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Partner

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January 22, 2020

**By Hand**

Village of Greenport Planning Board  
Attn: Walter Foote, Chairman  
236 Third Street  
Greenport, NY 11944

**Re: Site Plan Review Application – Community Action Southold Town,  
Inc.  
Premises: 621 Main Street, Greenport**

Dear Chairman Foote:

Please be advised that this office represents Community Action Southold Town, Inc. (CAST, Inc.), the contract vendee of the referenced property. CAST, Inc. has been authorized by the current owner, 5 Pheasants Ln Shelter Island, Inc. to pursue the approval necessary for their proposed use of the premises.

With respect to the above-referenced application, enclosed please find an original and seven (7) copies of the following documents for your review:

- 1) Site Plan Review Application;
- 2) Site Plan and Survey;
- 3) Environmental Assessment Form;
- 4) Pre-submission Conference Checklist;
- 5) Planning Board Covenant relating to residential use;
- 6) Check in the amount of \$300.00 for the applicable fee.

We respectfully request that this matter be placed on the Planning Board's next agenda for review and discussion. Kindly advise if you require any further documentation.

Chairman Foote  
January 22, 2020  
Page 2 of 2

Thank you for your consideration.

~~Very truly yours,~~

  
Martin D. Finnegan

MDF/as  
Enclosures

Cc: Paul Pallas, Village Administrator  
Cathy Demerato, President of CAST, Inc.  
Glynnis Berry



**BUILDING DEPARTMENT**  
**VILLAGE OF GREENPORT**  
 236 Third Street, Greenport, NY 11944

IS PROPERTY IN THE HISTORIC DISTRICT?  
 IF YES, PLEASE SEE CHECKLIST ITEM 8  
 ON PAGE 4.

## SITE PLAN REVIEW APPLICATION

### Applicant

NAME: Community Action Southold Town (CAST)  
 IF A CORPORATION,  
 NAME AND ADDRESS OF AUTHORIZED OFFICER: Cathy Demeroto  
 ADDRESS: PO Box 159, Greenport, NY 11957  
Mr. Martin Finnegan, Esq. will be legal representative.  
 SIGNATURE: \_\_\_\_\_ DATE: \_\_\_\_\_  
**STATE IF APPLICANT IS OWNER, LESSEE, AGENT, ARCHITECT, ENGINEER, BUILDER, GENERAL CONTRACTOR, ELECTRICIAN, and PLUMBER, OR OTHER:**  
Other, future owner

### Owner

NAME: 5 Pheasant Lane Shelter Island, INC>, representative James Olinkiewicz  
 ADDRESS: PO Box 591, Shelter Heights, NY 11965  
 PHONE: 631 902 4402

### Location Of Site

TAX MAP DISTRICT:	SECTION: <u>02</u>	BLOCK: <u>06</u>	LOT: <u>49.4</u>
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STREET ADDRESS: 621 Main Street, Greenport, NY 11944

### Project Description

Residential \_\_\_\_\_ Commercial X  
 PROPOSED STARTING DATE: ASAP PROPOSED COMMERCIAL DATE: \_\_\_\_\_  
 PROJECT DESCRIPTION (UTILITY HOOK UP, STRUCTURES, USES) \_\_\_\_\_  
Facility for CAST headquarters and operations. 551 SF addition to improve access  
 PROPERTY IS ZONED \_\_\_\_\_ R-1 X R-2 \_\_\_\_\_ CR \_\_\_\_\_ WC \_\_\_\_\_ CG

PROJECT WILL REQUIRE THE FOLLOWING PERMITS:  
**VILLAGE OF GREENPORT:**

X BUILDING PERMIT \_\_\_\_\_ WETLANDS PERMIT X ZBA VARIANCE

**OTHER AGENCIES:**

\_\_\_\_\_ SUFFOLK COUNTY PLANNING BOARD  
 \_\_\_\_\_ N.Y. STATE D.E.C.  
 \_\_\_\_\_ U.S. ARMY CORPS OF ENGINEERS  
X SUFFOLK COUNTY HEALTH DEPARTMENT  
 \_\_\_\_\_ N.Y. STATE DEPT OF STATE COASTAL ZONE MANAGEMENT

# Short Environmental Assessment Form

## Part 1 - Project Information

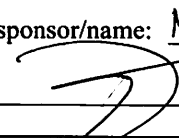
### Instructions for Completing

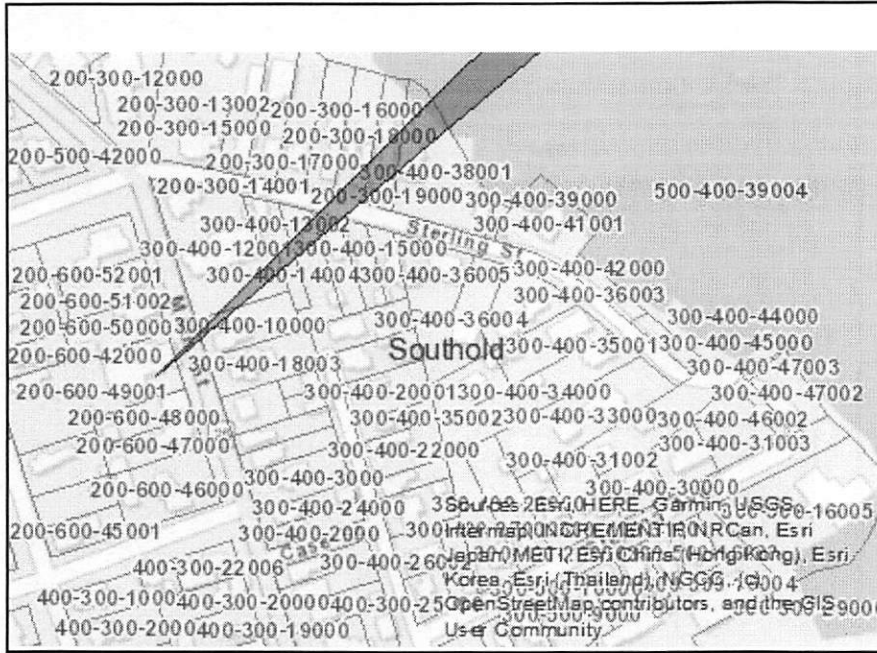
**Part 1 – Project Information.** The applicant or project sponsor is responsible for the completion of Part 1. Responses become part of the application for approval or funding, are subject to public review, and may be subject to further verification. Complete Part 1 based on information currently available. If additional research or investigation would be needed to fully respond to any item, please answer as thoroughly as possible based on current information.

Complete all items in Part 1. You may also provide any additional information which you believe will be needed by or useful to the lead agency; attach additional pages as necessary to supplement any item.

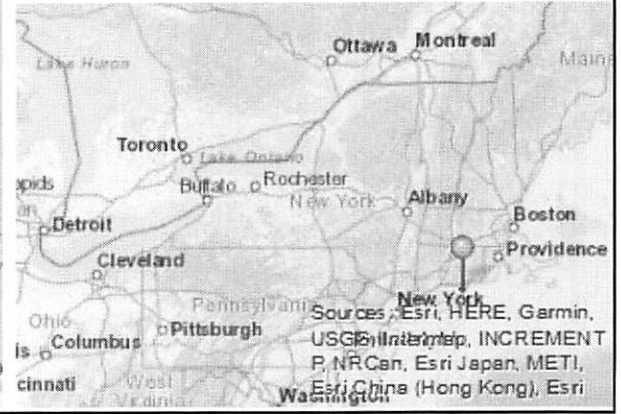
<b>Part 1 – Project and Sponsor Information</b>			
Name of Action or Project: CAST (Community Action Southold Town) Headquarters Relocation			
Project Location (describe, and attach a location map): 621 Main Street, Greenport, NY 11944			
Brief Description of Proposed Action: A conversion of a former church, which was recently renovated as a one-family home, to CAST headquarters. The existing building is a 1.5 story, wood frame historic building. The existing first floor is a wide, tall open space with a narrow entry hall. The open space will be used for classroom, meeting, office, food pantry, and counseling uses, keeping the space as open as possible. The renovation is minimal: converting the existing restroom to an accessible one, eliminating a wide step to the stage for more flexible usage, adding steps and a ramp; adding a staircase to the mezzanine; and creating a new entry with an intake area including a counseling room separated by a glass partition. The existing basement has been fully renovated by the former owner as residential rooms and a home office. Keeping the basic room configurations, rooms will be converted to office, pantry, food prep., sharing, meeting room and a donation drop-off/storage area. The existing two bathrooms will be revised as accessible toilets. To make the basement accessible, an elevator and a staircase will be added, as well as doors widened. Site work will entail adding parking spaces, bike racks, moving the existing garage, and reserving space for a vegetable garden and children's play areas.			
Name of Applicant or Sponsor: CAST (Community Action Southold Town)		Telephone: 631 477-1717	
		E-Mail:	
Address: PO Box 159			
City/PO: Greenport		State: NY	Zip Code: 11944
1. Does the proposed action only involve the legislative adoption of a plan, local law, ordinance, administrative rule, or regulation? If Yes, attach a narrative description of the intent of the proposed action and the environmental resources that may be affected in the municipality and proceed to Part 2. If no, continue to question 2.			NO <input type="checkbox"/>
			YES <input type="checkbox"/>
2. Does the proposed action require a permit, approval or funding from any other government Agency? If Yes, list agency(s) name and permit or approval: Greenport Village ZBA, HPC, and Building Permit, NYS SHPO, SCDOH, SCDHS			NO <input type="checkbox"/>
			YES <input checked="" type="checkbox"/>
3. a. Total acreage of the site of the proposed action?		_____ 0.43 acres	
b. Total acreage to be physically disturbed?		_____ 0.15 acres	
c. Total acreage (project site and any contiguous properties) owned or controlled by the applicant or project sponsor?		_____ 0.43 acres	
4. Check all land uses that occur on, are adjoining or near the proposed action:			
5. <input type="checkbox"/> Urban <input type="checkbox"/> Rural (non-agriculture) <input type="checkbox"/> Industrial <input checked="" type="checkbox"/> Commercial <input checked="" type="checkbox"/> Residential (suburban)			
<input type="checkbox"/> Forest <input type="checkbox"/> Agriculture <input type="checkbox"/> Aquatic <input checked="" type="checkbox"/> Other(Specify): Baptist Church			
<input type="checkbox"/> Parkland			

	NO	YES	N/A
5. Is the proposed action, a. A permitted use under the zoning regulations? <b>Conditional</b> b. Consistent with the adopted comprehensive plan?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
6. Is the proposed action consistent with the predominant character of the existing built or natural landscape?	NO	YES	
	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
7. Is the site of the proposed action located in, or does it adjoin, a state listed Critical Environmental Area? Name:Peconic Bay and Environs, Reason:Protect public health, water, vegetation, & scenic beauty, If Yes, identify: <u>Agency:Suffolk County, Date:7-12-88</u>	NO	YES	
	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
8. a. Will the proposed action result in a substantial increase in traffic above present levels? b. Are public transportation services available at or near the site of the proposed action? c. Are any pedestrian accommodations or bicycle routes available on or near the site of the proposed action?	NO	YES	
	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
9. Does the proposed action meet or exceed the state energy code requirements? If the proposed action will exceed requirements, describe design features and technologies: <u>The historic structure has already been insulated. The addition will be insulated to code.</u>	NO	YES	
	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
10. Will the proposed action connect to an existing public/private water supply? If No, describe method for providing potable water: _____	NO	YES	
	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
11. Will the proposed action connect to existing wastewater utilities? If No, describe method for providing wastewater treatment: _____	NO	YES	
	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
12. a. Does the project site contain, or is it substantially contiguous to, a building, archaeological site, or district which is listed on the National or State Register of Historic Places, or that has been determined by the Commissioner of the NYS Office of Parks, Recreation and Historic Preservation to be eligible for listing on the State Register of Historic Places? b. Is the project site, or any portion of it, located in or adjacent to an area designated as sensitive for archaeological sites on the NY State Historic Preservation Office (SHPO) archaeological site inventory?	NO	YES	
	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
13. a. Does any portion of the site of the proposed action, or lands adjoining the proposed action, contain wetlands or other waterbodies regulated by a federal, state or local agency? b. Would the proposed action physically alter, or encroach into, any existing wetland or waterbody? If Yes, identify the wetland or waterbody and extent of alterations in square feet or acres: _____ <u>Peconic Estuary is nearby, but across the street and separated by other parcels.</u>	NO	YES	
	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
	<input checked="" type="checkbox"/>	<input type="checkbox"/>	

14. Identify the typical habitat types that occur on, or are likely to be found on the project site. Check all that apply: <input type="checkbox"/> Shoreline <input type="checkbox"/> Forest <input type="checkbox"/> Agricultural/grasslands <input type="checkbox"/> Early mid-successional <input type="checkbox"/> Wetland <input type="checkbox"/> Urban <input checked="" type="checkbox"/> Suburban		
15. Does the site of the proposed action contain any species of animal, or associated habitats, listed by the State or Federal government as threatened or endangered? Northern Cricket Frog, Leas...	NO	YES
	<input type="checkbox"/>	<input checked="" type="checkbox"/>
16. Is the project site located in the 100-year flood plan? The NYS data base populates this as yes, but FEMA Flood maps indicate it is outside the 100 year flood zone, category X.	NO	YES
	<input type="checkbox"/>	<input checked="" type="checkbox"/>
17. Will the proposed action create storm water discharge, either from point or non-point sources? If Yes,	NO	YES
a. Will storm water discharges flow to adjacent properties?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b. Will storm water discharges be directed to established conveyance systems (runoff and storm drains)? If Yes, briefly describe:	<input type="checkbox"/>	<input checked="" type="checkbox"/>
On-site retention leaching pool is provided.		
18. Does the proposed action include construction or other activities that would result in the impoundment of water or other liquids (e.g., retention pond, waste lagoon, dam)? If Yes, explain the purpose and size of the impoundment:	NO	YES
	<input checked="" type="checkbox"/>	<input type="checkbox"/>
19. Has the site of the proposed action or an adjoining property been the location of an active or closed solid waste management facility? If Yes, describe:	NO	YES
	<input checked="" type="checkbox"/>	<input type="checkbox"/>
20. Has the site of the proposed action or an adjoining property been the subject of remediation (ongoing or completed) for hazardous waste? If Yes, describe:	NO	YES
	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<b>I CERTIFY THAT THE INFORMATION PROVIDED ABOVE IS TRUE AND ACCURATE TO THE BEST OF MY KNOWLEDGE</b>		
Applicant/sponsor/name: <u>Martin D Finney Esq for CAST</u> Date: <u>1/22/20</u>		
Signature: <u></u> Title: _____		



**Disclaimer:** The EAF Mapper is a screening tool intended to assist project sponsors and reviewing agencies in preparing an environmental assessment form (EAF). Not all questions asked in the EAF are answered by the EAF Mapper. Additional information on any EAF question can be obtained by consulting the EAF Workbooks. Although the EAF Mapper provides the most up-to-date digital data available to DEC, you may also need to contact local or other data sources in order to obtain data not provided by the Mapper. Digital data is not a substitute for agency determinations.



Part 1 / Question 7 [Critical Environmental Area]	Yes
Part 1 / Question 7 [Critical Environmental Area - Identify]	Name:Peconic Bay and Environs, Reason:Protect public health, water, vegetation, & scenic beauty, Agency:Suffolk County, Date:7-12-88
Part 1 / Question 12a [National or State Register of Historic Places or State Eligible Sites]	Yes
Part 1 / Question 12b [Archeological Sites]	Yes
Part 1 / Question 13a [Wetlands or Other Regulated Waterbodies]	Yes - Digital mapping information on local and federal wetlands and waterbodies is known to be incomplete. Refer to EAF Workbook.
Part 1 / Question 15 [Threatened or Endangered Animal]	Yes
Part 1 / Question 15 [Threatened or Endangered Animal - Name]	Northern Cricket Frog, Least Tern, Piping Plover, Common Tern
Part 1 / Question 16 [100 Year Flood Plain]	Yes
Part 1 / Question 20 [Remediation Site]	Yes

**CHECKLIST OF ITEMS THAT SHOULD BE PREPARED AND SUBMITTED WITH APPLICATION FOR SITE PLAN APPROVAL TO VILLAGE OF GREENPORT PLANNING BOARD**

- X 1. ORIGINAL AND SEVEN (7) COPIES OF THIS APPLICATION.
- X 2. SURVEY. Referenced in site plan
- X 3. IF OTHER THAN OWNER MAKES APPLICATION, SUBMIT WRITTEN CONSENT OF OWNER.
- X 4. PRIOR EXISTING RESTRICTIVE COVENANTS WHICH REGULATE USE OF SUBJECT LANDS.
- X 5. ENVIRONMENTAL ASSESSMENT FORM.
- X 6. SITE PLAN APPLICATION FEE.
- X 7. PRESUBMISSION CONFERENCE CHECK LIST.
- PENDING 8. COMPLETE HISTORIC PRESERVATION APPLICATION (FORM HPC-1) IF A BUILDING PERMIT OR SAIGN PERMIT IS REQUIRED.



## REQUIREMENTS FOR A PRESUBMISSION CONFERENCE

PRIOR TO THE SUBMISSION OF A SITE DEVELOPMENT PLAN, THE APPLICANT SHALL MEET IN PERSON WITH THE PLANNING BOARD. THE PURPOSE OF SUCH CONFERENCE SHALL BE TO DISCUSS PROPOSED USES OR DEVELOPMENT IN ORDER TO DETERMINE WHICH OF THE SITE DEVELOPMENT PLAN ELEMENTS LISTED IN SUBSECTION BELOW SHALL BE SUBMITTED TO THE PLANNING BOARD IN ORDER FOR SAID BOARD TO DETERMINE CONFORMITY WITH THE PROVISIONS.

### **LEGAL DATA:**

- (A) LOT, BLOCK AND SECTION NUMBERS OF THE PROPERTY, TAKEN FROM THE LATEST TAX RECORDS.
- (B) THE NAME AND ADDRESS OF THE OWNER OF RECORD.
- (C) THE NAME AND ADDRESS OF THE PERSON, FIRM OR ORGANIZATION PREPARING THE MAP.
- (D) THE DATE, NORTH POINT, AND WRITTEN AND GRAPHIC SCALE.
- (E) A SUFFICIENT DESCRIPTION OF INFORMATION TO DEFINE PRECISELY THE BOUNDARIES OF THE PROPERTY. ALL DISTANCES SHALL BE IN FEET AND TENTHS OF A FOOT. ALL ANGLES SHALL BE GIVEN TO THE NEAREST 10 SECONDS OR CLOSER. THE ERROR OF CLOSURE SHALL NOT EXCEED ONE IN 10,000.
- (F) THE LOCATIONS, NAMES AND EXISTING WIDTHS OF ADJACENT STREETS AND CURB LINES.
- (G) THE LOCATIONS AND OWNERS OF ALL ADJOINING LANDS AS SHOWN ON THE LATEST TAX RECORDS.
- (H) THE LOCATION, WIDTH AND PURPOSE OF ALL EXISTING AND PROPOSED EASEMENTS, SETBACKS, RESERVATIONS AND AREAS DEDICATED TO PUBLIC USE WITHIN OR ADJOINING THE PROPERTY.
- (I) A COMPLETE OUTLINE OF EXISTING DEED RESTRICTIONS OR COVENANTS APPLYING TO THE PROPERTY.
- (J) EXISTING ZONING.

### **NATURAL FEATURES:**

- (A) EXISTING CONTOURS AT INTERVALS OF FIVE FEET OR LESS, REFERRED TO A DATUM SATISFACTORY TO THE BOARD.
- (B) APPROXIMATE BOUNDARIES OF ANY AREAS SUBJECT TO FLOODING OR STORM WATER OVERFLOWS.
- (C) THE LOCATION OF EXISTING WATERCOURSES, MARSHES, WOODED AREAS, ROCK OUTCROPS, ISOLATED TREES WITH A DIAMETER OF 12 INCHES OR MORE MEASURED THREE FEET ABOVE THE BASE OF THE TRUNK AND OTHER SIGNIFICANT EXISTING FEATURES.

### **EXISTING STRUCTURES AND UTILITIES:**

- (A) THE LOCATION OF USES AND OUTLINES OF STRUCTURES, DRAWN TO SCALE, ON THE LOT AND WITHIN 100 FEET OF THE LOT LINE.
- (B) PAVED AREAS, SIDEWALKS AND VEHICULAR ACCESS BETWEEN THE SITE AND PUBLIC STREETS.
- (C) THE LOCATIONS, DIMENSIONS, GRADES AND FLOW DIRECTION OF EXISTING SEWERS, CULVERTS AND WATER LINES AS WELL AS OTHER UNDERGROUND AND ABOVEGROUND UTILITIES WITHIN AND ADJACENT TO THE PROPERTY.
- (D) OTHER EXISTING DEVELOPMENT, INCLUDING FENCES, LANDSCAPING AND SCREENING.
- (E) THE LOCATION OF HISTORIC BUILDINGS OR STRUCTURES ON OR ADJACENT TO THE SITE.

**PROPOSED DEVELOPMENT:**

**(A)** THE LOCATION OF PROPOSED BUILDINGS OR STRUCTURAL IMPROVEMENTS.

**(B)** THE LOCATION AND DESIGN OF ALL USES NOT REQUIRING STRUCTURES, SUCH AS OFF-STREET PARKING AND LOADING AREAS.

**(C)** THE LOCATION AND PLANS FOR ANY OUTDOOR SIGNS.

**(D)** THE LOCATION, DIRECTION, POWER AND TIME OF USE FOR ANY PROPOSED OUTDOOR LIGHTING OR PUBLIC-ADDRESS SYSTEMS.

**(E)** THE LOCATION AND ARRANGEMENT OF PROPOSED MEANS OF ACCESS AND EGRESS, INCLUDING SIDEWALKS, DRIVEWAYS OR OTHER PAVED AREAS; PROFILES INDICATING GRADING AND CROSS SECTIONS SHOWING WIDTH OF ROADWAY, LOCATION AND WIDTH OF SIDEWALKS AND LOCATION AND SIZE OF WATER AND SEWER LINES.

**(F)** ANY PROPOSED GRADING, SCREENING AND OTHER LANDSCAPING, INCLUDING TYPES AND LOCATIONS OF PROPOSED STREET TREES.

**(G)** THE LOCATION OF ALL PROPOSED WATER LINES, VALVES AND HYDRANTS AND OF ALL SEWER LINES OR ALTERNATED MEANS OF WATER SUPPLY AND SEWAGE DISPOSAL, INCLUDING PUMP-OUT FACILITIES, AND TREATMENT.

**(H)** AN OUTLINE OF ANY PROPOSED DEED RESTRICTIONS OR COVENANTS.

**(I)** ANY CONTEMPLATED PUBLIC IMPROVEMENTS ON OR ADJOINING THE PROPERTY.

**(J)** IF THE SITE DEVELOPMENT PLAN INDICATES ONLY A FIRST STATE, A SUPPLEMENTARY PLAN SHALL INDICATE ULTIMATE DEVELOPMENT.

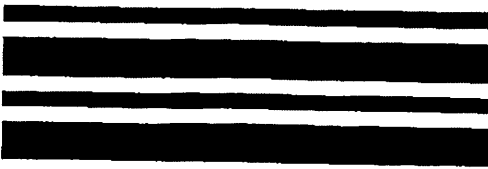
**(K)** A DRAINAGE PLAN WHICH DEMONSTRATES THE CONTAINMENT OF SURFACE WATER RUNOFF ON THE SITE DURING AND AFTER CONSTRUCTION TO ENSURE THAT SURFACE WATER RUNOFF DOES NOT DISCHARGE INTO SURFACE WATER BODIES OR WETLANDS OR CAUSE FLOODING.

**(L)** THE LOCATION OF PEDESTRIAN WALKWAYS THAT PROVIDE PUBLIC ACCESS TO THE WATERFRONT IN INSTANCES WHERE A DEVELOPER OF A WATERFRONT PARCEL HAS OFFERED,(AND THE PLANNING BOARD HAS ACCEPTED), SUCH ACCESS FOR PUBLIC USE.

**(M)** ANY OTHER INFORMATION DEEMED BY THE PLANNING BOARD NECESSARY TO DETERMINE CONFORMITY OF THE SITE DEVELOPMENT PLAN WITH THE INTENT AND REGULATIONS OF THIS CHAPTER.

**WHICH MAY INCLUDE, BUT IS NOT LIMITED TO:**

- BUILDING ELEVATIONS
- FLOOR PLANS
- LANDSCAPE PLANS
- LOCATION OF FUEL TANKS
- FENCING, HEIGHT AND STYLE AND MATERIAL.



SUFFOLK COUNTY CLERK  
 RECORDS OFFICE  
 RECORDING PAGE

Type of Instrument: DECLARATION  
 Number of Pages: 5  
 Receipt Number : 17-0219908

Recorded: 12/11/2017  
 At: 12:45:05 PM

LIBER: D00012941  
 PAGE: 762

District: 1001                      Section: 002.00                      Block: 06.00                      Lot: 049.001

EXAMINED AND CHARGED AS FOLLOWS

Received the Following Fees For Above Instrument

		Exempt			Exempt
Page/Filing	\$25.00	NO	Handling	\$20.00	NO
COE	\$5.00	NO	NYS SRCHG	\$15.00	NO
TP-584	\$0.00	NO	Notation	\$0.00	NO
Cert.Copies	\$6.25	NO	RPT	\$200.00	NO
			Fees Paid	\$271.25	

THIS PAGE IS A PART OF THE INSTRUMENT  
 THIS IS NOT A BILL

JUDITH A. PASCALE  
 County Clerk, Suffolk County

1 2

Number of pages

5

RECORDED  
2017 Dec 11 12:45:05 PM  
JUDITH A. PASCALE  
CLERK OF  
SUFFOLK COUNTY  
L D00012941  
P 762

This document will be public record. Please remove all Social Security Numbers prior to recording.

Deed / Mortgage Instrument

Deed / Mortgage Tax Stamp

Recording / Filing Stamps

3 FEES

Page / Filing Fee 25-  
Handling 20. 00  
TP-584 \_\_\_\_\_  
Notation \_\_\_\_\_  
EA-52 17 (County) \_\_\_\_\_  
EA-5217 (State) \_\_\_\_\_  
R.P.T.S.A. 200 00  
Comm. of Ed. 5. 00  
Affidavit \_\_\_\_\_  
Certified Copy 6 25  
NYS Surcharge 15. 00  
Other \_\_\_\_\_

Sub Total 45-



Sub Total 226 25  
Grand Total 271 25

2 Mortgage Amt. \_\_\_\_\_  
1. Basic Tax \_\_\_\_\_  
2. Additional Tax \_\_\_\_\_  
Sub Total \_\_\_\_\_  
Spec./Assit. \_\_\_\_\_  
or  
Spec./Add. \_\_\_\_\_  
TOT. MTG. TAX \_\_\_\_\_  
Dual Town \_\_\_\_\_ Dual County \_\_\_\_\_  
Held for Appointment \_\_\_\_\_  
Transfer Tax \_\_\_\_\_  
Mansion Tax \_\_\_\_\_  
The property covered by this mortgage is or will be improved by a one or two family dwelling only.  
YES \_\_\_\_\_ or NO \_\_\_\_\_  
If NO, see appropriate tax clause on page # \_\_\_\_\_ of this instrument.

4 Dist.

3536474

1001 00200 0600 049001

5

Community Preservation Fund

## DECLARATION OF COVENANTS AND RESTRICTIONS

**THIS DECLARATION**, made as of this 29 day of November, 2017, by 5 Pheasant Lane Shelter Island Inc having principal offices located at 77 North Midway Road, Shelter Island, New York 11964 hereinafter referred to as the "Declarant," as owner of the premises described in "Schedule A" annexed hereto, hereinafter referred to as the "premises".

### WITNESSETH

**WHEREAS**, Declarant has applied to the Planning Board of the Village of Greenport for approval of a standard three-lot subdivision; and

**WHEREAS**, the Planning Board has determined that such subdivision approval be granted, provided that the owner of the premises make this declaration setting forth certain covenants and restrictions regarding the use of the premises; and

**WHEREAS**, Declarant deems it to be in the best interest of Declarant, Declarant's successors and assigns, and the Village of Greenport, to impose certain covenants and restrictions upon the use of the premises, and desires to hereby impose those covenants and restrictions;

**NOW THEREFORE**, in consideration of the foregoing, Declarant hereby declares that the said premises are now held and shall be conveyed subject to the following covenants and restrictions:

1. Any residences located on the lots created by this subdivision shall be limited to use as single-family residences.

Declarant and declarant's successors and assigns, shall include these covenants and restrictions in every instrument of conveyance to grantee, vendee, lessee, mortgagee, or other person or entity acquiring an interest of whatever kind or nature in the premises, expressly subjecting the conveyance thereof to these covenants and restrictions. These covenants and restrictions, however, shall apply to and govern the use and occupancy of the premises, notwithstanding the failure to set them forth or include them in any instrument of conveyance.

These covenants and restrictions shall be construed to be in addition to and not in derogation of limitation of any relevant provisions of local, state, and federal laws, ordinances, or regulations in effect at the time of the execution of this agreement, or at the time such laws, ordinances, or regulations may thereafter be promulgated, amended or revised.

These covenants and restrictions shall be enforceable by the Planning Board of the Village of Greenport, by injunctive relief or other remedy at equity or at law. The failure of the Planning Board to enforce the same shall not be deemed to affect the validity of these covenants

and restrictions nor to impose any liability whatsoever upon the Planning Board of the Village of Greenport or any officer or employee thereof.

These covenants and restrictions shall run with the land and shall be binding upon Declarant, Declarant's successors and assigns, and upon all persons or entities claiming under them, and can be terminated, revoked, or amended only by either the owner of the premises or by the owners of a majority of the lots on the subdivision map and only with the written consent of a majority plus one of the Planning Board of the Village of Greenport, after a public hearing held on ten (10) days' notice.

If any section, subsection, paragraph, clause, phrase, or provision of these covenants and restrictions shall be adjudged illegal, unlawful, invalid, or held to be unconstitutional by a court of competent jurisdiction, that judgment shall not affect the validity of these covenants as a whole, or any provision hereof, other than the part so adjudged to be illegal, unlawful, invalid, or unconstitutional.

**IN WITNESS WHEREOF**, Declarant has caused this instrument to be duly executed on the date and year first above written.

By:

  
James Olinkiewicz


ACKNOWLEDGMENT

STATE OF NEW YORK )

ss:

COUNTY OF SUFFOLK )

On the 1<sup>st</sup> day of ~~November~~ <sup>December</sup> in the year 2017, before me, the undersigned, personally appeared James Olinkiewicz, known to me or proved to me on the basis of satisfactory evidence to be the individual whose name is subscribed to the within instrument and acknowledged to me that he executed the same in his capacity, and that by his signature on the instrument, the individual, or the person upon behalf of which the individual acted and executed the instrument.

  
\_\_\_\_\_  
Notary Public

RECORD AND RETURN TO:

Village Clerk  
Village of Greenport  
236 Third Street  
Greenport, New York 11944

DOREEN E. TYBALT  
NOTARY PUBLIC, STATE OF NEW YORK  
Registration No. 01TY6274186  
Qualified in Suffolk County  
Commission Expires Dec. 31, 2020

**SCHEDULE A DESCRIPTION**

**Amended 12/14/2016**

ALL that certain plot, piece or parcel of land, situate, lying and being in the Village of Greenport, Town of Southold, County of Suffolk and State of New York, being bounded and described as follows:

BEGINNING at a point on the easterly side of First Street distant 178.09 feet northerly from the corner formed by the intersection of the easterly side of First Street and the northerly side of North Street;

RUNNING THENCE North 6 degrees 48 minutes 40 seconds West along the easterly side of First Street, 128.05 feet to land now or formerly of Pollack;

THENCE North 83 degrees 34 minutes 30 seconds East along said land, 135.24 feet to land now or formerly of McDonald;

THENCE along said land the following 2 courses and distances:

1. South 6 degrees 49 minutes 40 seconds East, 5.16 feet to a point;
2. North 83 degrees 34 minutes 30 seconds East, 165.30 feet to the westerly side of Main Street;

THENCE South 6 degrees 49 minutes 40 seconds East along the westerly side of Main Street, 101.00 feet to land now or formerly of Grocock;

THENCE South 84 degrees 22 minutes 00 seconds West along said land, 165.34 feet to a point

THENCE South 6 degrees 49 minutes 40 seconds East still along said land of Grocock 23.17 feet to land now or formerly of Buckley and Van Tuyt;

THENCE South 83 degrees 34 minutes 30 seconds West along said land 135.28 feet to the easterly side of First Street, the point or place of BEGINNING.

**FOR CONVEYANCING ONLY: Together with all right, title and interest of, in and to any streets and roads abutting the above described premises, to the center line thereof.**

*INSURE*