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VILLAGE OF GREENPORT
COUNTY OF SUFFOLK : STATE OF NEW YORK
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BOARD OF TRUSTEES

SPECIAL MEETING
- - - - -x

Third Street Firehouse
December 2, 2022

B E F O R E:

- GEORGE HUBBARD, JR. - MAYOR
- JACK MARTILOTTA - DEPUTY MAYOR/TRUSTEE
- PETER CLARKE - TRUSTEE
- MARY BESS PHILLIPS - TRUSTEE
- JULIA ROBINS - TRUSTEE

- JOSEPH PROKOP, ESQ., VILLAGE ATTORNEY
- PAUL PALLAS, P.E., VILLAGE ADMINISTRATOR
- JEANMARIE ODDON, DEPUTY CLERK

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MAYOR HUBBARD, JR.: Okay,
I'll call the meeting to order and
pledge to the flag.

(Whereupon the Pledge of
Allegiance was recited.)

MAYOR HUBBARD, JR.: Thank
you. Okay, the purpose of this special
meeting is to talk about the
moratorium. It's been a hot topic in
the Village for the past six months,
more so over the past month. We've got
a proposed resolution setting a public
hearing and all. Also a public hearing
on the Local Law that will happen, if
passed, at our regular meeting on the
22nd. So the whole Board has seen
this.

First I'm going to start
with the Board. Anybody have any
questions on resolution or the Local
Law to discuss before we ask for
comments from the public?

TRUSTEE PHILLIPS: The
only thing I would ask, Mayor, is

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perhaps Attorney Prokop would explain the process for this.

CHAIRMAN FARLEY: Explain what?

TRUSTEE PHILLIPS: The process as far as the resolution, upon passing it, what it would entail and the public hearing and moving forward for the public as well as for us.

VILLAGE ATTORNEY PROKOP:

So the resolution as drafted would -- the resolution as drafted does a number of things. It sets a public hearing for December 22nd, the next meeting of the Board, scheduled meeting of the Board. It directs the Village Attorney and the Village Clerk to start a referral process that's required by law to refer a copy of the proposed Local Law to Suffolk County and also other agencies that are required to obtain a copy of the Local Law.

It also -- the resolution also starts the SEQRA process whereby

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under SEQRA, the Board of Trustees would adopt lead agency status, preliminarily determine the consideration and potential adoption of the Local Law is an unlisted action for purposes of SEQRA and start that process also.

 Contained in the local -- I'm sorry, excuse me. Contained in the resolution under the resolved paragraphs is a paragraph, paragraphs Number 1 and 2 where in this resolution, there would be, basically, an administrative moratorium on the acceptance for processing of applications for property development in three districts; the Commercial -- General Commercial District, the Retail Commercial District and also the Waterfront Commercial District while the Local Law is being considered.

 So those are the elements of the resolution. The Local Law itself would create a new section of

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the Greenport Village Code, which is Section 150-51, which is a moratorium, basically a moratorium on development in the three districts that I mentioned; the General Commercial District, the Retail Commercial District and also the Waterfront Commercial District for a period of six months. The moratorium can be extended for two, three-month periods.

So the potential time of the moratorium would be up to 12 months. Those extensions can be by resolution of the Board. A new Local Law does not have to adopted. And there are provisions in the moratorium and also the resolution whereby certain relief can be granted by the Board of Trustees where, under the resolution, if the building inspector determines that a property could potentially suffer damage or that there's a hazardous condition, the building inspector can issue a building permit

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and other permits as necessary to ameliorate that condition.

Under the Local Law there's provisions where the Board of Trustees can accept applications from property owners where there's a particular hardship or also where there's potential damage to property or would be an unsafe situation created if an application was not considered. So there's, what I would call, a relief valve or relief provisions in both the resolution and the Local Law.

TRUSTEE CLARKE: Thank you.

MAYOR HUBBARD, JR.: Any other questions --

TRUSTEE CLARKE: No, sir.

MAYOR HUBBARD, JR.: -- from the Board Members?

VILLAGE ATTORNEY PROKOP: If I can say one other thing, I'm sorry.

MAYOR HUBBARD, JR. Sure.

VILLAGE ATTORNEY PROKOP: I

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apologize. So what I mentioned about referring this to other agencies, I just want to remind the Board that what we discussed before, one of the things that has to happen is the Local Law has to get circulated among the Suffolk County Planning Commission and a few other agencies, in particular, Suffolk County Planning Commission has 45 days to comment on the Local Law.

So, often, the Suffolk County Planning Commission will send a letter back either with comments or with what's called a local determination letter prior to the expiration of the 40-day period, but also frequently the County takes the full 45 days to respond.

So we'll refer the Local Law right away if the resolution is adopted, but we might be in a position where we have to wait 45 days before taking action on the Local Law. And because it's a change in the zoning chapter, I believe also, a referral to

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the Village Planning Board is required if I'm not mistaken. So that's another thing that we'll be doing.

TRUSTEE PHILLIPS: I guess my question is: If we were to approve this resolution tonight, that establishes the control date as of today?

VILLAGE ATTORNEY PROKOP: The resolution as drafted, as I said, in the resolved paragraph, there's Paragraph 1 and 2 which set an administrative moratorium as of today if it was adopted in this -- if there was a motion and it was approved to adopt it in this forum, yes, those two Paragraphs 1 and 2.

TRUSTEE PHILLIPS: Okay, thank you.

CHAIRMAN FARLEY: Okay, any other discussion from Board members?

(No response.)

CHAIRMAN FARLEY: Okay, as everybody can see, there's a full crowd here tonight. We will be voting on the

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resolution that is part of the agenda.
We're going to vote on that tonight.
So if anybody wants to comment, you
know, say something, just try to keep
it brief because we've got 60 or so
people here. And don't keep recycling.
I mean, I want to hear from everybody.
We all want to hear from everybody. So
please your name and address for the
record and if anyone wants to speak
about this, you're welcome. Go ahead.

MS. TRICIA HAMMETT: Hi.

Tricia Hammett, 603 Main Street.
Again, I would say that, for full
disclosure, I am a member of the
Planning Board, but I am here in my
individual capacity and only speaking
in that capacity.

During the course of this
week, I reviewed over 20 New York State
Village and Town moratoriums enacted in
the last few years. There are a lot
more than that available online for
people to look it, but they tend to

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focus on moratoriums for specific things, so I really focused on ones that were land use development and related to a need to update a comprehensive plan and land use regulations that had not been reviewed in a long time.

As part of that review, as you all know, I sent you a summary chart of the high level points in those local laws and I found it very helpful and found it very helpful in reviewing the draft for today. I have to say that based on that review and my understanding of what the community, at least the community that I've spoken to and heard the most from, is seeking to accomplish, I think, the overall draft moratorium, is really thorough and well thought-out and provides the community the pause on community development activities that they are seeking while the community can update the LW --work with you all to update the LWRP and

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adopt amendments to the code.

I did, today, mark up the moratorium, which I will -- of the law which I will pass out a copy to you of with some thoughts on some additional point that I think should be considered (handing). I'm sorry I didn't get it you to earlier, but I had a meeting this morning and worked as fast as I could.

I'm not going to go into detail on it. I will say that when I marked up the resolution, I might have misunderstood the purpose of the resolution, so you could probably ignore that although I think there's some clean up on that.

But my basic point for it was that there was some cleanup that needed to be done. And then I felt there were some additional exceptions that needed to be included given, you know, the experience that I've had being on the Planning Board so that we

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don't have something that's too tightly drafted and we inadvertently keep some activities from happening that we would want to see.

For instance, approvals on repair restoration of bulkheads, docks and other marine infrastructure. We also had the weird situation in this Village where we had some houses that are in the commercial waterfront, residential houses, as well as some houses that are in R1, but have property across the street from them that are commercial waterfront. And so I think there might need to be some carveout to allow those people to either fix their house and/or deal with their bulkhead and marina area. So that's another one that you'll see in there.

I think the final one, I mean -- and then also accessory structures. If somebody needed to put up a tent or a garage. You know, if

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the shipyard, for instance, needed to put some kind of a temporary structure up to protect vehicles or whatever their associated with the current business, if that's something that should be included.

And then I think the final one was that there should be the ability for, you know, if it's like to like. So if retail is closing, but if new retail is coming in, under the code sometimes a change of occupancy might trigger an approval and think that that's not something that we would necessarily want to foreclose. So those are the things you'll see in there.

In addition, I did add some language that I think strengthens the relief valve and it's in line with the precedence that I reviewed. In particular, kind of the need for a demonstration of the hardship, as well as a public hearing on it and some other provisions that you can review

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and discuss with the Village Attorney.

And then finally, I guess I just wanted to say that with respect to the proposed waterfront advisory committee, I know you contemplated it being 7 members. I think that frankly 10 to 15 members would probably be more appropriate. I know you don't want it to be too big so you can get things done, but I think you need to have enough members from the community. I'm not sure if two residents is enough.

I think you also want somebody who hopefully owns a business in the working waterfront involved and somebody who owns a retail business in the community involved. And so I would hope that you could increase the number of that committee somewhat so that we have, kind of, full coverage. And as we all know, people can't make all the meetings. So it would be better to have enough people so that we have enough people when there's a meeting or

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a discussion.

And I think maybe it would helpful solicit a letter of intent to the community for people that would like to participate in that committee to submit why they're interested, what they think they can contribute and also to confirm that they're willing to provide the time.

Because I think Jack made a very good -- the Deputy Mayor made a very good point the other day about that the hard work comes after the moratorium and we need people that are committed and willing to kind of roll up their sleeves and put in the time to do this over the next couple of months so that we can, kind of, hopefully get this all done within the six months.

And then finally, I just wanted to -- just let me just double check that I don't have anything else so I don't have to get up here again. I guess, you know, I would just say, I

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think what this process has shown is there's a real desire in the community to be involved and to be able to give input. And I really hope that as part of the working -- the Waterfront Advisory Committee that's put together, as well as this Board, that there can be some opportunities like this meeting for the public to speak before things get too far drafted or too far done and then you kind of have to peel things back.

I think there's a lot of people out there that have views. We're all not going to all agree at the end of the day, but I think the first thing that is really important is to get community input and that needs to be done through meetings like this whether they're here or at the library or elsewhere where the community can get up and say, this is the challenges I think the Village has, strengths I think the Village has had.

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I mean there are people that can facilitate this. I'm a lawyer by training, so I'm not in necessarily the best facilitator, but I'm very good at reading documents and interpreting them, but I'm sure that there are other people in the community.

Frankly, there are great resources in this community that would be willing to devote their time and volunteer. And so I really hope the Village can tap into those kind of resources and get that community input and start this process in January regardless of what the status of the moratorium is at this point.

I thank you all very much for your hard work and for listening to the community. I think this process has been really great the last, you know, week or so and I hope we can continue to all work together. Thank you.

(Applause.)

MAYOR HUBBARD, JR.: Anybody

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else wish to address the Board?

MR. WILLIAM SWISKEY: I'll speak.

MAYOR HUBBARD, JR.: Go ahead.

MR. WILLIAM SWISKEY: And you don't have to clap. It's disrespectful to this Board. Really. I don't know if you people realize it or not. William Swiskey, 184 5th Street. Excuse me. I went through this thing and, you know, it's like everybody keeps referring to the 2014 LWRP. Well, we don't have a 2014 LWRP. We got a 1996 LWRP, which anybody can go to the library and read if they choose to. But until we have a new LWRP, the one we're questioning on is that one. And all right, here's paragraph one, I guess it is, this planning, the -- all right, we know that. Establishes zoning districts...

What hasn't been the subject to review the zoning districts --

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well, we had a zoning committee one time, didn't we, a Code Committee?

MAYOR GEORGE HUBBARD, JR.:

We had a Code Committee, yes.

MR. WILLIAM SWISKEY:

They didn't discover these things or they weren't worth looking at, I don't understand?

MAYOR GEORGE HUBBARD, JR.:

It never came up as a discussion at that time.

MR. WILLIAM SWISKEY:

That's what I mean, yeah. And changing the code? We don't really need to change our code. In other words, significant changes in the development use of the waterfront commercial. That's not true. It's the same. I've lived here all my life. Nothing's really changed in that district. We used to have a Mitchell's Restaurant with a marina. Now we have a marina. We used to have fishes boats at Claudio's, but the fishing industry

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here is dead. Nobody is going to steam
am 50 miles to Montauk to go up north
and go south. They're either going to
go to Point Jude or someplace closer.
The reality is, it's not economically
feasible.

And your railroad dock --
well, your commercial fishing dock
loses money every year. I mean, so,
that whole argument just doesn't hold
water to me. And threaten to
permanently change the nature of the
Greenport from a waterfront working
dependant. We're not a waterfront
working dependant. Most people don't
work on the waterfront in Greenport
anymore. They either work as
carpenters, in restaurants. I mean, to
put something in there like that,
that's simply not true and we all know
it.

We all live in the present
reality. The fishing boats aren't
coming back and that's just the way it

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is. I mean, we got flower shops. We got everything else. Undertake discussion -- who are the stakeholders referred to in Paragraph 2 -- I mean sentence two of where the Board of Trustees has determined it is therefore necessarily on an expedite basis to undertake planning discussions -- who are the stakeholders? I think the whole Village. Every tax payer in the village, and they come first, are the stakeholders here.

MAYOR HUBBARD, JR.:

Uh-huh.

MR. WILLIAM SWISKEY:

Because property values and everything else, they're the ones that rent the properties. This is on them, not some mysterious stakeholders, whoever they are.

Excuse me. All right and this next paragraph I go to: This says to protect the Village from any further loss of working waterfront or water

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dependant uses or any -- planned development. Well, development in those districts would have to go to the Planning Board or the ZBA or the Village Board and that's a sentence that's scary. In other words, it's saying, wow, if we don't pass this, our working waterfront is going away. What working waterfront? You have one business that's Steve Clark's that's working waterfront and maybe John Costello, but the rest of it isn't. I mean, it just makes no sense.

And I don't know if it's an unlisted -- I don't really understand SEQRA, so how can we call this an unlisted action? Perhaps the attorney can respond? What would be a listed action would it be putting in bulkheads? Would it be what?

VILLAGE ATTORNEY PROKOP:

If it's determined by the scope of the work that -- the scope of the property that's effected or the type of work

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that's being done. I reviewed the relevant sections of SEQRA and I believe that it does not fall under either Type 1 or Type 2 action and that therefore it's an unlisted action. The typing is preliminary only. The Board, after further review, can change it either to a Type 1 or a Type 2. But I think, at least for the initial determination, I believe it falls under what's called an unlisted action.

MR. WILLIAM SWISKEY:

Well, it would effect construction on the waterfront. That would be what type of action?

VILLAGE ATTORNEY PROKOP:

It depends on the scope. The number of acres that are being effected and it doesn't -- the law doesn't come close to that size.

MR. WILLIAM SWISKEY: The

Village needed to replace a bulkhead at Mitchell Park, say it collapsed this winter in a winter storm, would that

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change the determination?

VILLAGE ATTORNEY PROKOP:

So that would be -- under the regulations that would be an unlisted action. The way the regulations read, Boards have the option to come up with their own classifications, but under the regulations, as they are, there would be an unlisted action.

MR. WILLIAM SWISKEY:

Well, the Board might want to consider what classification it wants before we get ourselves into a jam with a lawsuit. You know what I mean? We're in hurricane season, we're in storm season. It's it waterfront Village.

All right, now let's see here. All right, sentence six, recommend to the Board of Trustees changes in the LWRP. Well, that would be changes in the 1996 LWRP; am I right, George, since the other one is not in effect?

MAYOR HUBBARD, JR.: The

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other one is not completed and has not been voted on and accepted by the Department of State.

MR. WILLIAM SWISKEY: So these changes would go back to the 1996, which most people have never read and I've read, believe it or not, a long time ago.

Follow with me. I'm a little out of sorts tonight. I'm just trying to make some points. Basically, even if we passed this -- well, we can't pass it tonight. It's a public hearing. I suppose if you vote it on the 27th, you took final comment and you voted to pass it, you'd have to send it to the County; that would be up to 45 days right?

MAYOR HUBBARD, JR.: Yes.

MR. WILLIAM SWISKEY: And then after that we have to send it to the Secretary of State. How long does he have to decide, Joe?

VILLAGE ATTORNEY PROKOP:

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The Secretary of State, it's
administerial filing that's done. It's
just a filing that's done with the
Secretary of State.

MR. WILLIAM SWISKEY: So
we could be into February, March before
it takes effect, right? By the way
this thing has been going not to be
smart or anything.

MAYOR HUBBARD, JR.:
Actually the wording of the resolution,
it would be an administrative
moratorium that would start tonight if
the resolution is passed.

MR. WILLIAM SWISKEY: You
can have an administrative moratorium
without a Local Law Joe?

MAYOR HUBBARD, JR.: Yes.

MR. WILLIAM SWISKEY: I
just wanted to ask the lawyer because
he's smarter than we are. Is that
true?

VILLAGE ATTORNEY PROKOP:
Pending the action on the Local Law, yes.

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MR. WILLIAM SWISKEY: All right, thank you. It's like I say, a lot of these sections referring to this 2014 LWRP are basically irrelevant. I mean, it's just doesn't exist by law or nature. It may exist as an idea, but it's never --

MAYOR GEORGE HUBBARD, JR.: It's a draft.

MR. WILLIAM SWISKEY: It's a draft, yes.

MAYOR HUBBARD, JR.: It's never been voted on.

MR. WILLIAM SWISKEY: It's never been voted on, no. I mean, I don't really see anything wrong with what's going on in our Business District. The hotel can be turned down by the Planning Board simply by saying it's not in the best interest of the Village; am I right or wrong?

AUDIENCE MEMBER: Wrong.

MR. WILLIAM SWISKEY: I'll defer to Ms. Hamilton (sic), I guess,

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there. So that's not even an issue.
But everybody is screaming it's an
issue and it's not. It can be handled
by what we have now.

AUDIENCE MEMBER: Excuse me.

MR. WILLIAM SWISKEY: I
want to move to Julia's moratorium
here. Did you write this, Julia, by
yourself or did you have help?

TRUSTEE ROBINS: I had help.

MR. WILLIAM SWISKEY: Was
the help anybody associated with
wanting the moratorium?

TRUSTEE PHILLIPS:

Mr. Mayor, I'm sorry, but Bill has kind
of taken up a fair amount --

MR. WILLIAM SWISKEY: No,
no. I'm not taking up with it, Mary
Beth, because it could be an ethics
conflict here if she had somebody from
the other side write it. She's
supposed to be nonpartisan in this.
She can propose it, but she still has
to be nonpartisan, like it or not. Now

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she can't tell us who the help was?

TRUSTEE ROBINS: I don't understand what you mean by nonpartisan.

MR. WILLIAM SWISKEY: Somebody has already spoke before this Board wanting this moratorium. You know, I was reading the state ethics code and it's pretty strict. Some things you just can't do.

TRUSTEE CLARKE: The moratorium was brought up by several Trustees over six months --

MR. WILLIAM SWISKEY: I'm not talking about Trustees. I'm asking about what helped Julia write her thing?

TRUSTEE ROBINS: Well, nobody helped me write it. I consulted with other moratoriums that were written in different village's and towns.

MR. WILLIAM SWISKEY: And you had no local help at all?

TRUSTEE ROBINS: No.

MR. WILLIAM SWISKEY: All

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right.

TRUSTEE ROBINS: I only went to sources of other moratoriums.

MR. WILLIAM SWISKEY: Did you speak to anybody on the bid?

TRUSTEE ROBINS: No.

MR. WILLIAM SWISKEY: All right. Anyway, I think the moratorium is a silly idea. Have a good night.

MAYOR HUBBARD, JR.: Okay, thank you.

Anyone else wants to address the Board? Somebody in the back.

MS. STACY TESSEYMAN: Hi again. Stacy Tesseyman, 512 2nd Street. So I think when I spoke the other day I made clear that I just feel like, if not now, when? So I just want to say again that like given the global pandemic that shuts down everything, we never know what's coming our way.

And right now we have some really interested, very smart people

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wanting to dive deep into this issue
and I think we should take the
opportunity to let them work. Because
we cannot continue, as a Village, to
continue with something from 1996 and
codes from the 70's. And if not now,
when are we going to do it?

And I listened to the
gentlemen that was just up here and I'm
sorry I don't know who he is, but he
felt very passionately about not doing
it. But I listened really closely and
I couldn't hear him say anything about
what the harm would be.

I heard him say that he
doesn't think it's necessary and that's
his opinion and I think that's great.
And if he wants to, he should be on
whatever committee is being formed.
But I didn't hear him say anything
about what harm would happen by going
through with this.

And I just think it's an
inevitability. We can't continue the

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way that it's been. So I'm just putting my two cents in as a person who has been out here since '95, that I heard nothing has changed in the gentlemen that was just up here and no offense at all, I'm just hear listening. But I heard nothing has changed, why would we do that and then saying we have no more businesses on the waterfront that were dependant on the waterfront. That's a change. And one way or another, things are changing.

Whether someone thinks we need to have a new plan or not a new plan, even that gentlemen agreed that things are changing. So I would just like to put my hat in for doing it now. So I appreciate your time. Thank you.

MAYOR HUBBARD, JR.: Thank you.

(Applause.)

MR. CHRIS DOWLING: Chris Dowling, 617 1st Street. I also own a

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business at 211 Main Street; previous member of the Planning Committee in the Village of Greenport. I just wanted -- I'm not going to talk for hours, but I just want to say I fully support the moratorium. I think it's desperately needed in the Village. And we have to take a pause and really reflect how we want to see this Village in the future for our kids, for ourselves, for everybody. Thank you.

MAYOR HUBBARD, JR.: Thank you.

(Applause.)

MS. KAREN RIVERA: Good evening and thank you for giving us an opportunity to address the Trustees. My name is Karen Rivera, 628 Carpenter Street. I am also speaking in support of the moratorium. I think it's good to take a pause and to plan and, as I said Monday, plan for the future.

We do have businesses that are water dependant, they need to

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access the waterfront. And I think that in the future we may see more of those businesses related to fishing and shellfish farming. So I think it's important that we plan for the future.

You know, my work with the Southold Town Advisory Committee, I've been involved in working on plans and so I just really hope that we take a pause, roll up our sleeves, come up with a good plan that addresses the needs of the Village now and into the future and then implement and stick to the plan because that's the other down side of plans is that people spend a lot of making them and then don't always follow through with them. So thank you for considering this. I support the moratorium.

(Applause.)

MS. DEBRA RIVERA-GUITERENO:

Hi. Debra Rivera Guitereno (phonetic), 326 Front Street. I'm not against the moratorium. What bothers me is that

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the -- I thought that the purpose of this moratorium was to create parking, to preserve affordable housing for residents so they don't have to leave, and to restore working waterfront. And I still don't see anywhere in this proposed law how we're going to create parking, how we're going to preserve housing for residents, especially because this does not apply to people using their homes as hotels.

I think that those properties should be included in this moratorium. Because I think that a big problem in Greenport is that many homes have become hotels and people are getting displaced, including my employees. They can't find an affordable place to live. I don't think \$3,500 a month is an affordable one bedroom. That's not affordable for a young working person.

I think we need to create housing for our young people. I think

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that we need to create housing. We need to create jobs. We need to create sustainable and realistic jobs. I don't know what's stopping us from creating waterfront jobs right now. Why don't we create them now? What's stopping us from creating them?

And last but not least, on Karen's point, we have many laws. Just as the laws we have on the books now where a business can come before the Board and make their case and someone can say no. You can write laws, but then have you to exercise. You have to act and you have to enforce.

Right now we have a two-week limit on an STR, short term Airbnb thing. It's not enforced. We can't even figure out how to enforce parking in this Village. We can't figure out how to fix sidewalks and I don't know how the moratorium is going to fix that.

So I think if we're going

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to adapt a moratorium, we have to adapt a moratorium that will actually do something for our residents, especially the young people that work here and who want to stay here. So thank you for your time.

(Applause.)

MAYOR HUBBARD, JR.: Anybody else wish to address the Board?

MS. ROSELLE BORRELLI: Me.

MAYOR HUBBARD, JR.: Yes.

MS. ROSELLE BORRELLI: Hi.

Roselle Borrelli, 519 First Street. I'm here on behalf of a husband who's got knee surgery and he couldn't make it. He's got his leg up and whatever. But anyway, I'm here and I'm listening and I would be in favor of a moratorium. As also a member of the Historic Preservation Committee, I sit on that committee. I do think it's good to take pause and think and plan maybe better and try to involve the public, as you have tonight, it's a

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huge turnout.

I would like to say that I'm not -- from Mr. Swiskey, I don't know him very well, but I don't know what kind of Village of Greenport life he lives in, but in Roselle's world, at North Forth Welding where I work every day, I would say one half to three-quarters of the business that come in -- and we are an extremely busy welding shop, is all on the commercial fishermen.

So Greenport, since at least 1832 has had a harmonious and symbiotic relationship with the commercial fishing industry. And thankfully today, in today's world of Roselle that she goes to work every day and lives in the Village and works in Greenport, we are very busy.

We have a huge relationship with the commercial fisherman. We have a huge relationship with the Greenport Dock where the boats

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are always coming in. The boats come in from Cape May, New Jersey to be fixed in Greenport by North Fork Welding.

We've got guys who are always asking for room, maybe we can build another commercial dock. I mean, I'd be in favor of that. You have a shipyard where if it weren't for the shipyard in Greenport, where would the boats get hauled? Where would the scallopers go to get repaired.

I mean, we got a lot to do with the fishing industry and I think you don't want to push an industry out that has been the backbone of Greenport since 1830. And also thankfully today I have got a lot of young people coming into North Fork Welding on a daily basis because their new industry of the fishing industry, which happens to be oysters and oyster pearls and all the oystering that's going on and claming and things. They're in there every day getting winches put on, getting I don't

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know.

I don't even know what I work at. I work in the office. So I don't really know what I'm talking about. So all of the fishermen out there and all the girls that are in and all Roselle, Roselle, Roselle, can I talk to Joe; can I talk to Frank; can I talk to... Can you help me? I can't really help them. I can help them with payroll. I can help them with office. I can help them with Spanish, but I cannot help them with their oysters.

But it's a wonderful industry. They work really hard. The commercial fisherman are in there all the time. They work their asses off on a daily basis. They're out there risking everything. We've got Charlie's Fish Market. It's an entire industry. It's an entire industry in this Village.

So Mr. Swiskey, I ask you:
In what world of the Greenport Village

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do you live because you don't live in my world, Mr. Swiskey. And I'm also --

MAYOR HUBBARD, JR.: You can't go back and forth.

MS. ROSELLE BORRELLI: I'm sorry. Like I said, this is not my trade. It is not what I do, but I do go to work every day where commercial fishing in this Village is very big and I would be in favor of a moratorium. I think it's great. And I thank Julia for having done all the work to have prepared that and put that forward. So thank you and thank you to the Board.

(Applause.)

MR. WILLIAM SWISKEY: She asked a question. I'd like to answer it.

AUDIENCE MEMBER: He already had his chance to speak.

MAYOR HUBBARD, JR.: We're not going to go back and forth. Really this is for the public to speak and everything. I shouldn't have let her get as far in attacking you. That was

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not appropriate and I apologize for letting it go that far, but we're not going to go back tit for tat, please.

Okay. Anybody else wish to address the Board?

AUDIENCE MEMBER: You guys can go outside.

(No response.)

MAYOR HUBBARD, JR.: Okay.

AUDIENCE MEMBER: There's one more.

MAYOR HUBBARD, JR.: Go ahead. You're next.

MR. MICHAEL OSNISKI: Hi. I'm Michael Osniski at 307 Flint Street. I sat on here 15 years ago and worked very hard on the LWRP that just languished and was very sour and I can see that the Board in the last 15 years decided it didn't want to ever look at. But it is an important part of this Village to preserve what's left of the working waterfront, it really is.

And I hope that we form

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some committee that, you know, that --
this is not just about making a Village
that looks like a Waterfront Committee
or looks like a mystic seaport or
something that looks like a waterfront
community and is isn't. You really
should get the people that actually
work on the water to be part of these
committees and, you know, people that
have three pairs of Grundéns in their
closets and people that have two or
three pairs of water boots. Those are
the people that I hope you put on this
committee to work to develop this plan
and that's, I think, is what's
important about the waterfront, the
LWRP.

I'm glad to see that
whatever it took to revitalize it, you
know, even if it has to be an
emergency, I'm glad to see that
somebody decided now is the time. It's
always -- now is the best time. It's
better now than never. That's all I

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have to say.

(Applause.)

MR. JOHN A. COSTELLO: I know it's difficult to hear in the back, so I'll speak up as loud as I can so that everybody can hear. Now this Board, I give it a lot --

MAYOR HUBBARD, JR.: Name and address for the transcriptionist, please.

MR. JOHN A. COSTELLO: Pardon?

MAYOR HUBBARD, JR.: Name and address for the transcriptionist.

MR. JOHN A. COSTELLO: My name is John A. Costello.

MAYOR HUBBARD, JR.: I know that, but she doesn't.

MR. JOHN A. COSTELLO: I am a marine contractor and I have worked in Greenport probably -- I've been in the dock building business for 64 years and that's older than most people here on the Board. And I

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commend the Board for trying to tackle this problem. This is only one of many problems.

You got infrastructure problems that was mentioned, but I can tell you one thing, the one thing I would recommend that this Board does, hire a professional, not part-timers, to help you get through this process. Professional planners. They're out there.

Other towns, other villages use them. It takes time and everybody here has a job and their jobs are their most important for their families, but you need help getting all these projects done and you're not going to get it done. You probably couldn't hire a planner in six months. You'd have to do some interviews and get somebody that's going to be on the same page with what you're trying to accomplish.

You have to accomplish

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more than what's on those pages and you know what they are; the infrastructure of the sewer, the light plant, everything. There's need in Greenport and this Board could use the planers to assist them and I think they need it and I commend every one of you. I tell you I would never get up there again. I was there.

(Laughter.)

MR. JOHN A. COSTELLO: But I can tell you, you're all part-timers. You can't devote 100 percent of your time and I would try to tell you to get somebody to give you the help you need. Thank you.

(Applause.)

MAYOR HUBBARD, JR.: Okay, anybody else wish to address?

MR. KEVIN STUESSI: Kevin Stuessi, 420 Clark Street. It's been a wonderful thing to see the Mayor and the Board react to what this community has stated that they want. I may be

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new to the community, been here just nearly six years now, but I've had a great opportunity over my time here to meet people who've been here for many generations.

I for one am not ready to give up on the working waterfront. I see people that are fishing, oystering, working on the docks, like Mr. Costello or people who signed the petition who frankly have the most to lose in property value if they think nothing is going to happen, like Steve Clark's boatyard and the Rowsom family who own Preston's. Two of the largest land owners here both signed the petition and support this action.

We've seen people from of all stripes of this community sign up and tell you that we want you to of act and hit pause so we can hit a hard reset on this Village. It's an important time right now for us to take hold of things and to take back control

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from the developers and be able to work for smart planning for this Village so that we can build a plan for the next 10, 15, 20 years.

Mr. Costello who's talking about infrastructure, we get this LWRP updated, as my neighbor Mr. Swiskey mentioned is from 1996, and we bring it up to 2022 or 2023 by the time it's done, we have federal infrastructure money that we're able to grab plus we have of money from New York State of four and a half billion dollars that was just passed in Proposition One.

The most important thing everybody in this room needs to know is that Greenport is still considered a disadvantaged community by New York State. We are the only community east of Riverhead on both forks to be considered a disadvantaged community because of our make up and our resiliency issues with the waterfront. We put a grant forward, we're going to

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the top of the pile. Instead of sitting back and waiting for things to happen, we need to take control of this Village and make things happen. Thank you so much.

(Applause.)

MAYOR HUBBARD, JR.:

Anybody else wish to address the Board?

MR. PATRICK BRENNAN: I

will.

MAYOR HUBBARD, JR.: Okay.

MR. PATRICK BRENNAN:

Patrick Brennan, 620 1st Street. I'm a member of the Planning Board, but I'm here just speaking on my own behalf. I operate a water dependant use out of Hanff's Boat Yard, Mr. Costello's property, and I think this is a great place to work and a great place to live. So it's just great to be part of this community.

I think the success of this initiative, if the Board decides to pass a resolution, there's really

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going to be -- the key to it is going to be community engagement and getting the community to buy in. And sometimes that's a heavy lift, but I think if you all agree to this, you have to be prepared to do that part of it and really -- I'm not saying the committee should be a certain size, but there's going to be lots of opportunities to involve the community and I'd love to see if happen that way. Thank you.

(Applause.)

MAYOR HUBBARD, JR.: Anybody else wish to address the Board?

(No response.)

MAYOR HUBBARD, JR.: Okay. Just a couple comments. I appreciate everybody coming here. The turnout is tremendous. It's good to get everybody involved. I had a list of 8 names to be on the committee. It sounds like we probably should expand that more, go to 15, get more other views besides the ones that --

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(Applause.)

MAYOR HUBBARD, JR.: So I had the 8 names that I was going to read off tonight, but I'll just hold off and try to get some other people involved in that. But what's in the resolution: Planning Board, Zoning Board, Historic Preservation, two Trustees, business owner and all. But obviously there's a lot of other people here that have input that want to get involved in it. And these meetings will be published. They will be open. Anybody is allowed to attend them even if you're not named on the committee, but instead of this 7 names, we'll go to 15 names.

As Tricia said, a bigger group, sometimes if the group gets too big, it's very hard to get something accomplished. That's why we tried to keep the core people, Code Committee used to be 7 people, so we kind of mirrored it on that. But obviously

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there's other people with interest and everything else and let's hear from everybody on it. So we'll try to move that forward, all right? So I'll hold off on the list and I'll get some more names, talk to some other people.

And everybody is talking about, you know, the vision for Greenport. Where do we want to end up being and everything else. If everybody here could just send an e-mail to the clerk or to me saying, I don't want to see this or I want to see that. You know, we're talking about the moratorium; we're moving forward; we got six months to try to do something and everybody says, we want to see a better Greenport; we want to see a really good Greenport. I want everybody's ideas. Send them to me or the clerk and she'll give it to the whole Board. But everybody get involved.

Just real quick, just an

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e-mail. I don't want to see this. I don't want to see that. I really would move to see this. I'd love to create more jobs in Greenport if we could, but we can't do that as a Village Board. We need private citizens to hire more people and do more stuff. We can assist; we can help, but we cant do it ourselves.

But if everybody here sends and e-mail. I'd love to have 75 e-mails next week from everybody saying, this is my vision and we can put that all together so we come up with a better consensus of where we would need to go with what we're doing. It would be helpful for all of us and that way everybody is heard and we're taking everybody's information. So everyone everybody has got a homework assignment. Okay?

I'm going -- actually I forgot, we have a couple of people that sent letters in that need to be read

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into the record, so I'm going to let the Deputy Clerk read those into the record.

DEPUTY CLERK ODDON: Good evening, all. I have an e-mail received Thursday, December 1, 2022.

MAYOR HUBBARD, JR.: A little louder.

DEPUTY CLERK ODDON: From Joshua and Katie Perry. It says:

Dear Mayor and Trustees. I am writing to indicate my and my wife's strong support for the enactment of a limited time moratorium on development in the CR/WC Zone in the Village in order to enable the Village to update it's LWRP and Zoning Codes.

We are younger community members and it is incredibly important to us that the Village have a sound plan to manage growth and preserve it's waterfront areas. We are committed community members and hope to have an opportunity to live and work in the

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Village for a long time, but there are many challenges facing the Village that need to be addressed to allow it to retain the younger generation and provide opportunities.

Without a current LWRP and updated zoning code, we fear that there will continue to be rampant development from outside investors that will continue to tear away at the fabric of this incredible Village that we are proud to be able to call home.

Please do the right thing and enact a limited moratorium and put together a Waterfront Advisory Committee of dedicated individuals that can work expeditiously to update the LWRP and Zoning Code.

I respectfully request this letter be read into the public record at the next appropriate meeting. Thank you for your consideration.

Sincerely, Joshua and Katie Perry.

The next is a letter dated

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December 2, 2022 from Ian Wile:

To the Village of
Greenport Mayor George Hubbard,
Greenport Board of Trustees regarding
the proposed moratorium, zoning and
LWRP discussion.

I respectfully request
that the following be read into the
minutes for the meeting of December 2,
2022. Most who have heard me before
this Board in the past know that I have
long been a strong proponent for
developing a long-term plan that can
help act as our guide, assist the
statutory boards in their decision
making, enable residents and businesses
alike to make plans based on
forward-looking collective goal.

It is always expected that
no plan will make everyone 100 percent
happy. But no plan at all is creating
an unnecessary level of anger, fear and
panic. It is an unforced error we have
an opportunity to correct. I have also

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long been against moratoriums in general as I typically find it to be a lazy solution. That said, and to echo my last comments before this body, I would embrace a moratorium if it were attached to very specific deliverables, have a concrete sunset date by which we had an opportunity to act or not act, but could be extended, a forever moratorium is my fear.

I have one other request as we consider this. We are in the odd situation of experiencing credible developmental pressure and yet the natural contraction of small businesses upon us and perhaps two seasons worth of postponed typical contraction. There are many, many vacant commercial properties in the Village with more opening soon. A few key locations, which are effectively vacant and a few places I would say are on the bubble and of concern. As a Village that has a natural seasonal ebb and flow and

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where we have conditionally,
pre-pandemic, seen a yearly fluctuation
where a few places close, a few open
and a few change addresses. We have to
be aware of how and when a proposed
moratorium is applied. If no business
-- excuse me.

If no new business could
even be considered before six months of
a moratorium, the effective next useful
start date for a responsible small
business would be in 2024. We could
accidently over correct ourselves into
an even more significant vacancy.

Some suggestions if a
moratorium is considered:

A moratorium with a fixed
end date. No extension. Six months
and defined deliverables.

Create a referendum to
appear on the March ballot which
proposes to answer the stickiest
issues.

First order of business is

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to immediately accept and ratify internally the existing LWRP, updates the LWRP and format for a State submission.

Carve out the ability for small businesses to occupy and open in any existing property which does not materially change its use in order to provide for opportunity in 2023.

Thank you for your time and consideration. Regards, Ian Wile.

MAYOR HUBBARD, JR.: Okay thank you for reading that.

DEPUTY CLERK ODDON: You're welcome.

MAYOR HUBBARD, JR.: Okay. I'm going to offer a resolution.

Resolution adopting lead agency status, preliminarily typing the consideration of a proposed Local Law as an unlisted action and setting a public hearing on a Local Law of 2022 creating Section 150-51 of the Greenport Village Code setting a

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moratorium on the issuance of building permits and certificates of occupancy and the acceptance of applications and issuance of approvals for development in the Commercial -- CG General Commercial, Waterfront Commercial and CR Retail Commercial Zoning Districts in the Village of Greenport.

Whereas the Local Waterfront Revitalization Plan of the Village of Greenport is the planning document of the Village of Greenport and the LWRP has been formulated -- has not been formally updated since 1996, and a revision and update of the LWRP was undertaken prior to 2014, has not been completed and is still pending; and.

Whereas the zoning districts established by the Zoning Code of the Village of Greenport, Chapter 150 of the Greenport Village Code, and the uses prescribed in those districts have not been the subject of

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an overall comprehensive review or complete revision; and.

Whereas the Board of Trustees finds that they have been significant change in the nature of the development and uses of Waterfront Commercial, Commercial Retail and General Commercial zoning districts of the Village of Greenport and that their continues to be, and is expected to continue to be, demands for development in those districts that is different from what was contemplated in the original formation of the districts and their uses, and the last adoption of a revision of the LWRP; and.

Whereas those changes threaten to permanently alter the nature of the Village of Greenport from a waterfront dependant and working waterfront community and to permanently change the nature of the uses in those districts to those uses that were not intended or planned; and.

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Whereas the Board of Trustees has determined that it is therefore necessary on an expedited basis to;

1. Provide for the future orderly development of the Village in a manner that is in the best interests of the Village.

2. Undertaking planning discussions and obtain public input from the stakeholders and various interests and affected people of the Village.

Number 3. Develop meaningful and relevant changes in the LWRP that result in an updated LWRP document that protects the waterfront and waterfront dependant uses of the Village and that will be a significant planning document that is relevant to the needs of the residents and businesses and various stakeholders in the Village or to coordinate with the development of a comprehensive plan for

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the Village of Greenport, or to develop the LWRP in a manner to serve that purpose;

That the development in the aforementioned districts must be paused to give the Village Board the opportunity to study and undertake tangible measure to effect these goals in order to protect the Village from any further loss of the working waterfront and water dependent uses and any further haphazard or unplanned development in these districts that will irreversibly damage the future orderly development and unique qualities of the Village; and.

The Board of Trustees hereby finds that in order for the Village of Greenport to achieve the aforementioned important goals, it is necessary that a Local Law be adopted by the Board of Trustees establishing a moratorium on applications, approval and development in the WC, CR, and CG

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districts while a study of the zoning of the districts and the provided uses is reviewed, and final action is completed on potential amendments to the LWRP, completing the LWRP, and the possible amendments to the Greenport Village Zoning Code are also accomplished; and.

The Board of Trustees being duly empowered to take certain preliminary actions for the purposes of SEQRA and with regard to scheduling public hearing on a proposed Local Law enacting the moratorium; it is therefore

Resolved that the Board of Trustees of the Village of Greenport hereby adopts lead agency status with regard to the consideration and possible approval of a proposed Local Law of 2022 creating Section 150-51 of Greenport Village Code establishing a moratorium on the accepting, consideration and approval of

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applications by the Planning Board,
Zoning Board of Appeals or Historic
Preservation Commission regarding
properties that are located in the WC,
CR or CG Zoning Districts, or the
issuance by the Village of Greenport of
building permits or certificate of
occupancy for properties in those
zoning districts "the Local Law" with
the exception of the issuance of a
building permit in the event of
emergency work that must be undertaken
at the discretion of the Code
Enforcement Official or alterations
that are later defined as exempt; and
it is further

Resolved that the Board of
Trustees of the Village of Greenport
hereby determines that the
consideration of the proposed Local Law
of 2022 creating Section 150-51 is an
Unlisted Action for purposes of SEQRA;
and it is further

Resolved that the Board of

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Trustees of the Village of Greenport hereby schedules a public hearing on a proposed Local Law of 2022 creating Section 150-51 of the Greenport Village Code establishing a moratorium on the accepting, consideration and approval of applications by the Planning Board, Zoning Board of Appeals and the Board of Trustees regarding properties that are located in WC, CR and CG Zoning Districts or the issuance by the Village of Greenport of building permits or certificates of occupancy for properties in those zoning districts to be held on December 22, 2022 at 7:00 p.m. at the Third Street Firehouse located at Third and South Streets, Greenport New York 11944 and such future adjourned dates as set by the Board of Trustees; and that pending the hearings and action on the consideration and adoption of the proposed Local Law.

Number 1. There shall be

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a moratorium on the accepting,
consideration and approval of
applications by the Planning Board,
Zoning Board of Appeals and the Board
of Trustees, regarding properties
located in WC, CR and CG Zoning
Districts, or the issuance of the
Village of Greenport of building
permits or certificates of occupancy
for properties in the WC, CR and CG
Zoning Districts with exception of
building permits for emergency work
that must be undertaken at the
discretion of the Code Enforcement
Official, and that the Planning Board,
Zoning Board of Appeals and Historic
Preservation Commission shall not
accept for filing or consideration,
take any action or issue any approval
on any application for the property in
the WC, CR and CG Zoning Districts and
the Village of Greenport shall not
issue building or demolition permits or
certificates of occupancy for

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development in those districts except for as provided herein.

And Number 2. The Board of Trustees may on the recommendation of the Code Enforcement Official of the Village of Greenport consider applications for, and the issuance of, building permits and certificates of occupancy on a case by case basis where the building or demolition permit or certificate of occupancy is to cure or remove a hazardous condition, prevent damage to or loss of property and is for a minor alteration that will not change or expand the use of the property during the moratorium period created by this Resolution.

And Number 3. The Board of Trustees shall act to engage the public and solicit public comment and involvement in the public hearings and planning process during the moratorium.

And Number 4. Village Management and the Village Attorney are

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directed to undertake the necessary action for SEQRA review, and the referral of the proposed Local Law to the Suffolk County Planning Commission and any other required parties pursuant to New York State General Municipal Law and Village Law; and.

Number 5. There shall be formed a Waterfront Advisory and Planning Committee which shall consist of seven members who shall be appointed by the Mayor of the Village of Greenport and approved by the Board of Trustees and who shall include the Mayor and Trustees or, at the option of the Mayor, another Trustee or an alternate in place of the Mayor or the first Trustee, a member and alternate member of the Planning Board, Zoning Board of Appeals and historic Preservation Commission, and two members who are full time residents of the Village of Greenport, at least one of which is a property owner. The

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alternate members of the Planning Board
Zoning Board of Appeals and Historic
Preservation Commission, shall attend,
serve and vote when a member of those
boards is unable to attend the meeting
of the Committee. The Mayor may
appoint other nonvoting alternates to
the Committee and the Committee shall
meet with and obtain advise from the
Village Attorney and such planning
consultants as the Committee shall feel
is in best interest of the Village and
the completion of the goals of the
Committee.

Number 6. The goals and
purpose of the Committee shall be to
review and recommend to the Board of
Trustees changes in the LWRP and
Chapter 150 of Greenport Village Code
consistent with the purposes of this
Resolution and the Local Law creating
moratorium, which update of the LWRP
and changes in the Code will serve to
protect and preserve the working

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waterfront of the Village, water dependent uses in the Village, the orderly development of the Village, and the protection and preservation of the character of the Village of Greenport. The Committee shall provide at least monthly reports to the Board of Trustees one week before each monthly work session and at such other times as the Committee shall decide.

I so move that Resolution.

TRUSTEE PHILLIP: I'll second it.

MAYOR GEORGE HUBBARD, JR.: All right, we have a motion to second. I'll ask the Deputy Clerk to call the roll.

DEPUTY CLERK ODDON: Mayor Hubbard, how do you --

MAYOR HUBBARD, JR.: Yes.

DEPUTY CLERK ODDON: Deputy Mayor Martilotta?

DEPUTY MAYOR MARTILOTTA: Yes.

DEPUTY CLERK ODDON:

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Trustee Clarke?

TRUSTEE CLARKE: Yes.

DEPUTY CLERK ODDON:

Trustee Phillips?

TRUSTEE PHILLIPS: Yes.

DEPUTY CLERK ODDON:

Trustee Robins?

TRUSTEE ROBINS: Yes.

DEPUTY CLERK ODDON: Thank

you.

MAYOR HUBBARD, JR.: Okay,

the motion is approved 5 to 0, unanimous.

(Applause.)

MAYOR HUBBARD, JR.: That's

all I have. Is there any other business

for the Board?

(No response.)

MAYOR HUBBARD, JR.: Okay.

I'll offer a motion to adjourn the

meeting at 8:05. Thank you all for

coming and we'll see you at the tree

lighting on Sunday.

TRUSTEE PHILLIPS: Second.

George, you need a second.

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MAYOR HUBBARD, JR.: Sorry.

All in favor?

(Chorus of "ayes".)

MAYOR GEORGE HUBBARD, JR.:

Motion carried.

(Whereupon the meeting was
adjourned at 8:05 p.m.)

C E R T I F I C A T I O N

I, REBECCA WOOD, a Shorthand Reporter and Notary Public in and for the State of New York, do hereby certify:

THAT the witness whose testimony is hereinbefore set forth, was duly sworn by me; and

THAT the within transcript is a true record of the testimony given by said witness.

I further certify that I am not related, either by blood or marriage, to any of the parties in this action; and

THAT I am in no way interested in the outcome of this matter.

IN WITNESS WHEREOF, I have hereunto set my hand this 15th day of December, 2022.


REBECCA WOOD