on January 19, 2024

Upon submission to, and acceptance by the Planning Board of, a timely complete final conditional use and site plan application for the Project, documents and testimony previously submitted by the Applicant and the public in connection with the pre-submission conference on the Application shall be deemed to be part of the complete final application record for the Planning Board’s determination in respect of conditional use and site plan approval for the Project.

**PLANNING AND ENGINEERING CONSULTING REVIEW:**

Planning and engineering review memoranda were provided to the Planning Board by L.K. McLean Associates P.C. (“LKMA”), the Board’s consultant, and the Board has considered these comments in its review.

The Planning Board notes that the provisions set forth in Chapter 150 (the “Zoning Chapter”) of the Village of Greenport’s Code (the “Code”) relating to site plan and conditional use approvals for commercial uses have changed significantly during the review process for the Application as a result of amendments to the Zoning Chapter in 2023. The Planning Board further notes that it has only considered the current regulations under the Zoning Chapter as so amended in relation to its review and the analysis and comments set forth herein in respect of the Application.

## **NEIGHBORHOOD CONTEXT, APPLICABLE ZONING DISTRICT AND EXISTING SITE CONDITIONS**

### Historic District.

The Village of Greenport, incorporated in 1838, is likely the second oldest incorporated village in the State of New York and is among the most prominent maritime locations in the State of New York. Whaling, fishing, shipbuilding, and other maritime industries have historically formed the backbone of the Village’s economy. Greenport’s relative proximity to the port of Boston, Massachusetts and ports of Europe contributed to the Village’s critical role in the early development of the Long Island regional economy. In more recent years, recreational boating and tourism has played a leading role in the Village’s economy. Much of this has been driven by the seaport ambience and historical character of the Village. Greenport is well known for its historic Federal, Greek revival and Victorian style buildings. In order to ensure the conservation, protection and preservation of the historical nature of the Village, the Village has created a historic district. The Property is located in the historic district and is thus subject to the provisions of Chapter 76 of the Code.

### Zoning Districts and Neighborhood Conditions.

The Property is located in the central commercial area of the Village of Greenport and is comprised of approximately 0.19 acres located at the principal intersection of the Village at the conjunction of Main Street, Front Street and East Front Street. The Property is also bordered on the eastern side by Carpenter Street. The Property is zoned CR Retail Commercial District by the Village. The neighboring properties located on Main Street and Front Street are also zoned CR Retail Commercial District. In addition, the buildings located on East Front Street are zoned CR Retail Commercial District. Businesses surrounding the Property in the CR Retail Commercial District include a mix of restaurants, take-out food establishments, professional services, and retail establishments.

The property located to the east of the Property and a portion of the property that is located on the south side of the Property is zoned WC Waterfront Commercial District by the Village. This area (most commonly often referred to as the “Shipyard” and hereinafter referred to as such) is the largest remaining WC Waterfront Commercial District area located in the Village and is utilized by approximately 20 marine industry focused businesses that employ more than 40 individuals. The Shipyard is viewed as integral to the historical nature and character of the Village as a maritime village. Businesses in the Shipyard include Anders Langendal & Sons Boatbuilders, Wooden Boatworks, Costello Marine Contracting, Douglass Marine, Sea Clams Unlimited, North Ferry Company and Widows Hole Oyster Co, among others, all of which play a critical role in supporting the maritime industry in the Village and surrounding area. The owner of the Shipyard estimates that over 125 boats of varying sizes (including some related to the North and South Ferries serving Shelter Island) are built, repaired, maintained and/or stored on the Shipyard premises in any year.

The Property lies approximately 430 feet south of Bay Avenue, the nearest public road to the north of the Property, which provides access to Carpenter Street (and thus the rear frontage of the Property). Bay Avenue and Carpenter Street also serve as the boundary for the nearest R-2 Residential District in the Village. During the summer months and weekends in the spring and fall, Bay Avenue, Central Avenue and Carpenter Street experience significant vehicular and pedestrian traffic flow resulting from a combination of residential traffic, commercial traffic, and traffic from visitors to the Village (including residents from surrounding hamlets and towns as well as tourists from further afield). Visitors to the Village routinely park along these streets, including some parking which is overnight relating to existing hotels located in the downtown area of the Village as well as short term rentals located in the adjacent R-2 Residential District, resulting in a significant burden to full time residents located in this area during peak tourism season for the Village.

Main Street and Front Street provide the two principal methods of access into and out of the Village, and experience significant traffic flow, especially during the peak summer and fall seasons. Front Street is considered part of NYS Route 25. Main Street and Front Street / East Front Street form a four-leg intersection, with the East Front Street approach offset to the south from the Front Street approach by approximately 20 feet. The Front Street and East Front Street approaches are stop-sign controlled, and the eastbound Front Street stop sign control is reinforced by a flashing red traffic signal. The signal also provides flashing yellow displays on both Main Street approaches. There is no signal display facing the westbound East Front Street approach, Main Street terminates near the water at the Claudio's property approximately 250 feet from the Front Street intersection and the location of the Property. Claudio's waterfront is one of the principal tourism draws in the Village and there is significant vehicular and pedestrian traffic to and from Claudio's along this portion of Main Street during the Village's extended tourism season.

East Front Street and Carpenter Street serve as the principal access routes for delivery trucks and other vehicular traffic needing access to the businesses in the Shipyard, as well as the STIDD Systems business located in the WC Waterfront Commercial District at 200 Carpenter Street (just north and east of the Property). Carpenter Street is also often used as a through road to exit the Village further up Main Street by residents located in the nearby R-2 Residential District who are seeking to avoid the traffic on Main and Front Streets. Carpenter Street is a common pedestrian walking area for local residents and visitors heading into the downtown area from the adjacent R-2 Residential District, although there are currently no sidewalks along the street. There are minimal, discontinuous sidewalks on East Front Street as well.

All roads/streets adjacent to the Property currently serve as two-way roads. Due to narrow pavement widths on both Carpenter Street and East Front Street, as well as a non-standard corner radius at the intersection of East Front Street at Carpenter Street, when there are large vehicles (i.e. tractor trailers, trucks and/or emergency vehicles) entering or exiting the Shipyard or STIDD Systems from Carpenter or East Front Street or vehicles parked on East Front Street and Carpenter Street in the area surrounding the Project, two-way operation on these roadways is extremely constrained. In many cases, the assistance of police is necessary to assist in directing large vehicles attempting to access, or exit from, the Shipyard on East Front Street and Carpenter Street.

There are a number of traffic restrictions and roadway conditions that limit the use of East Front Street and Carpenter Street. The East Front Street right-of-way is only approximately 26 feet wide with a paved area ranging from 20 feet to 22 feet. Stopping and standing (and thus entirely prohibiting loading,

unloading and drop-offs) are not permitted on the north side of East Front Street and the west side of Carpenter Street. Parking is prohibited along the entire east side of Carpenter Street running north to the Bay Avenue intersection and on the south side of East Front Street, with the exception of a small area where loading is permitted for a 10-minute period in front of 213 East Front Street. There is a driveway at the southeasterly corner of the Carpenter Street/East Front Street intersection and a second driveway just north of the Property on the east side of Carpenter Street. There is a fire hydrant located on the east side of Carpenter Street, just north of the Property. Finally, it is noted that there is often a police car stopped on East Front Street monitoring the downtown area of the Village and the East Front Street/Main Street intersection.

The parking and stopping restrictions are intended to provide safe travel and use of these roadways for vehicles, emergency services, pedestrians, and all other forms of travel. NYSDOT design criteria provide that a minimum of 13 feet should be provided for travel lanes that accommodate bicycles. The pavement width on East Front Street is barely sufficient to provide ten-foot-wide travel lanes. According to NYSDOT design criteria, a facility of this type should provide a minimum lane width of 10 feet, with 11-foot-wide lanes being desirable. NYSDOT also indicates that a minimum of 13 feet should be provided for lanes that will accommodate bicycles.

#### Existing Conditions on Site.

The Property currently contains a vacant 1-story building which is approximately 3750 square feet in size and is set back approximately 50 feet from Main Street. It currently includes three (3) parking spaces in the rear of the Property that directly abut onto Carpenter Street. At the Main Street, Front Street and East Front Street sides of the Property is a plaza/garden area. The current building on-site most recently operated as a gallery during the summer of 2023 and prior to its acquisition by the Applicant had been operated as a retail gift and candy shop for over 20 years.

#### **OTHER APPROVALS (IF ANY) APPLICABLE TO FINAL SUBMISSION:**

##### Planning Board Approvals.

The proposed use of the Property constitutes a conditional use under Section 150-9(B)(6) of the Code. The Application will therefore require both site plan approval and conditional use approval from the Planning Board pursuant to Sections 150-29 and 150-30 of the Code.

##### Referral to Greenport Fire Department/Town of Southold Police Department.

As part of its consideration of conditional use and site plan approval for the Project, the Planning Board will require input from the Village of Greenport Fire Department and the Town of Southold Police Department in terms of potential impacts on the provision of police and emergency service at the Property as well as at surrounding properties, including in respect of the WC Waterfront Commercial District areas that are located to the south and east of the Property.

##### Zoning Board of Appeals Relief.

Based on the parameters of the Project as outlined in the Application, it appears that at a minimum the Project as envisaged by the pre-submission materials may require the following variances be approved by the Zoning Board of Appeals:

- a. A lot coverage variance from the requirements set forth in Section 150-12(B) of the Code in respect of permitted lot coverage in the CR Retail Commercial District to permit lot coverage of 4,828 square feet (59%) as opposed to the 3,270 square feet (40%) of lot coverage permitted under the Zoning Chapter – an exceedance of 1,558 square feet representing relief of 48% of the lot coverage restriction under the Zoning Chapter.
- b. A parking variance in respect of the parking requirements of Section 150-16(A) of the Code. While there are conflicting statements in the various materials submitted as part of the Application, Applicant has most recently indicated that it believes that the Project will be required to provide a total of 21 parking spots under the current provisions set forth in the Zoning Chapter (being the sum of 1 parking spot per room and 3 parking spots for employees) and that it will be able to provide 3 parking spots on the Property. This would require a variance of at least 18 parking spots.

Final determination of any necessary variances will need to be made by the Building Department of the Village upon the receipt of all materials required for a full and complete final application for conditional use and site plan approval for the Project.

Historic Preservation Commission Approval.

As the Project is located in the Village of Greenport's historic district it will also require a certificate of appropriateness from the Village's Historic Preservation Commission.

Other Approvals.

This section is provided for use in coordinating approvals which impact issuance of Village approvals. It is not intended to be an exhaustive list of all approvals required for the operations of the Project.

The Project will require referral to the Suffolk County Planning Commission, Suffolk County Department of Health Services (in respect of wastewater) and the New York State Department of Transportation (in respect of traffic impacts on Front and Main Streets). It will also require approval by the Village of Greenport for sewer and electric connections. It should be noted that the Village of Greenport currently has a moratorium in place with respect to new sewer connections.

The Applicant is encouraged to contact the Building Department in order to file applications for the required variances and Historic Preservation Committee review as soon as possible once the Applicant has finalized its proposed plans for the Project and submitted a full and complete final application for conditional use and site plan approval by the Planning Board. The Planning Board will not be able to make a final determination in respect of a submitted complete final application for conditional use and site plan approval for the Project until the Applicant has received these approvals or has otherwise modified its plans to adapt to any requirements of the Zoning Board of Appeals or the Historic Preservation Commission in connection therewith. The Planning Board will also require written input from New York State Department of Transportation in respect of any potential impact on the surrounding New York State roads prior to making a final determination.

**VILLAGE LAND USE CONSIDERATIONS:**

This Application will be subject to review in respect of the conditions and considerations set forth in Sections 150-9(B)(6), 150-29 and 150-30 of the Code. As part of these considerations, the Planning Board will take into account the purpose provisions set forth in Section 150-1 of the Code as well as policies, standards and guidelines highlighted both in the Village's currently effective Local Waterfront Revitalization Program dated October 8, 1998 (the "LWRP") as well as the draft Local Waterfront Revitalization Program prepared by VHM Engineering, Surveying and Landscape Architecture, PC dated July 16, 2012, as revised and submitted on December 19, 2012, May 17, 2013 and January 2014 and which is currently the subject of further updating by the Village (the "LWRP Guidance" and together with the LWRP, the "LWRP Documents"). Of particular relevance to a review of this Project, are the following policies contained in the LWRP: Policy 1B, Policy 4, Policy 5, Policy 5A, Policy 10A, Policy 14, Policy 18, Policy 23, Policy 33, Policy 37, Policy 37 and Policy 38.

Requirements of Section 150-9(b)(6) of the Code.

The Project constitutes a motel or hotel for purposes of the Zoning Chapter and Code and is a conditional use pursuant to Section 150-9(B)(6) of the Code. Section 150-9(B)(6) of the Code imposes certain requirements on motels or hotels in order for them to be permitted to be considered as a conditional use. The applicant shall include final versions of the required materials with their submission of a complete final application for conditional use and site plan approval by the Planning Board. Preliminary review of pre-submission materials indicates the Project has the potential to satisfy the motel/hotel conditions outlined in Section 150-9(B)(6) of the Code, but further criteria for general conditional use approvals is contained within other Code sections, as described below. The Project will also need to satisfy both the criteria set forth in Sections 150-29 and 150-30 of the Code in order to be eligible for approval by the Planning Board.

Requirements of Sections 150-29 and 150-30 of the Code.

The principal conditions set forth in Sections 150-29 and 150-30 of the Code require that in considering an approval for a conditional use or site plan that the Planning Board make the following findings:

- a. That the public health, safety and welfare and the comfort, convenience, and order of the Village in general and of the residents of the immediate neighborhood in particular will not be adversely affected in any material respect of the proposed Project and its location.
- b. That all proposed buildings, structures, equipment and other property relating to the Project are readily accessible for fire and police and other emergency services and that the Project and its improvements will not interfere with the provision of these services to the district in which it is proposed to be situated or the immediately surrounding neighborhood.
- c. That the proposed Project and related use is of such location, size and character as (i) will, in general, be in harmony and compatible with the appropriate and orderly development both of the district in which such it is proposed to be situated as well as the immediately surrounding neighborhood, (ii) will not be detrimental to the orderly development of adjacent properties in accordance with the zoning classification of such properties and (iii) will enhance the mix of uses or complement the other uses in the immediate vicinity of the Project and not interfere with any of those uses.

- d. That the location and size of the applicable Project and related use, the nature and intensity of operations involved in, or conducted in connection with, the Project, its site layout and its relation to access streets are such that both pedestrian and vehicular traffic to and from the use and the assembly of persons in connection therewith will not be hazardous or inconvenient to or incongruous with the surrounding area or conflict with the normal traffic of the Village in general and the immediately surrounding area in particular.
- e. That appropriate landscaping, buffering and/or screening will be in place to reduce any impact of the Project in respect of noise, light or other potential nuisances and the location and height of buildings, the location, nature and height of walls and fences and the nature and extent of landscaping on the Property are such that the Project will not hinder or discourage the appropriate development and use of adjacent land and buildings.
- f. That the number of buildings, structures, or dwelling units, as the case may be, comprising the Project shall not result in an overcrowding of land or the undue concentration of population.
- g. That the Project will not result in environmental or ecological deterioration and is such that it will not have an adverse impact on natural resources of soil, air and water or have another impact that is detailed in §NYCRR617.7 or other environmental or ecological impact.
- h. That the Project satisfies all applicable criteria and standards set forth in the Code (or has otherwise received a variance in respect thereto duly issued by the Board of Appeals) and that the Project is otherwise consistent with the principles set forth in the Zoning Chapter and in the LWRP Documents and will not be detrimental or have an adverse impact on the Village's goal of protecting and fostering the working waterfront of the Village and the Village's water dependent uses.
- i. That the Project shall not result in overcrowding of land or over burdening of services, or public benefits including but not limited to parking, or the undue concentration of population.
- j. That the Project is in compliance with the guidance and policy objectives set forth in the LWRP Documents and will not have a negative impact on the working waterfront or water-dependent uses of the Village.

**PLANNING BOARD DISCUSSION:**

Introduction.

The proposed Project constitutes a significant change and intensification of use of the Property in terms of its potential impact on the adjacent and surrounding WC Waterfront Commercial District, R-2 Residential District and CR Retail Commercial Districts of the Village, including, in particular with respect



to traffic and safety impacts at the principal intersection of the Village, accessibility to the adjacent WC Waterfront Commercial District and impact on parking in the Village generally and more particularly in the adjacent R2 Residential District. The proposed increase in lot coverage is also clearly in excess of that generally permitted by the Zoning Chapter in the CR Retail Commercial District.

As the Applicant is aware, the Village recently undertook a significant update to certain portions of the Zoning Chapter pertaining to zoning in both the CR Retail Commercial and WC Waterfront Commercial Districts. Some of the key objectives of this process and the corresponding Zoning Chapter amendments were as follows: (a) preserving the Village's waterfront area and encouraging and ensuring a viable working waterfront and maintaining and protecting water dependent uses, (b) supporting water-based industry, including encouraging aquaculture and other marine related activities, (c) preserving, enhancing and perpetuating the Village's heritage and historic maritime character and the nineteenth century core and surrounding areas of the Village, (d) supporting and enhancing a year-round Village economy, (e) protecting the Village's economic vitality by ensuring a vibrant mixed use, walkable commercial district with a focus on encouraging businesses that provide year-round employment, services and goods to Village residents and support a sustainable commercial waterfront, (f) supporting expanded public access to the waterfront areas of the Village and (g) preserving the unique community character that supports tourism, encourages entrepreneurial businesses and contributes to a higher quality of life for its residents. Many of these same themes and policy objectives are echoed in the LWRP Documents. All of these considerations are key to the Planning Board's review of any proposed site plan and/or conditional use in the CR Retail Commercial or WC Waterfront Commercial Districts. While the proposed Project may support tourism in peak season and contribute to the mixed-use nature of the downtown commercial area of the Village, it raises significant other concerns that the Planning Board is required to take into account under the foregoing objectives as well as the requirements mentioned above which the Planning Board is required to take into account in connection with site plan and/or conditional use approval. The following provides a summary of the principal concerns the Planning Board has identified during the pre-submission process which will need to be satisfactorily addressed in connection with the submission of a complete final application for conditional use and site plan approval for the Project.

Key Considerations.

Key considerations that the Planning Board has identified that will need to be addressed in detail to the satisfaction of the Planning Board in a complete final application for conditional use and site plan approval in respect of the Project are as follows:

1. Safety and Traffic Concerns.

*Summary of Issue:*

The narrow construction of Carpenter Street and East Front Street and the related intersection is challenging for trucks, tractor-trailers and other delivery vehicles seeking to access the businesses located in the Shipyard or the surrounding Waterfront Commercial District area located along Carpenter Street. It is also challenging to emergency service vehicles seeking to access the rear of the Property, the buildings located in the CR Retail Commercial District to the south of the Property on East Front Street and the Shipyard and other nearby Waterfront Commercial District areas located along Carpenter Street.

The Planning Board notes that the proposed site plan contemplated by the Application may not significantly change the physical accessibility attributes of the area in the rear of the Property and the intersection between East Front Street and Carpenter Street from that applicable under the current Property site plan. LKMA has specifically noted that pavement markings on the Property at the intersection of East Front Street and Carpenter Street show demonstrable signs of large vehicle encroachment on the Property as these vehicles negotiate the corner. The change in the intended use, however, of the Property to a transient overnight lodging establishment with the principal means of ingress and egress for guests being located directly adjacent to the intersection of Carpenter Street and East Front Street is reasonably likely to lead to significant additional traffic obstruction in this area. The applicant's submission indicates that employee or guest vehicles and/or the proposed guest shuttle service will park, load, unload and otherwise use the parking area in the rear of the Property to access the Property.

The Planning Board has received comments both from members of the Village's Fire Department as well as owners of the Shipyard indicating that they have significant concerns about how the proposed change in use of the Property will further aggravate an already challenging intersection that is essential for accessibility to the Shipyard and adjacent Waterfront Commercial District areas. In addition to the impact of the proposed change of use on this area of the Property, the Planning Board notes that the Application does appear to be adding a raised island on the south side of the parking area. Incorporating a raised curb will require modified intersection travel that could further exacerbate the existing challenges at this intersection. Finally, as currently envisaged by the Application, there is no buffer zone between the proposed parking and loading/unloading area for the Property and Carpenter Street, resulting in cars and other vehicles backing immediately into Carpenter Street when exiting the Property without knowing what traffic may be coming down towards Carpenter Street from East Front Street or heading south on Carpenter Street towards East Front Street. There is also limited visibility for vehicles traveling east on East Front Street and making a turn onto Carpenter Street before encountering a vehicle backing up onto Carpenter Street from the Property.

Stopping and standing is prohibited on the west side of Carpenter Street and the north side of East Front Street. Thus, stopping for any reason is prohibited, whether the vehicle is occupied or not. As a result, loading will not be permitted on either the Carpenter Street or the East Front Street frontages of the Property. The Village already has recognized the danger of vehicles stopping in these locations and the proposed hotel appears to create contrary options for vehicle loading and unloading. Similarly, except immediately in front of 211 East Front Street for a 10-minute period, no parking is permitted on the south side of East Front Street or on the east side of Carpenter Street. And not only is parking prohibited on the east side of Carpenter Street, but loading in front of the Property on the east side of Carpenter Street is limited due to existing driveways and a fire hydrant. The potential hazardous impacts of parking and loading in this area are evident and should be avoided.

Because of the minimum amount of parking proposed to be provided on the site, it may be reasonably likely that, notwithstanding any instructions to the contrary or the offering of shuttle services, guests travelling by vehicle will generally drive to the entrance to the hotel in order to load and unload. Moreover, despite the various parking and stopping prohibitions on East Front Street and Carpenter Street, it may be reasonable to conclude that guests arriving to find the

parking lot in the rear of the Property full, will pull over and leave their vehicle standing along Carpenter or East Front Street while they either enter the hotel to inquire about check in or load and unload at arrival and departure as well as following other outings in the area (i.e. visits to wineries, visits to the beach etc.) during their stay in violation of Village parking restrictions. All of this will increase the likelihood of obstruction at a very narrow intersection in the Village that is the key access area for the adjacent Waterfront Commercial District both for commercial deliveries as well as emergency services. The addition of transient guest vehicles presents the potential for a challenging convergence of these vehicles with other vehicles and pedestrians, including bicyclists and other wheeled transportation at the Main Street/Front Street/East Front Street area. The very nature of the proposed use of the Project raises unique safety and traffic concerns that would not otherwise arise in connection with the majority of uses that are permitted as of right on the Property and which are not solely driven by the volume of the increase in traffic and parking demand in the area resulting from the use.

The owner of the Shipyard has indicated to this Board that due to the difficulties in vehicles accessing the Shipyard even under the prior use and construct of the Property (which was not a use that would be active 24 hours a day and relied on an area for parking and loading/unloading on site) it has already moved many of its deliveries where possible to after midnight. He has expressed significant concern to this Board that the change in use will further exacerbate the limited accessibility of the Shipyard. The Greenport Fire Department has also expressed concern about any additional obstructions and traffic flow in connection with the rear of the Property. They have noted that it is not strictly a question of one emergency vehicle have accessibility through the corner and the back area of the Property but that an actual material emergency will result in the need for numerous emergency service vehicles having access to the area, including vehicles from other emergency service departments in the Town of Southold.

In addition, while the entry to the hotel is no longer located at the principal intersection of the Village at Front and Main Street, it is likely that visitors arriving for the first time and looking for a hotel located at "200 Main Street" will arrive at the flashing light intersection at Front and Main Streets and hesitate as they attempt to ascertain the entrance to the hotel and the appropriate manner of ingress. This has the potential to result in increased slow-down and/or blockages of traffic moving through this pivotal intersection during peak hours of traffic in the Village having a reverberating effect on traffic both up and down Main and Front Streets. It should also be noted that Applicant's own Traffic Report indicated that there have been two pedestrian crashes, including one fatal crash at the intersection of Main and Front Streets during the period covered by the Report. The potential for further traffic and obstruction at this intersection is of significant concern to the Planning Board.

Lastly, and of significant concern, is the East Front Street/Main Street intersection impact on traffic and traffic and pedestrian safety. The introduction of transient guests travelling by car to a challenging intersection, where there have been pedestrian accidents, including a fatality, potentially intensifies existing safety concerns.

*Considerations.*

The final submitted plans for the Project should consider addressing and/or incorporating the following points in its submission of a complete final application for conditional use and site plan approval for the Project:

- a. An increase to the on-site area dedicated to parking, loading and unloading in the rear of the Property, including an area set aside expressly for loading and unloading that is sized sufficiently to handle the proposed shuttle bus and leave a buffer area for vehicles to queue as they wait to exit the Property to accommodate any other traffic passing on Carpenter Street. Because of the nature of the use and its location, properly designed on-site unloading, drop-off and loading appear to be necessary to avoid exacerbating existing circulation/traffic issues and creating additional potential safety hazards. The Planning Board will require a specific set-aside loading and unloading zone on the Property in connection with any use of the Property as a hotel.
- b. The inclusion of a sidewalk meeting New York State Department of Transportation and Americans with Disabilities Act (ADA) requirements providing for public sidewalk access.
- c. The raised curb island adjacent to the parking area has the potential to be struck by a vehicle. Applicant shall consider alternate treatment of this area.
- d. The grant of a dedication to the Village at the East Front Street and Carpenter Street of the asphalt-paved area at this corner that has clearly been crossed over by larger vehicles as they negotiate the turn at this intersection.
- e. Obtaining approval of a street address for the hotel on Carpenter Street (which would be used as the address for all public purposes of use of the hotel) by all relevant New York State, County, and local authorities.
- f. The employment and stationing of a security guard to assist with traffic and parking management in the rear of the Property.
- g. The operations plan for the Project should include a mechanism for monitoring and ensuring that no vehicles will stand, stop or park on any portion of the public right of way of the streets surrounding the Property at any time and that there is a method for quickly relocating any vehicles parked onsite in the rear of the Property to the extent necessary to permit emergency services to buildings in the surrounding area (as well as the Project itself) and ordinary course access of vehicles (including tractor trailers) to the Shipyard as part of business operations on the project. The plan addressing the foregoing should be effective 24 hours a day, 7 days a week, 365 days a year.
- h. Ensuring the placement of signage prohibiting parking and stopping in all places along Main Street, East Front Street and Carpenter Street where parking and/or stopping is prohibited by the Code. To the extent the current Code only prohibits parking and not

“stopping,” the Planning Board may request that the Code be modified to prohibit both parking and stopping.

- i. Ensuring that the front of the building portion of the Project located on Main Street is not any closer to Main Street than the front of the adjacent building located at 208 Main Street (not including the front porch/deck seating area for that property) and include landscaping to screen and provide a protective barrier between the front of the building (retail/gallery space) of the Project located on Main Street and Main Street/Front Street in a manner that does not impede pedestrian or vehicular viewpoints. This is in order to provide a buffer in case of a potential curb jump by a car speeding eastward on Front Street and missing the turn/light at the intersection.
- j. The operating plan for the Project should include a prohibition on guests’ use of any group transportation to and/or from the Property – including by way of ride sharing vehicles and/or limousines or other shared forms of transportation. While ride sharing might serve to reduce the amount of vehicular traffic at the Property, given the significant concerns about traffic flow and safety related to idling or stopped vehicles, it is preferable that this type of traffic be reduced or eliminated from the Property.
- k. Consideration should be given to reducing the lot coverage of the Project freeing up space on the East Front Street of the Property which could be utilized for sidewalk access, parking and loading or unloading space for the Property and a widening of the traffic lanes on East Front Street to mitigate the traffic safety issues in this area.
- l. Realistic methods to avoid adding traffic to the Main Street/East Front Street intersection particularly for vehicles heading west or east on East Front Street and the East Front Street/Carpenter Street intersections.

These items should be addressed so that the Planning Board can comprehensively evaluate the impacts of the proposed Project in relation to traffic, pedestrian and safety concerns.

## 2. Parking and Loading/Unloading Concerns.

### *Summary of Issue:*

The nature of the Project as transient overnight lodging means that there will be overnight parking required for guests as well as parking for periods during the day that are likely to be longer than that required for a person or persons visiting the Village for a few hours of shopping, entertainment or eating or drinking out. While Applicant proposes that three (3) of the required parking spaces will be included on the Property in the area currently set aside for parking and loading and unloading (including for loading and unloading related to commercial deliveries such as laundry at the Property), the setting aside of this area for parking does not appear to leave any material additional room on the Property for loading or unloading by vehicles (including any shuttle service) not otherwise parked in those spaces. It may be that Applicant intends to leave this space largely open/vacant to provide for such loading and unloading. We note, Applicant’s

most recently filed materials seem to indicate that they do not intend to have these parking spaces occupied.<sup>1</sup> However, Applicant cannot both count these spaces towards satisfying any parking required by the Zoning Chapter of the Code but then also rely on this area for loading and unloading by all vehicles arriving at the Property (whether by shuttle service or otherwise).

Applicant has acknowledged that it will need relief from the Zoning Chapter's requirements relating to parking which based on the materials contained in the pre-submission filings will require at least a total of 21 spots. Applicant has indicated that they intended to satisfy 3 of those required spaces with the parking area located on the Property but acknowledge that it will need relief under the Zoning Chapter in respect of the remaining 18 required parking spaces. Applicant has further indicated in filings and verbal statements made to the Planning Board that in lieu of providing parking on the Property it intends to have guests arriving by motor vehicle utilize parking at an offsite location to be determined and provide shuttle service to guests at the Property. In connection therewith, Applicant has indicated that guests will need to elect an available 20-minute arrival window between 7 am and 11 pm. It is unclear how guests arriving outside of their scheduled window will be handled. It is also unclear whether the shuttle will be available on a year-round basis or only on a seasonal basis and, if the shuttle service is not running, how guests will be transferred from an offsite location to the Property. Finally, Applicant has indicated that any guests that fail to utilize the proposed off-site parking and shuttle services and arrive directly at the Property will be denied check-in and escorted to the off-site parking area.

While Applicant has not committed to a specific offsite parking area it intends to direct guests to, it has, in various filings and discussions, indicated that it believes that there is sufficient municipal parking space in the Village to provide offsite parking for its guests. In particular, Applicant has pointed to its Traffic Report which found 40 vacant parking spaces in municipal parking areas in the Village and adequate availability solely within the LIRR Lot to provide for the parking needs of guests. It has also indicated that it believes that there is additional capacity for on-street parking which could be utilized by guests based on the Traffic Study.

To start, the Planning Board notes that in connection with its review of the Application it will need to consider whether it is appropriate for a business such as a hotel which is more likely than not to have customers/guests arriving by motor vehicle and requiring parking for over a period of more than a few hours to assume that the business will be able to principally rely on municipal parking spaces to satisfy any required parking under the Zoning Chapter or the actual needs of their guests for extended parking. The Planning Board further notes that notwithstanding the proposed parking and shuttle service plan of Applicant, it is reasonable to assume that human nature will result in most guests seeking to park their motor vehicles as close to the Property as possible to have easy access and also to utilize the parking area of the Property at a minimum as a loading and unloading zone. It seems somewhat implausible that Applicant will enforce its

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<sup>1</sup> See Section 7 of the January 3, 2024 memo from Applicant to the Planning Board stating "Any guests traveling with their own motor vehicles (MV) will be advised . . . that Inn parking onsite is not available and all guests with MV's will need to park at our offsite parking area (TBD) and use the Inn shuttle to be transported from the offsite parking area to the Inn . . ." and Section 10 which states "[T]he goal here is to ensure that no staff MV's are parked on site."

proposed 20-minute arrival window and actually act to remove a guest that is likely paying in excess of \$500 for a night's stay from the Property due to their arrival outside of provided guidelines. It also seems unrealistic to assume that all guests will be able to arrive within a dedicated 20-minute window prior to 11:00 p.m. We all have experience with driving out from further up Long Island, New York City or from other areas on a Friday evening and being stuck in traffic and not arriving until after 11:00 pm. In addition, guests who are visiting for the purpose of attending a wedding or other offsite event held in the evening are unlikely to return to the Village prior to 11:00 p.m. The Applicant should include details on methods to effectuate its arrival window proposal (including potentially lengthening the time period permitted for arrival) and provide the Board with alternatives for consideration if such method fails. Finally, it is also unclear whether the proposed shuttle service will be available during non-peak tourism season. If not, Applicant should indicate how it proposes to address transportation in these periods in respect of guests.

In consideration of whether or not a businesses' reliance on municipal parking for overnight and/or longer-term use is in accordance with the application review standards outlined within Sections 150-29 and 150-30 of the Code, the Planning Board has evaluated the data and analysis provided in the Applicant's study. Based upon the information provided to date, additional clarifications as follows are needed to justify the Applicant's contention that the municipal lots should be treated as available for satisfying any required guest or employee parking under the Code.

Applicant has indicated that based on its Traffic Study it believes that there is sufficient room in the municipal lot located off of Fourth Street near the railroad station (hereinafter referred to as the "LIRR Lot") in and of itself to cover any parking required by the Project. The Planning Board notes that the principal purpose of the LIRR Lot is to provide municipal transit parking for local community members utilizing the Hampton Jitney and/or the Long Island Railroad. Its secondary purpose is to provide overflow parking space for the downtown commercial area of the Village, including for residents living in the area. It should be noted that a priority item for the Village is increasing year-round housing availability in the downtown commercial area and the Village may rely on any excess capacity in the LIRR Lot in part to provide for parking for full time residents of the Village located in the CR Retail Commercial District. The complete final application for conditional use and site plan approval for the Project should include information demonstrating how the proposed use of the LIRR Lot will not impact these considerations (transit use and downtown residential use (including any additional housing that may be constructed in the CR Retail Commercial District as part of the Village's commitment to be a "Pro-Housing Community" under New York State's Pro-Housing Community Program).

In addition, the Village is currently working through a plan that will change the general path, traffic and parking areas related to the Shelter Island Ferry which is likely to result in an increased focus on use of available parking in the LIRR Lot. We also note that the LIRR Lot is located over one half mile from the Property and is a rather deserted area in the late evening when many guests are likely to arrive. Given these considerations, the Planning Board recommends that the Applicant provide details regarding whether guests to the Property will actually utilize the LIRR Lot even if

instructed to do so in connection with its submission of its complete final application for conditional use and site plan approval for the Project.

Applicant has also indicated that it believes there is additional excess availability of parking in other municipal lots of the Village as well as parking on streets located in the residential area neighboring the CR Retail Commercial District. We note, however, that Applicant's own Traffic Study observed that other municipal lots (excluding the LIRR Lot) were at 90% occupancy during the period covered by the Traffic Study. It is further noted that the ITE Parking Generation report indicates that, *"over time, some designers have utilized a "rule of thumb" that parking supply is considered to be full by users when more than 90% of the spaces are full. Other observations indicated that the occurrence of illegal parking tends to increase significantly as parking occupancy exceeds 80% over a large area."* Based on the foregoing, LKMA has indicated to the Village that it is reasonable to conclude that the municipal lots covered by the Traffic Study that are within easy walking distance of the Property were essentially full during the period covered by the Traffic Study and that the additional parking demand generated by the Project will result in occupancy rates of over 95% at these lots. Allowing the Project to rely on the limited parking indicated to be available during the tourism season could have a significant impact on the ability of the Village to encourage housing and other compatible, low-parking impact developments that are permitted uses (versus conditional uses) under the Zoning Chapter due to further constraints on available parking in the CR Retail Commercial District of the Village. This should be addressed in the submission of a complete final application for conditional use and site plan approval for the Project.

Based on the foregoing, the plan of the Applicant in respect of guest and employee parking and loading and unloading (including in respect of other services to be provided to the Property) is one of particular concern to the Planning Board. These issues should be addressed as part of the complete final application for conditional use and site plan approval for the Project so that the Planning Board can assess the proposed application in view of the considerations for site plan and conditional use approval set forth in the Zoning Chapter. The Planning Board has the authority to approve applications subject to conditions, including sunset conditions, and to review the operations of the Project as part of any proposed renewal of a conditional use or site plan approval to determine whether the operational plan is working as proposed and the potential impacts are being mitigated and, if not, whether the then proposed renewal warrants an approval or denial. The concept of such subsequent review is not intended as a bypass of the Planning Board's mandate to consider the impacts from a proposed use and the Board must address such considerations as part of its review of the initial application for conditional use and/or site plan approval for a particular use. Thus, the Applicant must address each of the above items as part of its complete final application submission for conditional use and site plan approval for the Project so that the Board can understand the full effects and impact of the proposed operating plan for the Project on the Village community and surrounding neighborhoods.

*Considerations.*



The final submitted plans for the Project should consider addressing and/or incorporating the following points in its submission of a complete final application for conditional use and site plan approval for the Project:

- a. The site plan for the Property should ensure a sufficient free open area with a satisfactory screened buffer from the adjacent public street for loading and unloading of guests and their belongings and for exiting from any parking or loading zone without the need to back onto Carpenter Street. This area should also be sufficient to provide for an on-site loading and unloading zone for both guests' vehicles loading and unloading, any applicable shuttle service and any other vehicle making deliveries to the Property (i.e., laundry etc.).
  - b. A viable offsite parking plan for guests that is NOT reliant on on-street parking or parking in municipal lots owned by the Village. The proposed plan for operating the Project will need to ensure that the Property has access to the sufficient parking for guests and employees regardless of what parking may be otherwise available in municipal lots or on surrounding streets in the Village.
  - c. The employment and stationing of a security guard to assist with parking and loading/unloading management in the rear of the Property.
- a. Provide evidence (preferably through written confirmation) that no New York State Department of Transportation, County or Town of Southold approvals are necessary (or are otherwise in effect) in respect of any proposed shuttle services for the Property.
3. Environmental Concerns.

*Summary of Issue:*

The proposed site plan for the Property results in a significant increase in the lot coverage of the Property and, as noted above, is in excess of that which is otherwise permitted by the Zoning Chapter by approximately 48%. While the Property itself does not lie directly in a FEMA recognized floodplain zone, it does lie within 45 feet of a FEMA Zone A (Base Flood Elevation 6'). It is further noted that the Village has increasingly been the subject of flooding in the downtown district. According to a topographical survey provided by the Applicant, the existing development is at, or exceeds, an elevation of 10 feet, which is above FEMA's anticipated base flood for the area. Notwithstanding this, the increased lot coverage and the elimination and replacement of the garden in the front of the Property with an impervious building structure raises a cause for concern from the Planning Board requiring further information as to how the Applicant proposes to mitigate potential environmental impacts arising as a result of the proposed increased lot coverage of the Property by the Project.

*Considerations:*

The final submitted plans for the Project should consider addressing and/or incorporating the following points in its submission of a complete final application for conditional use and site plan approval for the Project:

- a. Use of an ADA-compliant pervious surface for all proposed impervious areas of the Property, with the exception of the proposed parking area in the rear of the Property.
  - b. For the parking area in the rear, drainage sized to contain a 3-inch storm should be considered, as well as any green infrastructure that is otherwise technically feasible to mitigate environmental impacts. Grading and drainage in the parking area should be designed to prevent runoff to the adjacent roadway.
  - c. Provide on-site storage for roof runoff, sized in accordance with NYS Building Code and consider other green infrastructure to reduce the potential for roof runoff.
  - d. Decreasing the lot coverage of the Project to one more in line with the 40% standard applicable to the CR Retail Commercial District under the Zoning Chapter.
  - e. Incorporating any other best practices for managing potential environmental impacts of the Project, the Planning Board would recommend that, among other possible mitigants, the Applicant explore a potential rain garden on the roof, subject to any necessary approvals.
4. Size, Character, Nature of Project, and Other Concerns.

*Summary of Issue.*

As noted above, the proposed site plan for the Project exceeds the permitted lot coverage under Zoning Chapter by approximately 48%. The building is also bifurcated into two distinct architectural styles. In addition, as noted later in this memorandum, the proposed placement of trees on East Front Street does not comply with best practices.

The Planning Board would also like to understand better the Applicant's proposal for employee housing as well as more detail on the proposed shuttle service and use of other properties amenities. The Planning Board will also want to understand better the perceived economic benefits to the Village on a year-round basis of the proposed Project. It is unclear if other hotels are either closed or at 30-40% occupancy during the winter season what benefit adding additional room availability during that portion of the year provides to the economic base of the Village.

With respect to the architectural style of the Project as well as related landscaping, given that the Project is located in the Historic District of the Village, the Planning Board will largely defer to the Historic Preservation Commission on the appropriate architectural style of the Project as well as any proposed or necessary landscaping.

*Considerations:*

The final submitted plans for the Project should consider addressing and/or incorporating the following points in its submission of a complete final application for conditional use and site plan approval for the Project:

- a. Decreasing the lot coverage of the Project to one in line with the 40% standard applicable to the CR Retail Commercial District under the Zoning Chapter.
- b. The front of the building should be located not forward of the front of the adjacent building located at 208 Main Street (not including the front porch/deck seating area for that property).
- c. Consult with the Village's Historic Preservation Commission and Village Tree Committee in respect of the appropriate architectural style for the Project as well as appropriate trees and landscaping for buffer zones around the Project. Such advise should be incorporated into Applicant's final submission for the Project (noting that the Planning Board understands that the Historic Preservation Committee will only have rendered preliminary advice and not delivered any certificate of appropriateness prior to the final submission).
- d. Ensure that the business utilizing the storefront area on Front Street will be open on a regular basis throughout the year (and not solely during tourism season) in a manner similar to similar businesses located in the Village and shall have Main Street access. Ideally this business will be one that is specifically geared towards contributing to the residential community of the Village as opposed to just the tourism traffic or seasonal occupants.
- e. Provide written documentation that the use by guests of amenities at The Harborfront Inn (in the Village of Greenport) as well as The Soundview Inn (in Greenport but under Southold Town jurisdiction) are permitted under the approved site plans for these businesses.
- f. Provide a written explanation of proposed housing availability for employees of the hotel.

For the Applicant's general information, in addition to satisfactorily addressing the issues raised above, the Planning Board will include at a minimum the following items in connection with approval (if any) of the Project:

- a. That Applicant bury all overhead wires which will service the proposed Property or potentially conflict with access for emergency response vehicles.
- b. An Erosion and Sediment Control Plan for use during construction which will be required to be reviewed and signed off on by an independent engineering consultant on behalf of the Village prior to the issuance of any building permit for the Project. Note that new MS4 and

SWPPP requirements have recently been instituted by New York State and additional compliance measures in this regard may be necessary.

- c. A Construction Control Survey to be utilized for construction stake-out purposes. Prior to breaking ground, a licensed surveyor shall clearly identify existing boundary lines of the Property for the Building Inspector and/or independent engineer acting on behalf of the Village to review. The Applicant will be required to employ the services of such surveyor at any time during construction in which the Village raises any questions regarding the boundaries of the Property.

Ultimately, the burden is on the Applicant as part of its submission of its complete final application for conditional use and site plan approval for the Project to demonstrate to the Planning Board that the proposed change of use for the Property will not result in any adverse impact or outcome for the *“public in general and of the residents of the immediate neighborhood in particular”* (see Section 150-30(A) of the Code). In order to do this, the complete final application for conditional use and site plan approval for the Project will need to provide clear and significant mitigation and/or solutions satisfactory to the Planning Board in respect of the effects on the Village and surrounding neighborhood and the community concerns noted above.

**COMMENTS ON ENVIRONMENTAL ASSESSMENT FORM AND OTHER MATERIALS SUBMITTED AS PART OF PRE-SUBMISSION APPLICATION:** The following comments are offered in the interest of time in respect of the Full Environmental Assessment Form (“FEAF”) and other materials previously submitted by Applicant. All comments will need to be addressed to the satisfaction of the Village and the Planning Board in the final FEAF submitted in connection with the complete final application for conditional use and site plan approval for the Project. The final submitted FEAF and any related materials remain subject to further review and comment at the time of submission. To the extent feasible, all FEAF materials should be incorporated into one document in connection with Applicant’s submission of a complete final application for conditional use and site plan approval for the Project.

- a. The “Description of Proposed Action” in Part A of the FEAF should be revised to include a detailed description of proposed use and site improvements, including appropriate metrics (*i.e.* number of rooms, square footage of retail/gallery component, square footage of common areas etc.) and document the redevelopment of the Property and change in use of the Property.
- b. With respect to Section B.e. of the FEAF, clarify that Suffolk County Department of Health Services (“SCDHS”) approval is required for wastewater management and not for sewer connection. Village of Greenport approval will be necessary for any sewer connection. We note that the Village currently has in place a moratorium on new sewer connections.
- c. Under Section B.e. of the FEAF, Suffolk County Water Authority (“SCWA”) is not a County agency, it is a public authority authorized by New York State more appropriately classified as a regional agency. Please note that new service connection approval will be required.
- d. Under Section B.g. of the FEAF, consider whether the Project meets the criteria requiring hotel licensing by the New York State Department of Health and add to the extent applicable.

- e. Under Section B.i.iii of the FEAF, it should be noted that a small portion of the front of the site on Main Street is located in a FEMA identified flood hazard area. The FEAF should be revised to reflect this – the area appears to already be identified as a FEMA Zone X on the site plan so there should be no need to revise this on the site plan itself.
- f. Section C.2.b. of the FEAF should include a reference to the LWRP and indicate that the Property is located within the defined Coastal Area Boundary.
- g. Section D.1.e. of the FEAF requires additional detailed narrative on the specifics of construction activity and staging. Impacts on surrounding neighborhoods, businesses and roadways must be described as well as any proposed mitigation on these impacts.
- h. Section D.1.g. of the FEAF, upon finalization of plans for the Project, Applicant should verify metrics included in this Section match architectural plans.
- i. Section D.2.c.i. of the FEAF requires additional narrative regarding water supply and availability in the vicinity. The Village has not received any load letter and/or correspondence from SWCA to verify availability. Please provide any such items to the Board when they become available.
- j. Sections D.2.c.i. and D.2.d.i. of the FEAF indicate that the proposed water demand is identical to the proposed liquid waste generation per day. This implies that no water will be utilized for irrigation or other uses that does not result in discharge to the sewer connection. Please provide an additional narrative clarifying this point and/or further explanation.
- k. Section D.2.j. of the FEAF should include a narrative description of the pertinent details of traffic impacts and analysis provided in the documents. Ensure that all metrics in this Section correspond with proposed site plans and traffic studies.
- l. Under Section D.2.k.ii. of the FEAF there should be a reference to the Village of Greenport Electric Department. Please also add any required connection approvals from the Village in Section B.d. of the FEAF, as applicable.
- m. Please review and revise as necessary Sections D.2.l.i. and D.2.l.ii. of the FEAF to ensure they comport with information provided to the Planning Board. Please include a written description of impacts of construction hours and operational hours on the surrounding neighborhood (including the adjacent WC Waterfront Commercial District and R2 Residential District).
- n. In D.2.m. of the FEAF, please provide additional narrative describing how sound levels will be monitored and mitigated to prevent exceedances of ambient noise levels during construction activities with special regard to activities such as demolition.

- o. In Section E.1.a.i. of the FEAF, “Residential (suburban)” should be checked off.
- p. Section E.1.a.ii. of the FEAF should be revised to more accurately describe the Property’s location as within both a downtown business district with mixed use development and its adjacency to waterfront industry and commercial uses.
- q. Section E.1.b. of the FEAF - the metrics provided for the landscaping do not match those provided in the Application. The area of existing pavers should be delineated separately in the “other” category.
- r. The complete final application for conditional use and site plan approval for the Project should provide consistent and clear statements on contemplated number of employees and how other services required for operation will be addressed.

**LIST OF MATERIALS REQUIRED FOR COMPLETE SUBMISSION:** The following materials will be required to be submitted to the satisfaction of the Building Inspector and the Planning Board prior to the Planning Board’s acceptance of a final site plan and conditional use permit application for the Project for consideration and any scheduling of public hearings in respect thereof:

- a. All materials required under Section 150-31 of the Code, including a revised FEAF addressing the above points and a detailed and complete community impact report (as defined in Section 150-2 of the Code). The community impact report should consist of one cohesive document that provides detailed answers and analysis of the points required to be addressed pursuant to the definition thereof as well as details as to the proposed operation of the Project. Statements that simply indicate that a condition is satisfied without a specific detailed analysis supporting such a conclusion shall be considered incomplete.
- b. A plan sheet that overlays the lines of the Property, building footprint and proposed curb line over the most current version of NYS Ortho imagery available. This plan should clearly identify the extents of any curb cuts, site access and/or loading zones of properties located on Carpenter Street and East Front Street within 75 feet of the Property line on these streets.
- c. A Coastal Consistency analysis pursuant to Chapter 139 of the Code and all regulations and requirements of the NYS Department of State in respect of the impact and effect of the proposed use on the various policies set forth in the LWRP. At a minimum, this analysis should be prepared by an experienced professional engineer and address a discussion of Policies 1B, 4, 5, 5A, 10A, 14, 18, 23, 33, 37 and 38 of the LWRP.
- d. The Zoning Compliance table included in the complete final application for conditional use and site plan approval should clarify that the Property has three (3) “front yards”, and setback dimensions should be clearly identified for all three front yards on the main site plan sheet.
- e. Upon re-submission, verify that parking calculations reflect the correct number of rooms and employees, and that the number of rooms depicted in the architectural plans matches the number of rooms listed on the site plans.

- f. All main sheets of the proposed site plan and architectural plans will need to contain the statement required pursuant to Section 150-31(C)(13) of the Code in a 3" by 4" boxed area. The Village can provide this language upon request.
- g. The final site plans should contain legends which clearly define the different line types utilized for different purposes (*i.e.*, property lines, sawcut lines, etc.). Line types within the final site plans should match the legend.
- h. A Stormwater Control Plan that includes an analysis of differences between existing and proposed conditions at the Property. This should illustrate any design features the Applicant is including to offset the impacts to neighboring roadways and properties due to the increased lot coverage and increased amount of impervious surfaces.
- i. A signage plan identifying the location and text of all proposed signs (including in connection with the use of any shuttle services).
- j. A landscaping plan for the Property designating the use of non-invasive plants and proposed care for establishment and maintenance of plantings.
- k. It is noted that the proposed trees to be situated along the street appear to be spaced too closely together and have the potential to conflict with pedestrians, commercial traffic, and emergency response operations. Applicant should select a street tree species after performing a site assessment and consulting resources located here: <https://www.hort.cornell.edu/uhi/outreach/recurbtrees/index.html>. Street trees should be spaced a minimum of 20 feet apart and tree pits should be provided in accordance with Urban Horticulture Institute guidance.
- l. A utility plan which should identify all proposed and existing fire hydrants and hose connections which will serve the Project, as well as the sizes of existing water mains which fee said features.
- m. The existing conditions plan and proposed site plan (and any related sheets) should show existing pavement width dimensions for East Front Street, Carpenter Street, and the intersection thereof.
- n. The proposed site plan should show proposed striping and signage for any fire apparatus zones on adjacent roadways that are required pursuant to applicable local and New York State Building and Fire Codes.

The Planning Board reserves the right to require additional information and/or materials (including analyses and/or input from outside consultants) as part of its consideration of the complete final application for conditional use and site plan approval for the Project.

**CONCLUSION:**

This Pre-Submission Report is intended to provide the Applicant with general feedback and identify issues of concern to the Planning Board in respect of the proposed use and site plan for the Project based on a

review by the Planning Board of the materials submitted by the Applicant as part of the pre-submission process. Upon receipt of a complete final site plan and conditional use application for the Project, the Planning Board will review the entire application taking into account all considerations set forth in the Zoning Chapter, other applicable Code provisions and the requirements of the New York State Environmental Quality Review Act. The Planning Board reserves the right to raise additional issues and points of consideration in connection with the proposed use and site plan in connection with its review of a final accepted application for conditional use and site plan approval for the Project. Moreover, nothing stated herein shall in any way be considered as an indication of decision or be legally binding on the Planning Board or the Village of Greenport in any way. The Applicant has up to six (6) months from the date of this report to file a complete final application (unless such period is extended by the Planning Board in its sole discretion in accordance with Section 150-31(B)(5) of the Code) seeking conditional use and site plan approval for the Project. Failure to file such a complete final application in said period will require the holding of a new pre-submission conference before the Planning Board prior to proceeding to a final application for conditional use and site plan approval for the Project. If you have any questions in respect of this report, please contact Michael Noone, Clerk to the Board at [mnoone@greenportvillage.org](mailto:mnoone@greenportvillage.org) or Candace Hall, Village Clerk at [chall@greenportvillage.org](mailto:chall@greenportvillage.org) and they will direct your inquiry as appropriate. The Planning Board greatly appreciates your interest in doing business in the Village and looks forward to receiving a complete final application for conditional use and site plan approval for the Project that satisfactorily addresses the points raised in this report as well as the conditions, considerations and requirements for a conditional use approval and site plan approval set forth under the Code.