VILLAGE OF GREENPORT

COUNTY OF SUFFOLK : STATE OF NEW YORK

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ZONING BOARD OF APPEALS

REGULAR SESSION

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Station One Firehouse

236 3rd Street

Greenport, NY 11944

November 15, 2002

6:00 p.m.

## B E F O R E:

JOHN SALADINO - CHAIRMAN

DINNIE GORDON - MEMBER

SETH KAUFMAN - MEMBER

JACK REARDON - MEMBER

DENA ZEMSKY - MEMBER

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## ALSO IN ATTENDANCE:

ROBERT CONNELLY - VILLAGE ATTORNEY

MICHAEL NOONE - CLERK TO THE BOARD

ALEX BOLANOS - ENFORCEMENT OFFICER

- 1 (The meeting is called to order at 6:02 p.m.)
- 2 CHAIRMAN SALADINO: Good evening, folks.
- 3 This is the Village of Greenport Zoning Board of
- 4 Appeals regular meeting.
- 5 Item No. 1 is the Motion to accept the
- 6 Minutes of the October 20th, 2022, Zoning Board of
- 7 Appeals meeting. So moved.
- 8 MEMBER GORDON: Second.
- 9 CHAIRMAN SALADINO: All in favor?
- 10 MEMBER KAUFMAN: Aye.
- 11 MEMBER GORDON: Aye.
- 12 MEMBER ZEMSKY: Aye.
- MEMBER REARDON: Aye.
- 14 MEMBER GORDON: Could I make a comment
- 15 about the Minutes?
- 16 CHAIRMAN SALADINO: Sure.
- 17 MEMBER GORDON: There is, on page 22 of
- 18 last month's meeting, there is a statement by the
- 19 lawyer, Counsel Connelly, that I think is not right.
- 20 It says: Something would get to you without being
- 21 ready for a public hearing. But obviously that is
- 22 not always, can't always happen. But I think he
- 23 means something would get to you ready for a public
- 24 hearing.
- 25 CHAIRMAN SALADINO: What's the context?

- 1 MEMBER GORDON: The context is about a
- 2 desirable process for bringing the application to us
- 3 for acceptance and review, and I think you were
- 4 talking about, you said, it's up to the higher
- 5 powers that be. Ideally, something would get to you
- 6 without being ready for a public hearing. You
- 7 couldn't have said that.
- 8 MR. CONNELLY: Right. Something should
- 9 get to the Board ready for public hearing, but
- 10 sometimes that doesn't happen.
- 11 MEMBER GORDON: Right. So it should
- 12 either say something should get to you without --
- 13 no, but still, it says "without being ready." So if
- 14 you just take out the words "without being," then it
- 15 says something would get to you ready for a public
- 16 hearing. I just, since it's the opposite of what I
- 17 think you said, I thought I should bring it up.
- 18 MR. CONNELLY: I appreciate that.
- 19 CHAIRMAN SALADINO: Item No. 2 is a
- 20 Motion to schedule the next Zoning Board of Appeals
- 21 meeting for December 20th, 2022, at 6:00 PM, at the
- 22 Station One Firehouse, Third and South Streets,
- 23 Greenport, New York 11944. So moved.
- 24 MEMBER REARDON: Second.
- 25 CHAIRMAN SALADINO: All in favor?

- 1 MEMBER KAUFMAN: Aye.
- 2 MEMBER GORDON: Aye.
- 3 MEMBER ZEMSKY: Aye.
- 4 MEMBER REARDON: Aye.
- 5 CHAIRMAN SALADINO: And I vote aye.
- 6 Item No. 3, is 440 First Street. This
- 7 public hearing has been cancelled and it's at the
- 8 request of the applicant. And after we do the rest
- 9 of the stuff on, I believe after we do the rest of
- 10 the stuff on this agenda, we'll talk about
- 11 scheduling a future date, okay? So moved.
- 12 Is that okay?
- 13 MEMBER KAUFMAN: Yes.
- 14 CHAIRMAN SALADINO: Item No. 4 is 446
- 15 Sixth Street. This is a public hearing regarding
- 16 the area variances applied for by Anne Pettibone and
- 17 Robert Riccobono.
- 18 The applicants propose to add a 5'x10'
- 19 deck on the rear side of the property, as well as
- 20 new windows and doors on the rear elevation of the
- 21 property. This property is located in the R-2 (One
- 22 and Two-Family Residential District).
- 23 There are some -- I'll read them. The
- 24 plan shows a front yard setback of 27'2". This
- 25 would require an area variance of 2'10".

- 1 The plans show a side yard setback of
- 2 2'8" and this would require an area variance of
- 3 7'4".
- 4 This plan shows a combined side yard
- 5 setback of 17'9", and this would require an area
- 6 variance of 7'3".
- 7 The plan also shows an accessory
- 8 building with a setback of 1'4" from the property
- 9 line. This would require an area variance of 3'8".
- 10 The SCTM# is 1001-6-3-10.
- Is the applicant here?
- MS. SAMUELS: Yes.
- 13 CHAIRMAN SALADINO: Do you want to tell
- 14 us something?
- MS. SAMUELS: Yes.
- 16 CHAIRMAN SALADINO: Just tell us your
- 17 name and address for the stenographer, please.
- 18 MS. SAMUELS: My name is Kay Samuels,
- 19 I'm the applicant.
- I think as we saw today, the deck
- 21 itself is 5'x10'. It's not located in the setback,
- 22 and it shouldn't disturb any other square footages
- 23 of the overall building itself. Just the deck as it
- 24 stands on the side of the building.
- 25 CHAIRMAN SALADINO: Okay, do any of the

- 1 members have any questions for the applicant?
- 2 MEMBER GORDON: I'm curious. Was this a
- 3 pre-existing nonconforming building? It appears to
- 4 have been a pre-existing nonconforming building.
- 5 So what we are doing here is making it
- 6 conforming? Or -- I don't understand. Nothing --
- 7 you say nothing is going to be changed of the basic
- 8 structure, and I believe you, but I don't really
- 9 understand why we are making a judgment on a
- 10 structure that has already been approved, or not
- 11 approved, because it happened before the zoning code
- 12 affected it.
- MS. SAMUELS: So, the disapproval
- 14 letter basically stated that, you know, the building
- 15 itself had to be legalized since it was in the
- 16 setback on those three or four sides, as mentioned
- 17 previously. So, and since, you know, the deck is
- 18 increasing the nonconformity of the building in a
- 19 certain respect, since we are adding square footage
- on, although exterior, we needed to legalize the
- 21 entire building, since it was nonconforming.
- 22 MEMBER GORDON: I guess I have a
- 23 question for the housing department. Will this, if
- 24 we approve this, will it no longer be a pre-existing
- 25 nonconforming building?

- 1 EO BOLANOS: It will be conforming.
- 2 Everything will be legitimized on it.
- 3 MEMBER GORDON: Okay.
- 4 CHAIRMAN SALADINO: You good?
- 5 MEMBER GORDON: Yes.
- 6 CHAIRMAN SALADINO: Thank you. Is there
- 7 anyone from the public that would like to speak?
- 8 MS. WADE: Randy Wade, Sixth Street. I
- 9 totally support the changes, and they are so minor,
- 10 you should all be so lucky to have such a lovely
- 11 neighbor. Thank you.
- 12 CHAIRMAN SALADINO: Wait. To the north
- 13 or to the south?
- MS. WADE: The north.
- 15 (Board members/audience laughter).
- 16 CHAIRMAN SALADINO: Randy, I'm only
- 17 kidding.
- Okay, I'm going to -- would anybody
- 19 else from the public like to speak?
- (No response).
- I apologize jumping the gun here.
- I'll make a motion that we close this
- 23 public hearing.
- 24 MEMBER ZEMSKY: Second.
- 25 CHAIRMAN SALADINO: All in favor?

- 1 MEMBER KAUFMAN: Aye.
- 2 MEMBER GORDON: Aye.
- 3 MEMBER ZEMSKY: Aye.
- 4 MEMBER REARDON: Aye.
- 5 CHAIRMAN SALADINO: And I'll vote aye.
- 6 We'll discuss that in a couple of
- 7 seconds.
- Right now is Item No. 5. This is 117
- 9 Main Street. This is a Motion to accept the
- 10 application, to schedule a public hearing and
- 11 possible site visit for the area variance applied
- 12 for by Gustavo Acero on behalf of Encanto Crepes
- 13 LLC.
- 14 Is the applicant here?
- 15 (No response).
- The applicant proposes to add a 2'x2'
- 17 PVC sign and to replace existing signage. As per
- 18 Village Code 150-15L. (4), the code limits sign size
- 19 to two square feet. This would require an area
- 20 variance of two square feet. The property is
- 21 located in the Waterfront Commercial District and is
- 22 also located in the Historic District.
- The SCTM# is 1001-5-4-35.2.
- I don't know what "Item" means after
- 25 that. And the applicant is not here? There's no

- 1 applicant for this?
- 2 (No response).
- 3 CHAIRMAN SALADINO: I have a couple of
- 4 concerns about this application. I would ask the
- 5 members also, I thought if the applicant was here we
- 6 could discuss it, perhaps reach a compromise to kind
- 7 of get it off our plate. But since he's not here,
- 8 and -- do you have an application for this?
- 9 MEMBER GORDON: Yes.
- 10 CHAIRMAN SALADINO: I don't have an
- 11 application. Okay, what are we thinking?
- MR. NOONE: Do you want to see a copy?
- 13 (Handing).
- I believe the applicant was supposed to
- 15 appear before the Zoning Board last month, and
- 16 couldn't make it. I'm not sure if this is a
- 17 question of miscommunication, I told the applicant.
- 18 He knew he was to appear this month.
- 19 CHAIRMAN SALADINO: Thank you. I
- 20 remember he asked that his public hearing be
- 21 adjourned. He couldn't -- not his public hearing.
- 22 His application, be put on hold until he could
- 23 appear. He's on the agenda. I thought he would be
- 24 here. But, I'm --
- 25 MEMBER GORDON: I would like to ask a

- 1 question that maybe you have the answer to, or maybe
- 2 the Building Department does.
- If what is needed is two more feet, are
- 4 we talking about one foot on one side of the sign
- 5 and one foot on the other side?
- 6 CHAIRMAN SALADINO: I think what we are
- 7 looking for is for a sign, for an irregular-shaped
- 8 sign, the code says, that you enclose it in the
- 9 largest rectangle. So the rectangle -- I did the
- 10 math someplace -- the rectangle would be to enclose
- 11 it. The rectangle would, it would double the size
- 12 of the permitted sign. It's a two-sided sign. It
- 13 would double the size of the permitted sign.
- 14 If the applicant was here and we could
- 15 talk to him and the sign -- for the people in the
- 16 audience, the sign is a circle -- so if we could
- 17 reduce the diameter of the circle two inches, the
- 18 sign would basically be legal, and it would not have
- 19 to come in front of us.
- 20 Aside from all that, you know, I
- 21 thought we could get out from under this
- 22 application, but apparently not.
- I have a problem with the application,
- 24 we have no EAF for it, and also it's an LLC. And
- 25 normally we require that they list the members of

- 1 the LLC just so there is no conflict of interest
- 2 with Members of the Board, in case, you know, we
- 3 know somebody or do business with somebody on that
- 4 LLC.
- 5 So I would appreciate some thoughts
- 6 from the members. My inclination is that we hold
- 7 this application over to next month. But, I'm open.
- 8 MEMBER GORDON: Is it not possible to
- 9 ask the Building Department to deal with it?
- 10 I mean --
- 11 CHAIRMAN SALADINO: To deal with what,
- 12 the request?
- 13 MEMBER GORDON: Well, you say that if it
- 14 were two inches, if it were two inches smaller, it
- 15 would conform. I wonder if this is worth our time.
- 16 CHAIRMAN SALADINO: I don't know. We
- 17 are supposed to be here at six o'clock Tuesday
- 18 night. I mean, you know, we're here.
- 19 I would rather not put our work on to
- 20 the Building Department. If the applicant wants to
- 21 listen to the suggestion or tell us no -- he has the
- 22 right to appeal. We have a notice of disapproval.
- 23 He has the right to appeal. If he's willing to
- 24 compromise, we could put it all to bed, but since
- 25 he's not here.

- 1 MEMBER GORDON: Will we have a site
- 2 visit to see the sign?
- 3 CHAIRMAN SALADINO: There is no sign.
- 4 The last time -- without getting too involved in
- 5 this -- the last time we had an application from a
- 6 business that is in the immediate proximity of this
- 7 business, for a like sign, that applicant brought
- 8 the sign with her. So this applicant, before he
- 9 gets permission to hang that sign, he can't hang it.
- 10 So he would have to bring it here.
- I think we should only concern
- 12 ourselves with the dimensions. The sign itself, I
- 13 think this is in the Historic District, I think it
- 14 would have to go to the Historic. They would
- 15 decide. Here it is. They would decide if it's
- 16 appropriate or not. I have no opinion about the sign
- 17 itself except that it's too big.
- 18 So my suggestion, or my inclination, is
- 19 to put this application on hold, to put it on next
- 20 month's agenda and we'll make sure that the
- 21 applicant is notified. What do we think?
- MEMBER KAUFMAN: I agree. I think the
- 23 main question is why do you need to make it larger.
- 24 If the code says two square feet. That's what we
- 25 need him here to ask, to see what he has to say.

- 1 CHAIRMAN SALADINO: We all know that.
- 2 Without any opinion on the application itself, but
- 3 we all know merchants, the bigger the better. You
- 4 know, the more people that could see the sign, the
- 5 better people like it. So that's probably the
- 6 reasoning behind bigger is better.
- 7 MEMBER KAUFMAN: Maybe it's cheaper. It
- 8 doesn't matter. He has a right to be here, we have
- 9 to ask him the question. So I think it needs to be
- 10 put on hold.
- 11 CHAIRMAN SALADINO: Folks, what do we
- 12 think?
- 13 MEMBER ZEMSKY: I agree. Put it on
- 14 hold.
- 15 CHAIRMAN SALADINO: Jack?
- MEMBER REARDON: Yup.
- 17 CHAIRMAN SALADINO: Okay, so --
- 18 MEMBER ZEMSKY: Just a question. Can
- 19 the Building Department tell him or her or them,
- 20 that if they make it two inches smaller, it will
- 21 conform?
- 22 CHAIRMAN SALADINO: I think once --
- 23 MEMBER ZEMSKY: Or do they know that
- 24 already?
- 25 CHAIRMAN SALADINO: I'm not sure if they

- 1 know that.
- 2 MEMBER KAUFMAN: The notice said
- 3 two-square feet, right? So you could do the math
- 4 and figure out --
- 5 MEMBER REARDON: They know it already,
- 6 otherwise they would not be here.
- 7 MEMBER KAUFMAN: Yes, it's really just,
- 8 you know, power squared, so.
- 9 CHAIRMAN SALADINO: Well, a circle. I
- 10 thought it was a square, so.
- 11 I'm sure they are going to know that we
- 12 are not acting on this tonight. I believe the
- 13 Building Inspector will be their contact. He could
- 14 let them know what happened here tonight. They can
- 15 either ask for us to accept this application and/or
- 16 agree with the suggestion.
- But the one thing I will say, that
- 18 maybe the Building Department can, is we are going
- 19 to need a couple of things. We are going to need
- 20 the names of the people that are part of the LLC,
- 21 and we are going to need an EAF from them. We don't
- 22 have an EAF. Do you have one?
- MEMBER GORDON: No.
- 24 CHAIRMAN SALADINO: We are going to need
- 25 an EAF, and Environmental Assessment Form.

- 1 Can anybody think of anything else?
- 2 (Negative response).
- 3 MEMBER REARDON: They need to come and
- 4 make their justification.
- 5 CHAIRMAN SALADINO: And a good
- 6 suggestion would be to bring the sign.
- 7 So, I'm going to make a motion that we
- 8 put this application off until next month, with
- 9 those requests being forwarded to the applicant. So
- 10 moved.
- 11 MEMBER GORDON: Second.
- 12 CHAIRMAN SALADINO: All in favor?
- 13 MEMBER KAUFMAN: Aye.
- MEMBER GORDON: Aye.
- 15 MEMBER ZEMSKY: Aye.
- MEMBER REARDON: Aye.
- 17 CHAIRMAN SALADINO: And I'll vote aye.
- 18 Item No. 6 is a Discussion and possible
- 19 motion on the area variances applied for by Anne
- 20 Pettibone and Rocco Riccobono on the property
- 21 located at 446 Sixth Street, Greenport, New York
- 22 11944.
- The SCTM# remains the same at
- 24 1001-6-3-10.
- 25 Folks, do you have anything to say

- 1 about this?
- 2 MEMBER GORDON: It's a very small piece.
- 3 It's a sizeable lot. Large enough lot. I would be
- 4 in favor of moving right to the questions.
- 5 MEMBER KAUFMAN: I agree. I don't think
- 6 there is anything, any problems with this. It's
- 7 small and it's outdoors, you know, it's very small.
- 8 It doesn't really change any character or anything.
- 9 CHAIRMAN SALADINO: The deck.
- 10 Absolutely. I think the deck is almost a non-issue.
- 11 But, Jack, anything?
- 12 MEMBER REARDON: No, I'm ready to roll.
- 13 CHAIRMAN SALADINO: I'm going to make a
- 14 motion that the Zoning Board declare itself lead
- 15 agency for the purposes of SEQRA. So moved.
- MEMBER REARDON: Second.
- 17 CHAIRMAN SALADINO: I make a motion that
- 18 this is a Type II action. So moved.
- 19 MEMBER KAUFMAN: Second that.
- 20 CHAIRMAN SALADINO: All in favor?
- MEMBER KAUFMAN: Aye.
- MEMBER GORDON: Aye.
- MEMBER ZEMSKY: Aye.
- 24 MEMBER REARDON: Aye.
- 25 CHAIRMAN SALADINO: And I'll vote aye.

- 1 All right, the Zoning Board has a
- 2 balancing test that we do, that we are required to
- 3 do, and we'll do that now.
- 4 The first question in this balancing
- 5 test is whether an undesirable change will be
- 6 produced in the character of the neighborhood, or a
- 7 detriment to nearby properties will be created by
- 8 the granting of this area variance. Dena?
- 9 MEMBER ZEMSKY: I don't see that as an
- 10 issue, so, no.
- 11 CHAIRMAN SALADINO: Seth?
- 12 MEMBER KAUFMAN: No.
- 13 MEMBER GORDON: No.
- 14 CHAIRMAN SALADINO: Jack?
- 15 MEMBER REARDON: No.
- 16 CHAIRMAN SALADINO: And I'll vote no.
- 17 Whether the benefit sought by the
- 18 applicant can be achieved by some method feasible
- 19 for the applicant to pursue, other than an area
- 20 variance. Dena?
- MEMBER ZEMSKY: No.
- 22 CHAIRMAN SALADINO: Seth?
- MEMBER KAUFMAN: No.
- MEMBER GORDON: No.
- MEMBER REARDON: No.

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1 CHAIRMAN SALADINO: And I'll vote no.
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- Whether the requested area variance is
- 3 substantial.
- 4 MEMBER ZEMSKY: No.
- 5 MEMBER KAUFMAN: No.
- 6 MEMBER GORDON: No.
- 7 MEMBER REARDON: No, it's not.
- 8 CHAIRMAN SALADINO: And I'll vote no
- 9 also.
- 10 Whether the proposed variance will have
- 11 an adverse effect or impact on the physical or
- 12 environmental conditions in the neighborhood or
- 13 district.
- 14 MEMBER ZEMSKY: No.
- MEMBER KAUFMAN: No.
- 16 MEMBER GORDON: No.
- 17 MEMBER REARDON: No.
- 18 CHAIRMAN SALADINO: And I'll vote no.
- 19 Whether the alleged difficulty was self
- 20 created, which consideration shall be relevant to
- 21 the decision of the Board of Appeals but shall not
- 22 necessarily preclude the granting of the area
- 23 variance.
- 24 Dena?
- 25 MEMBER ZEMSKY: No.

- 1 MEMBER KAUFMAN: No.
- 2 MEMBER GORDON: No.
- 3 MEMBER REARDON: No.
- 4 CHAIRMAN SALADINO: And I'll vote no.
- We are not going to go through this for
- 6 each and every; we are going to take them
- 7 collectively?
- MR. CONNELLY: Yes.
- 9 CHAIRMAN SALADINO: All right, I'm going
- 10 to make a motion that we approve the listed area
- 11 variances. So moved.
- 12 MEMBER KAUFMAN: Second.
- 13 CHAIRMAN SALADINO: All in favor?
- 14 MEMBER KAUFMAN: Aye.
- MEMBER GORDON: Aye.
- MEMBER ZEMSKY: Aye.
- 17 MEMBER REARDON: Aye.
- 18 CHAIRMAN SALADINO: And I'll vote aye.
- 19 Thank you.
- 20 Moving on --
- 21 MEMBER GORDON: There is not much to
- 22 move on to, right?
- 23 CHAIRMAN SALADINO: I did want to say
- 24 something about Item No. 3, about First Street and a
- 25 future date.

- 1 I'm not inclined to put a date to this
- 2 tonight without like hearing from --
- 3 MR. CONNELLY: It was adjourned because
- 4 a notice of public hearing didn't list all the
- 5 relief that was requested in the application. At
- 6 the tail end of the application, if this Board were
- 7 to find in favor of the applicant, then there would
- 8 be area variances that would be needed to legalize
- 9 the existing carriage house. So that was part of
- 10 the application.
- 11 That was not noticed in the public
- 12 hearing, so that's why, by the time we corrected the
- 13 public notice, it was too late to get it posted into
- 14 the Suffolk Times for this evening.
- 15 CHAIRMAN SALADINO: Was that -- I don't
- 16 have the application in front of me. I got tired of
- 17 carrying it around.
- 18 Was your request about area variances
- 19 included in the original application? I don't
- 20 remember it being in there.
- MR. CONNELLY: It was in the amended
- 22 application. It was also in the amended notice of
- 23 disapproval from the Village. So that's why it can
- 24 go forward tonight because, like I said, the notice
- of public hearing was already posted in the paper,

- 1 and it wasn't time to correct it.
- 2 CHAIRMAN SALADINO: All right, so this
- 3 evening we would have to schedule a new public
- 4 hearing.
- 5 MR. CONNELLY: Right.
- 6 CHAIRMAN SALADINO: The applicant would
- 7 be required to eventually stake out his property and
- 8 notify the neighbors because the mailings --
- 9 MR. CONNELLY: Right. I think we caught
- 10 the error in time before they sent out the mailings
- 11 to the neighbors.
- 12 CHAIRMAN SALADINO: So what public
- 13 notice did the neighbors get?
- MR. NOONE: Since the process was
- 15 halted, I think perhaps that there were public
- 16 notices mailed out, or so I was told. We also
- 17 prepared a placard, both signs of the corner house,
- 18 for both sides of the house. But the process
- 19 stopped abruptly upon -- I send a letter to the
- 20 owner or the representative, or both, actually, and
- 21 I give a list of neighbors, and they have a pretty
- 22 good list of neighbors, they are a corner house, of
- 23 neighbors, and I explain about the placard and the
- 24 return receipt requested, and the public. And it
- 25 was so short, Rob can tell you, it was so shortly

- 1 after that that went to them, that they were
- 2 contacted. Rob?
- MR. CONNELLY: I actually contacted Mr.
- 4 Prokop and I got involved later on in the process.
- 5 MR. NOONE: Yes, I know a lawyer was
- 6 contacted. So, as far as, it would not matter
- 7 anyway, I believe Rob can speak of this, you have to
- 8 send out new public notices anyway. The whole
- 9 process would have to begin again.
- 10 CHAIRMAN SALADINO: Well, that was
- 11 basically, there is going to be a new public notice
- 12 published in the newspaper.
- MR. CONNELLY: Right.
- 14 CHAIRMAN SALADINO: There will be new
- 15 mailings.
- MR. CONNELLY: Correct.
- 17 CHAIRMAN SALADINO: With the corrected
- 18 public notice.
- MR. CONNELLY: Exactly.
- 20 CHAIRMAN SALADINO: And the applicant
- 21 would be notified of this Board's decision of the
- 22 time of the public hearing.
- MR. CONNELLY: Yes.
- 24 CHAIRMAN SALADINO: And the site
- 25 inspection, what we would require for a site

- 1 inspection, right?
- 2 MR. CONNELLY: Yes.
- 3 CHAIRMAN SALADINO: So, I'm guessing we
- 4 could do that.
- 5 All right. So, folks, what do we
- 6 think? As far as the site inspection --
- 7 MR. CONNELLY: I don't know if there is
- 8 really anything to stake out. The carriage house is
- 9 --
- 10 CHAIRMAN SALADINO: Well, the
- 11 application is for, the applicant's contention that
- 12 it's two separate pieces of property. So I would
- 13 like to see the boundary. Can we ask him to mark
- 14 the boundary?
- MR. CONNELLY: Yes, the property line,
- 16 sure.
- 17 CHAIRMAN SALADINO: So we'll ask him to
- 18 stake out the boundary. And it's tough not having
- 19 the application in front of me. And the carriage
- 20 house, what are we -- I honestly forgot what is
- 21 involved with the carriage house.
- MR. CONNELLY: I believe it's just to
- 23 legalize.
- 24 CHAIRMAN SALADINO: The same footprint.
- MR. CONNELLY: Same footprint. To

- 1 legalize it as a single-family residence.
- 2 CHAIRMAN SALADINO: So no increase in
- 3 footprint.
- 4 MR. CONNELLY: Right.
- 5 CHAIRMAN SALADINO: Okay, so we don't
- 6 need the carriage house, anything.
- 7 MR. CONNELLY: I wouldn't think so.
- 8 CHAIRMAN SALADINO: So all we need is
- 9 for him to stake out the property line.
- 10 Okay, can we make that request?
- MR. CONNELLY: Yes. Sure.
- 12 CHAIRMAN SALADINO: And the last thing
- 13 would be a site inspection. Today's site inspection
- 14 was kind of darkish and chilly.
- 15 MEMBER KAUFMAN: What kind of Zoning
- 16 Chairman are you?
- 17 CHAIRMAN SALADINO: I'm a sissy Zoning
- 18 Chair. What can I tell you.
- 19 MEMBER KAUFMAN: Let the record
- 20 reflect.
- 21 (Board members laughing).
- 22 CHAIRMAN SALADINO: I'm an old guy that
- 23 gets cold.
- I guess we would have to ask the
- 25 applicant's permission, since we are only looking at

- 1 a property line, if we could ask the applicant's
- 2 permission to trespass at like our convenience. We
- 3 all live close and, you know, if he staked out the
- 4 property line we would not have to set a four or
- 5 o'clock or three or o'clock or any o'clock site
- 6 inspection. We could just agree.
- 7 MR. CONNELLY: He gives owners's
- 8 authorization with the application.
- 9 CHAIRMAN SALADINO: To trespass? We've
- 10 never gone to an owner's property or an applicant's
- 11 property without asking permission first.
- 12 MR. CONNELLY: I can request that --
- 13 CHAIRMAN SALADINO: Well, before you do
- 14 that, let's see if the members are okay with that.
- 15 MEMBER ZEMSKY: I guess if it fits our
- 16 schedule. Daylight is so scarce.
- 17 CHAIRMAN SALADINO: Well, that's what
- 18 I'm kind of thinking. It's a month from now. It
- 19 will be a month from now. It will be December 20th,
- 20 and we have from -- he has to put the placard out
- 21 ten days before?
- MR. CONNELLY: Yes.
- 23 CHAIRMAN SALADINO: So he's going to be
- 24 at least notified, at a minimum. So we have those
- 25 ten days or two weeks to get there at our leisure.

- 1 What do we think? Or we can just set a --
- 2 MEMBER GORDON: Well, occasionally when
- 3 we make site visits, we ask questions of the owner
- 4 or the applicant, and we would not be able to do
- 5 that.
- 6 CHAIRMAN SALADINO: Actually, we are not
- 7 supposed to do that.
- 8 MEMBER GORDON: We're not supposed to
- 9 ask questions? No, I mean questions about what has
- 10 been staked out, where the boundaries are, and
- 11 actually in this case, I would think that would be a
- 12 relevant question.
- 13 MEMBER KAUFMAN: It's relevant facts,
- 14 what are we looking at. I think this would probably
- 15 benefit being done the same way as we have always
- 16 been doing. As much as I don't want to go earlier
- in the day, I think we should probably just do it
- 18 the way we always do it.
- 19 CHAIRMAN SALADINO: I'm okay with either
- 20 way. I just thought it would be easier to go --
- 21 MEMBER KAUFMAN: I just think this would
- 22 benefit from a traditional approach.
- 23 CHAIRMAN SALADINO: Jack, what do you
- 24 think?
- 25 MEMBER REARDON: I benefit from a group

- 1 visit. I think we generate good questions and
- 2 interact with the homeowners better in that
- 3 situation, so that's what I would like to do.
- 4 MEMBER KAUFMAN: So, if it's the
- 5 shortest day of the year, we do it the day of the
- 6 meeting, then we've got to do it at like 3:00.
- 7 MEMBER REARDON: Sunset is 4:24 that
- 8 day.
- 9 CHAIRMAN SALADINO: How do you know
- 10 that?
- 11 MEMBER REARDON: We were talking about
- 12 it, so I looked it up.
- 13 MEMBER GORDON: The wonders of modern
- 14 technology.
- 15 CHAIRMAN SALADINO: I don't have a
- 16 problem, folks, either way. You know, whatever we
- 17 decide is fine with me.
- 18 So we are going to make the site visit
- 19 for December 20th. Is that a good day?
- MR. NOONE: Yes.
- 21 CHAIRMAN SALADINO: December 20th. And
- 22 we are going to make the site visit for what time
- 23 did we say?
- MEMBER REARDON: Well, I can make 4:00.
- 25 Is anybody else working that has an obligation?

- 1 MEMBER KAUFMAN: I can do that.
- 2 MEMBER GORDON: Four is fine with me.
- 3 CHAIRMAN SALADINO: Dena?
- 4 MEMBER ZEMSKY: Yes.
- 5 CHAIRMAN SALADINO: So we are going to
- 6 make the site visit for December 20th, at 4:00 PM,
- 7 and the request for the applicant will be the same,
- 8 just to mark the boundary, and I think that was it,
- 9 right?
- 10 (Board members affirmatively respond).
- 11 So that's that.
- 12 Item No. 6 -- did I forget something?
- 13 Because I forgot the mailings for the previous.
- 14 I'll admit it for the camera, I forgot to ask for
- 15 the mailings.
- MR. NOONE: I have the mailings.
- 17 CHAIRMAN SALADINO: We have the
- 18 mailings. Well, I'm supposed to read them, but.
- 19 Item No. 7, is any other Zoning Board
- 20 of Appeals business that might properly come before
- 21 this Board. This is your chance, folks. This is
- 22 your shot. Anybody have any questions?
- 23 (Negative response).
- 24 CHAIRMAN SALADINO: Sometimes these
- 25 things are like rhetorical.

- 1 MS. WADE: Well, yes. Thanks, for
- 2 asking. Randy Wade, 6th Street, Greenport.
- 3 The Village Board has now, they have it
- 4 under consideration, to do a moratorium and revisit
- 5 the Waterfront Commercial Zone and maybe the
- 6 Commercial Retail Zone, and I don't know if they've
- 7 asked you for an opinion, but I think it would be
- 8 nice if you gave them an opinion that, of support,
- 9 for such a thing, and that you would like to be
- 10 involved in discussions about modifying the code,
- 11 since you guys are kind of experts now. Thanks.
- 12 CHAIRMAN SALADINO: Thank you, Randy.
- To respond, no, the Board has not asked
- 14 for anything from the Zoning Board.
- 15 As far as our opinion, if you tune in
- on Thursday nights you'll see that I don't have a
- 17 problem with offering my opinion, but I don't speak
- 18 for the Board.
- 19 And until the Village Board asks our
- 20 opinion, I think we are just going to sit it out.
- 21 That's my -- what do you guys think?
- MEMBER KAUFMAN: I agree.
- MEMBER GORDON: I agree.
- 24 CHAIRMAN SALADINO: Yes. So, and also
- 25 for us to offer an opinion, unlike the Planning

- 1 Board, the Planning Board is set up that it's their
- job to offer opinions about the health, welfare,
- 3 safety of the Village. Our job is kind of like
- 4 spelled out in black and white. So if we offer an
- 5 opinion about something that later comes in front of
- 6 us, then we would have to recuse ourselves or we
- 7 would look, perhaps look biased.
- 8 So maybe it's best that the Zoning
- 9 Board doesn't offer an opinion. If they ask our
- 10 advice or opinion, we would be glad to give it to
- 11 them. Other than that. So that's that.
- 12 And Item No. 8 is motion to adjourn.
- 13 So moved.
- 14 MEMBER GORDON: Second.
- 15 CHAIRMAN SALADINO: All in favor?
- MEMBER KAUFMAN: Aye.
- 17 MEMBER GORDON: Aye.
- 18 MEMBER ZEMSKY: Aye.
- 19 MEMBER REARDON: Aye.
- Thank you, folks. Thank you, for
- 21 coming.
- 22 (The time noted is 6:38 p.m.)
- 23
- 24
- 25

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 1
                  CERTIFICATION
 2
 3
        STATE OF NEW YORK
 4
                                  SS:
 5
        COUNTY OF SUFFOLK
 6
 7
                  I, WAYNE GALANTE, a Notary Public in
     and for the State of New York, do hereby certify:
 8
                  THAT the within transcript is a true
 9
10
     record of the proceedings taken on November 15,
     2022.
11
                  I further certify that I am not related
12
     either by blood or marriage, to any of the parties
13
     in this action; and.
14
15
                  THAT I am in no way interested in the
     outcome of this matter.
16
17
18
19
20
21
        WAYNE GALANTE
22
23
24
25
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