

**VILLAGE OF GREENPORT**

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

**THE GREENPORTER HOTEL & RESTAURANT**

**326 Front Street**

**(the “Application”)**

**SCTM 1001-004-08-29, 30 and 31**

**APRIL \_\_, 2024**

**DESCRIPTION:**

326 Front Street LLC (the “Applicant”) has applied to the Village of Greenport for approvals to permit the renovation and redevelopment of the property located at 326 Front Street, SCTM 1001-004-08-29, 30 and 31 (the “Property”) currently operating as a hotel and restaurant doing business under the name “The Greenporter Hotel” (the “Project”). The Project involves the following: (a) the expansion of the first and second floors of the two principal buildings located on the Property resulting in an interior expansion from approximately 7,521 square feet to 8,511 square feet (an increase of 990± square feet of floor area) for each of the first and second floors of the buildings and the addition of one (1) new guest room on the second floor of the buildings; (b) the construction of a third floor on the two buildings located on the property adding 6952 square feet and 21 guest rooms on the third floor of the buildings; (c) the reconstruction of the front facade of the two buildings on the property (c) connection of the buildings on the second and third floors; an increase in the space dedicated to the on-site restaurant by 335 square feet and other changes to the restaurant space located on the Property to increase the indoor dining space and replace the current porch on the Property with a patio seating area for the restaurant resulting in 49 indoor seats and 16 outdoor seats for the restaurant (a net increase of an additional 20 seats from that currently approved for the restaurant area); and (f) other associated site and landscaping modifications. Applicant has indicated that the hotel will have no more than 12 employees on site at any time. This report has been prepared based on the Board’s current understanding of the proposed dimensional modifications. The submission of the site plan and conditional use permit application may provide further clarity for a more accurate analysis during the application review process.

**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 these documents in its pre-submission review:

- Site Plan Review Application filed with the Village of Greenport Building Department on November 17, 2023, together with a Short Environmental Assessment Form, proposed plans and drawings relating to the Project from WORKSHOP/APD, an Existing Conditions

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Survey of the Property prepared by Nelson & Pope, a 500 foot Radius Map for the Property prepared by Nelson & Pope and a Site Plan for the Property prepared by Nelson & Pope

- Materials responding to Planning Board inquiries dated January 19, 2024, including an Application Narrative, revised plans and drawings from WORKSHIP/APD in respect of the proposed Project, proposed Site Plan for the Property prepared by Nelson & Pope, Fire Truck Movement- Existing Schematic for the Property prepared by Nelson & Pope, Fire Truck Movement – Proposed Schematic for the Property prepared by Nelson & Pope and Fire House Layout for the Property prepared by Nelson & Pope
  
- Planning Board Site Plan Application. Dillon Prives, 326 Front Street Properties LLC, 11/01/2023.
- Planning Board Pre-Submission Site Plan review. Workshop/ADP, 01/18/24.
- Existing Conditions Survey. Nelson + Pope. October 2023.
- Placard Affidavit. Dillon Prives, 326 Front Street Properties LLC, 12/12/2023.
- Site Plan. Nelson + Pope, August 2023.
- Radius Map. Nelson + Pope, August 2023.
- Environmental Assessment Form. Dillon Prives, 11/03/23.
- Letter of Authorization. Jason Brown, 326 Front Street Properties LLC, 11/01/2023.
- Pre-Submission Conference Response Introduction, Narrative, and Site plan. Workshop/ADP, 01/18/2023.
- Pre-Submission Conference Neighborhood Context Photos. Workshop/ADP, 01/18/2023.
- Pre-Submission Conference Proposed Renderings. Workshop/ADP, 01/18/24.
- Pre-Submission Conference Proposed Building Elevations. Workshop/ADP, 01/18/24.
- Pre-Submission Conference Application Narrative and Additional Requested Information. Karen Hoag, Twomey, Latham, 01/18/24.
- Pre-Submission Conference Application Site Plan, and Site Plan with Truck/Fire Truck Maneuverability. Nelson + Pope, August 2023.
- 2/13/2024 Rendering Supplement. Workshop/ADP, 02/13/24.
- 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

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- Village of Greenport Planning Board Work Session, Public Hearing and Regular Meeting held on March 1, 2024 at 4pm

Upon submission to, and acceptance by the Planning Board of, a timely complete final conditional use and site plan application for the Project, the documents identified above and testimony at the pre-submission conference, 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. Any changes to the plans shall be identified by the applicant in a detailed cover letter.

**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 Planning Board has considered these comments in its review.

**PRIOR SUBMISSION RELATING TO EXPANSION ON PROPERTY:**

The Planning Board notes that a prior owner of the Property submitted an application for approval of plans for a similar expansion of the hotel buildings on the Property in April 2019 (the "Prior Submission"). The Planning Board asserted lead agency status in respect of the Prior Submission in June 2019 and the Prior Submission was referred to the Zoning Board of Appeals for consideration of certain necessary variances in respect thereof. It is specifically noted that as part of the Prior Submission, the prior owner of the Property had indicated it did not intend to operate the restaurant except for certain limited events specifically limited to hotel guests. In addition, it was anticipated that there would be no more than five (5) employees on the Property at any one time. In connection with the Prior Submission, the then-Property owner requested the following variances: (a) a roof height of 39 feet (where 35 feet was permitted by Code at the time); (b) a third story on the buildings; (c) relief from the required number of 54 parking spaces under the Code at the time to requiring that only 27 spaces be required; (d) proposed parking spaces to measure 9 feet by 20 feet in length (where the Code requires that parking spaces be 10 feet by 20 feet); and (e) off street loading zone in the front yard setback of the Property. In November 2020, the Zoning Board of Appeals granted the majority of the requested variances but only granted a variance in respect of seven (7) parking spaces while advising the applicant to seek relief of the additional twenty (20) spaces from the Planning Board, pursuant to a Village Code provision within §150-16(G) that has been substantially modified since that time. It is noted that the Planning Board never took any action other than asserting lead agency status in respect of the Prior Submission and thus the site plan contemplated thereby in respect of the Property was never subject to any findings or determinations by the Planning Board. It is further noted that pursuant to Section 150-27(K) of the Code, any variances granted by the Zoning Board of Appeals in respect of the Property became null and void to the extent construction was not commenced and diligently pursued within the six (6) months of the date of the granting of such variances. It is thus concluded that the 2020 variances do not have bearing on the Planning Board's consideration of the impacts of current Application. Finally, since the filing of, and consideration of the Prior Submission by the Zoning Board of Appeals, Chapter 150 (the "Zoning Chapter") of the

Village of Greenport’s Code (the “Code”) has been significantly amended in 2023, including, in respect of the treatments of hotels or motels which have changed from being a “permitted” use in the CR Retail Commercial District of the Village to being a “conditional “use in the CR Retail Commercial District, as well as the provisions providing guidance on conditional use, site plan approval, and parking impact mitigation. The Planning Board further notes that the review and analysis herein reflect the Board’s consideration of the Application under the current Zoning Chapter.

**NEIGHBORHOOD CONTEXT, APPLICABLE ZONING DISTRICT AND EXISTING CONDITIONS.**

Historic Maritime Village.

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 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. While the Property does not currently fall within the boundaries of the historic district, the construction of the Greenporter Motel in 1957 (which forms the basis for the current on-site hotel) played a significant role in the historical development of the tourism industry in the Village. The Planning Board is committed to maintaining the integrity of the historic character and architecture throughout the Village not just in the historic district, but also in areas of the Village that contribute to that character, and particularly those that are in essence the gateways into the village.

Zoning Districts and Neighborhood Conditions.

The Property is located at the entrance to the central downtown business district of the Village of Greenport and is comprised of approximately 34,462 square feet (0.8 acres). It is comprised of three (3) separate lots and sits on the northeast corner of Fourth Avenue and Front Street. The Property extends north down Fourth Avenue by approximately 206 feet and east on Main Street by approximately 227 feet. The Property also lies 285 feet from one of the major intersections of the downtown district, located at Third Street and Front Street (the “Third Street Intersection”). The Third Street Intersection serves as a principal route to and from the Shelter Island Ferry and continuing into the Village, to other parts of Southold and/or heading east towards the rest of Long Island and New York City. Fourth Avenue also serves as a primary access for emergency personnel responding to emergencies west of the site.

Fourth Street runs south, perpendicular from the Property towards the Bay and serves as the principal route for the Hampton Jitney and into and out of one of Greenport’s essential municipal parking facilities. The Hampton Jitney bus service provides service between Manhattan and Orient Point on the North Fork of Long Island, with stops in Greenport. The Property is currently

predominately zoned CR Retail Commercial District, but a small sliver of the Property is located in the R-2 (Residential) District. The neighboring properties located on Front Street between the Property and Third Street on both the north and south sides of Front Street are also zoned CR Retail Commercial District. With the exception of the lot lying directly west of the Property on the north-west corner of Front Street and Fourth Avenue, all the other surrounding properties are currently zoned R-2 (Residential) District. The principal building housing the Village's fire and emergency services is located off of Fourth Avenue approximately 400 feet north of the Property. Businesses neighboring the Property in the CR Retail Commercial District include a mix of office space, yoga studios, an art gallery, a gas station and mini-mart, a dry-cleaners, restaurants, and other businesses providing personal services.

The Property lies at the westerly beginning (or end) of the Village's commercial district. The nature of the buildings along Front Street surrounding the Property are generally residential in character, and the properties to the north and west are residential. Thus, while the Property is located in the CR commercial district, its relationship with the surrounding residential community is important to maintain a proper compatibility between residential and commercial uses. The protection of conditions in the adjacent residential neighborhood is paramount and the development of the Property should assure protection of the quality of life and livability of this residential community.

Existing Conditions on Site.

The Property currently consists of the following:

- (a) A hotel containing 34 hotel rooms (31 of which were granted under prior Village approvals). The hotel, a concrete building originally built mid-Century, reflected the "retro" character of that era sometimes referred to as the "Doo-Wop" motel style until a facade update was completed approximately 10 years ago which incorporated elements of traditional Long Island coastal architecture. The majority of the structure has a flat roof, with the exception of area over the current lobby. It consists of two building as follows:
  - i. A two (2)-story building located on the eastern side of the Property) which contains hotel rooms and the restaurant for the Property ("Building A");
  - ii. A two (2)-story building located in the mid-western section of the Property containing hotel rooms and the current lobby area for the hotel ("Building B") plus a basement that received a Village Building Permit# 02789 to contain assembly space for hotel guests. It is noted the spaces constructed pursuant to Permit #02789 have not been depicted on site plans previously approved by the Planning Board, and thus the impacts of continued use of said spaces would be subject to consideration under this Application.
- (b) An open area of 5800± square feet that is partially contained by the buildings.

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- (c) An inground swimming pool and surrounding concrete patio area surrounded by a wood fence located in the courtyard between Building A and Building B.
- (d) A shed located in the rear eastern portion of the Property which is approximately 80 square feet.
- (e) A gravel parking area with an area footprint of 10,800± square feet located on the western side of the Property adjacent to 4<sup>th</sup> Avenue, with access to 4<sup>th</sup> Avenue.
- (f) Numerous other site elements including propane tanks, oil tanks, signs and benches and assorted landscaping.

The current principal entrance area and access to the loading/unloading zone for the hotel is located on Front Street approximately 140 feet from Fourth Street. The Property also has an entrance and exit area for the parking area in the rear portion of the Property on 4<sup>th</sup> Avenue approximately 200 feet from the corner of Front Street and 4<sup>th</sup> Avenue. Building A and Building B are currently completely separate, irregularly shaped structures. The distance between them varies, but they are within 10 feet of each other in the north section of the property and separated by close to 50 feet in the south section of the property (where the primary entrance area is located). The combined number of rooms of the hotel is currently 34 rooms though it is noted that only 31 rooms have been approved pursuant to prior site plan approvals for the hotel and the restaurant has a permitted occupancy of 45 people. As part of the Building Department review, any other non-Code compliant existing conditions will be identified.

**OTHER APPROVALS (IF ANY) APPLICABLE TO FINAL SUBMISSION.**

Planning Board Approvals.

Subject to confirmation by the Building Department after review of a complete application, it appears that the proposed expansion in uses constitutes a substantial expansion of the existing hotel and thus would require an application for conditional use pursuant to Section 150-9(B)(6) of the Code. The Planning Board 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. Note that as part of this process, a Community Impact Report as defined in 150-2 will be required. It is suggested to the applicant to include therein a comprehensive analysis relating to the concerns enumerated throughout this report.

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 provisions of police and emergency services

at the Property as well as in the surrounding neighborhood and potential impact on the central downtown business district located to the west of the Property.

Zoning Board of Appeals Relief.

Based on the parameters of the Project as outlined in the Application, subject to review by the Building Department, 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 variance from the height limitations set forth in Section 150-12(B) in order to permit the construction of a third story on the two principal buildings on the Property.
- b. A variance from the parking requirements set forth in Section 150-16(A)(1), as determined by the Building Inspector.
- c. A variance from the parking stall size requirements set forth in Section 150-16(A)(3) to permit for parking stalls sized to 9 feet (versus 10 feet) by 20 feet.
- d. A variance from the permitted uses under Section 150-8 that apply to the portion of the Property located within the R2 One- and Two-Family Residence District to permit the use of this portion of the Property for parking and ingress and egress to the hotel and restaurant.
- e. A variance from the requirements set forth in Section 150-16(C) in respect of required setbacks and buffering areas for parking areas located on properties adjacent to lots in a residence district.
- f. A variance in respect of the loading berth requirements set forth in Section 150-16(B)(3) which are prohibited from being placed in a required front yard.
- g. A variance in respect of the minimum rear yard setback requirements set forth in Section 150-12(B).
- h. A variance in respect of minimum side yard setback requirements set forth in Section 150-12(B).

It is noted that several of the above variances relate to existing conditions on the Property. 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. The Property is not located in the Village of Greenport's historic district and thus no application to the Historic Preservation Commission is required. Notwithstanding no such requirement, given the Zoning Chapter's emphasis on the policy of preserving, enhancing and

perpetuating the Village's heritage and historic character and the eighteenth century core and surrounding area of the Village, and the maintenance and enhancement of the Village's visual quality and preservation of the ambience and appeal of the Village's architecturally distinctive residences, as well as the Zoning Chapter's specific provision that the Planning Board need to consider whether a proposed site plan is in harmony and compatible with the appropriate and orderly development of both the district in which it is located as well as the immediately surrounding neighborhood, among other similar considerations, the Board may address the impacts of the Project on the Village's overall architecture and historical character.

Moreover, in 2019, the Village of Greenport hired Preservation Studios to complete a Reconnaissance Level Historic Resources Survey of the Village of Greenport. The survey was funded by a grant from the Certified Local Government program, a grant program of the New York State Office of Parks, Recreation, and Historic Preservation, and the Village of Greenport. The Mayor and Village are currently in discussions with Preserve Long Island, NY State Historic Preservation Office, The National Historic Trust and Preservation Resources to fund further study of the Village and simultaneously bring forward recommendations to increase the current historic district as referenced in the 2019 report. The Applicant's property is immediately bordering two neighborhoods which were recommended to be included in an expanded historic district. As such, it's important that Applicant makes all efforts in considering design and massing such that property fits within the historic character of the village of Greenport.

Accordingly, during the review process, the Board may seek additional guidance from the Historic Preservation Commission related to the design, massing, and character of the Premises to assure that its relationship to the historic character of the Village is consistent with the historic character.

Other Approvals.

This section is provided to assist with the coordination of necessary approvals. It is not intended to be an exhaustive list of approvals required for the Project.

The Project will require referral to the Suffolk County Planning Commission, Suffolk County Department of Health Services (in respect of wastewater), the New York State Department of Transportation (in respect of traffic impacts on Front and Main Streets) and Village of Greenport Sewer Department, as well as other utilities.

The Applicant is encouraged to contact the Building Department regarding an application for the required variances 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 approvals from the Zoning Board of Appeals or has otherwise modified its plans to conform to the Zoning Code. 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 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

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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 traffic and parking in the adjacent and surrounding R-2 One- and Two-Family Residential District and the CR Retail Commercial District of the Village, including potential impacts on Fourth Avenue which is one of the most heavily trafficked roads in the Village by emergency service vehicles (including personal vehicles of emergency services personnel heading to the Greenport Firehouse to join emergency service vehicles in route to fires and other emergencies). The proposed third floor and increased size of the buildings on the Property will also result in a significant massing of building structures on Front Street and may have a significant impact on the feel and character of the surrounding districts as well as one of the principal means of arrival into the Village.

As the Applicant is aware, the Village recently undertook a significant update to certain portions of the Zoning Chapter pertaining to zoning in the CR Retail Commercial and WC Waterfront Commercial Districts. Some of the key objectives of this process and the corresponding Zoning Chapter which are particularly relevant to the Planning Board's review of the Application include the following: (a) providing privacy for families, (b) preventing and reducing traffic congestion so as to promote efficient and safe circulation of vehicles and pedestrians, (c) providing maximum protection for residential uses, (d) gradually eliminating nonconforming uses, (e) improving and fostering compatibility of business and commercial uses with the Village character, (f) preserving, enhancing and perpetuating the Village's heritage and historic character, (g) supporting and enhancing a year-round Village economy, (h) 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 (i) preserving the unique community character that supports tourism, encourages entrepreneurial businesses and contribute to a higher quality life for its residents.

The following provides a summary of the principal concerns the Planning Board has initially 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. These are merely initial observations and concerns. A comprehensive review of the site plan and conditional use permit application may disclose additional concerns and considerations.

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 Project's location at the beginning of the entrance to the Village and the convergence of Fourth Avenue, Fourth Street and Front Street as well as the close proximity of the Third Street intersection raises concerns about traffic management and emergency services accessibility to the western and southern portions of the Village. As previously noted, Fourth Avenue serves as one of the principal roads for emergency service vehicles enroute to fires and other emergencies. It is already a challenging road from this perspective given the amount of on-street residential parking which is often present.

The project has potential transportation-related impacts on the surrounding roadway system, public transportation, pedestrian circulation, emergency vehicles, and public parking supply. Site access and circulation, access to and availability of parking both on and off site, the number of expected new visitors and employees expected to be generated by the project, pedestrian safety and circulation, including pedestrian traffic related to the nearby schools and places of worship, the project's relationship with the operations of the Shelter Island ferry service and the Hampton Jitney service, loading and unloading for guests, accommodations for deliveries, and mitigation measures of impacts should all be addressed and mitigating factors identified. Any field data collection required by the scope shall be collected on both a peak summer Friday and peak weekend, during the height of tourist season. The applicant should not assume that the increased parking demand can be accommodated on the neighboring streets or in municipal lots.

A comprehensive traffic study should be conducted, and a report submitted in accordance with the scope attached.

*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. A request to the Village Board of Trustees to make the eastern side of Fourth Avenue a no parking/no stopping area to ensure that there will be sufficient room for emergency service vehicles to pass through Fourth Avenue and improve visibility

related to Fourth Avenue egress. Consultation with the residents of Fourth Avenue is advisable.

- b. The operations plan for the Project should include a mechanism for monitoring and ensuring that vehicles entering the Property do not back up into a stand still on either Front Street or Fourth Avenue.
- c. Ensuring the placement of signage prohibiting parking and stopping on Front Street and, to the extent approved by the Village Board of Trustees, Fourth Avenue.
- d. Egress and ingress methods for all vehicles including buses and limousines.
- e. Consideration of restrictions on Fourth Avenue egress and ingress.
- f. Provide plans for satisfactory queuing to demonstrate that proposed intensification will not negatively impact Front Street or Fourth Avenue.
- g. Submission of a traffic study prepared by a licensed traffic engineer to address vehicular, pedestrian, public transportation and parking issues as enumerated herein, as required within the Community Impact Report (§150.2), as delineated throughout the site plan and condition use regulations within §150-29 and §150-30, and as per the attached traffic study scope.

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 a transient overnight lodging establishment, at least in part, means that there will be overnight parking required for guests as well as parking or 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. The Applicant has also indicated through the course of this process that there will be numerous deliveries to supply and service the operation throughout the course of the week.

Without further mitigating actions, it would appear that a parking variance would be required, as the additional guest rooms and public restaurant will generate increased parking demand that is expected to exceed the number of available on-site spaces. If not addressed, this demand would result in overflow to municipal lots or on-street parking. Note that the Institute

of Transportation Engineers (ITE) indicates that 85th percentile peak demand for 47 spaces could be expected for a hotel of 54 guest rooms, without consideration for parking demand due to the restaurant.

*Considerations:*

- a. Include in the traffic study, a parking inventory and analysis conducted to determine the number of parking spaces that will be required to meet the demand generated by the proposed hotel and restaurant and the adequacy of available parking to meet the demand. This analysis shall include impacts related to the loss of these spaces for parking by other residents, including availability of these spaces for new housing, must be submitted by the Applicant.
- b. In the Community Impact Report, and as applicable, in the Traffic Study, provide the following analysis and supporting documentation:
  - 1) Demonstrate how supplies deliveries will be staggered with guest arrival and departures.
  - 2) Address adequacy of loading/unloading with both hotel and restaurant use.
  - 3) Delineate how drop off and pick up for the combined uses (hotel and restaurant) will function.
  - 4) How the operation will avoid potential impacts of idling vehicles, vehicle lights impacting neighboring properties and roadway obstructions
  - 5) Plans for management of on-site access and parking must be included and designed to address potential off-site impacts, including the consideration of a valet service and a designated area for supplies deliveries that does not conflict with the guest loading/unloading area.
- c. Consider the acquisition or use of nearby privately owned property to accommodate the increased demand for parking spaces or alternative methods of addressing parking on-site, subject to complete screening and ensuring that visual aesthetics and environmental consequences (noise, odors and liquid chemical releases) do not negatively impact the surrounding residential district and the arrangements do not negatively impact on-site emergency services or result in on-street queuing).
- d. Identify signage locations, size and details. Signs should not negatively impact the surrounding neighborhood or create conflict or confusion. Any proposed signage is required to be detailed on the site plans.
- e. Identify methods of how hotel and restaurant customers will be directed to the parking and access areas.

3. Environmental Concerns.

When a fully developed site plan set and Full Environmental Assessment Form have been received from the Applicant, additional analysis on potential environmental impacts will be offered. At present, impacts associated with additional site lighting at higher elevations, emissions from potentially idling vehicles, and/or increase of impervious areas would be identified as concerns the Applicant shall need to mitigate within their complete submission.

4. Size, Character, Nature of Project and Other Concerns.

*Summary of Issue:*

The Property is the first commercial property that visitors to the Village encounter as they enter from the west on Front Street. The Project as envisioned by the Application results in a significant additional massing of structure on Front Street and changes the style of the existing architecture on the Property. Both raise significant questions as to how they fit into the surrounding residential district, which primarily contains dwellings reflecting a traditional vernacular, as well as the general sizing and architecture of historic buildings in the Village. The contextual photos submitted by the applicant illustrate the nearby commercial buildings of a historic nature, which contrast with the proposed style of the hotel. Applicant states that the Project conforms in “character” with surrounding properties, but the bulk of the surrounding properties consist of homes largely constructed with gable roofs and are not comparable to the existing or proposed style of the hotel. The Applicant shall be mindful that should approval be granted to expand the hotel, the mass of the structure, as proposed, may potentially negatively impact the entry corridor to the Village.

Applicant points out in its materials submitted in connection with the Application that the proposed height and inclusion of a third story is consistent with other hotels located in the CR Retail Commercial District as well as certain other commercial buildings. The height combined with the conjoining of the buildings may create a negative massing impact. From this perspective, the Project is much larger in perspective from a Front Street view than any other building located in the CR Retail Commercial District. This will need to be considered by the Planning Board, in particular, given that this will be many visitors’ first impression of the village.

The Property abuts and is partially within the R-2 district. The Property is located as the border of the CR District and not in the heart of the district. The massing and size are likely to have a greater impact due to its location. Applicant must address protections of conditions in the adjacent residential neighborhood to safeguard the quality of life and livability of the adjoining residential neighborhood. Potential impacts include visual quality, privacy, food waste protections, noise (including noise from outdoor restaurant seating).

As noted above, a 2019 historic resources study recommended that the neighborhood immediately bordering the Premises be included in an expanded historic district. Given the foregoing, it is important that the Applicant makes all efforts in considering design and massing such that property fits within the historic character of the Village of Greenport.

Additionally, housing for staff is an important consideration that must be addressed by the applicant.

*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. Reduce the size and increase the setbacks of the proposed third floors to reduce the potential impacts to the adjacent residential neighborhood (especially the property directly abutting to the north) and to the character both of Front Street and the main entry corridor to the Village.
- b. Consider modifying the architecture to be more in harmony with the neighborhood context, and to create a feel that is reflective of Greenport's rich heritage of as a historic maritime community. It is suggested that the Applicant thoroughly review the Village's Local Waterfront Revitalization Plan (LWRP) and consider the aesthetic presented by the Village's numerous historic tourist attractions.
- c. Consistent with recent Zoning Code amendments, the restaurant is to be an occupiable storefront along Front Street. As such, applicant should submit operating plans providing for the restaurant use year-round.
- d. Should the Applicant propose relief from employee parking requirements based on their provisions of employee housing that is "walkable" from the site, the Applicant shall identify in writing the proposed addresses of the housing and be prepared to accept appropriate conditions of approval and deed covenants regarding this provision, should the Planning Board consider approval of the application. The Applicant shall also work with the Building Department to ensure the proposed employee housing meets applicable code requirements.
- e. Applicant should provide details regarding the availability and provision of housing for staff members.



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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 expansion of uses 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.

**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 completed Full Environmental Assessment Form 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. It is noted that the existing materials do not contain distinct building footprint or floor area calculations for each of the two existing hotel buildings. Upon re-submission, a revised drawing C-1 prepared by Nelson & Pope shall clearly identify both the interior and exterior dimensions and square footage of each hotel building, separately. The existing number of Village-approved hotel rooms per building shall also be delineated on the plan set.
- c. All proposed interior uses for all floors of the hotel, including basement, shall be clearly delineated on the plan set. The use of the term “flex space” is not acceptable. Prior to re-submission, applicant shall verify with the Village Building Department that existing and proposed uses of the basement area meet current building codes.
- d. 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 Fourth Street, Fourth Avenue and Front Street within 75 feet of the Property line on these streets.

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- e. 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.
- f. The Zoning Compliance table included in the complete final application for conditional use and site plan approval should clarify that the Property has two (2) “front yards”, and setback dimensions should be clearly identified for both front yards on the main site plan sheet. In addition, it appears that prior Village approvals considered the setback to the north of the Property a “side yard” governed by the standards applicable in the R-2 Two Family Residential District and the setback to the east a “side yard” governed by the standards applicable in the CR Retail Commercial District. Please update the Zoning Compliance table accordingly. We note however that ultimate determination on this matter lies with the Village Building Department and Zoning Board of Appeals
- g. A traffic impact and parking assessment study (the “Traffic Study”) evaluating the potential transportation impacts that the Project will have on the surrounding roadway system. This Study should include a description of the proposed improvements to the Property; a discussion of the Property’s site access and circulation; the Property’s access to, and availability of, parking; the number of expected new visitors and employees expected to be generated by the proposed use of the Property after giving effect to the proposed improvements; an analysis of pedestrian safety and circulation relating to the Project; and an associated impact analysis. The Study should include proposed detailed mitigation measures in respect of any impacts identified as part of the Study. Field data collection for the Study shall be collected on both a peak weekday and peak weekend during the height of the tourist season (being between July 1 and Labor Day weekend). Attached hereto as Attachment A is a detailed scope of items which the Study should cover.
- h. The final application materials should reflect that the number of rooms approved by the Village as part of the prior Village site plan approval and 33 parking spaces. The applicant shall seek input from the Village to determine how many approved rooms exist in each Building and notate all site plans and architectural plans accordingly.
- i. The calculation of lot coverage contained in the complete final application materials will need to take into account the swimming pool and any other accessory structure that will remain. The applicant’s current calculation also needs to include the full footprint of each building – not the interior floor area. Applicant is directed to the definition of lot coverage contained in the definitional section of the Zoning Code which only expressly excludes at-grade driveways, paths, walkways and parking areas, subterranean structures not visible from above and movable 20-pound liquid propane tanks from the

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- lot coverage calculation which is intended to include any buildings or other structures on the Property.
- j. Please refer to Section 150-14 of the Zoning Code regarding inner and outer courts and ensure that the complete final application materials provide sufficient information and clarity on the site plan so that applicability of this provision in the Code can be determined.
  - k. The Application site plan indicates that the Property is in a FEMA Flood Zone X, but the official FIRM panel of this location does not appear to concur. Please provide clarification on this point when submitting a final complete application.
  - l. 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.
  - m. 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.
  - n. A Stormwater and Erosion 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. This plan shall also calculate the square footage of all the different exterior surface types and contain drainage calculations of the site.
  - o. A signage plan identifying the location and text of all proposed signs (including in connection with the use of any shuttle services).
  - p. A landscaping plan for the Property designating the use of non-invasive plants and proposed care for establishment and maintenance of plantings.
  - q. If any street trees are proposed in connection with the Project, Applicant should select a street tree species after performing a site assessment and consulting resources located here: [Urban Horticulture Institute, Cornell University](#). Street trees should be spaced a minimum of 20 feet apart and tee pits should be provided in accordance with Urban Horticulture Institute guidance. The Village’s tree committee should be consulted in connection with any trees to be utilized as part of the landscaping of the Property.
  - r. 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. The applicant shall consider burial of any proposed overhead wires which have the potential to conflict with emergency response.

- s. 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 initially identified by 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 Code, other applicable Code provisions and the requirements of the New York State Environmental Quality Review Act. The Planning Board may 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 continuing to do 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.