

VILLAGE OF GREENPORT
COUNTY OF SUFFOLK: STATE OF NEW YORK

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PLANNING BOARD

WORK SESSION & REGULAR SESSION

-----X

Third Street Firehouse
Greenport, New York

December 14, 2022
4:01 p.m.

B E F O R E:

PATRICK BRENNAN - CHAIRMAN

PATRICIA HAMMES - MEMBER

SHAWN BUCHANAN - MEMBER

LILY DOUGHERTY-JOHNSON - MEMBER

DANIEL CREEDON - MEMBER

ALSO IN ATTENDANCE:

ROBERT CONNOLLY - ATTORNEY FOR THE BOARD

MICHAEL NOONE - CLERK OF THE BOARD

PAUL PALLAS - VILLAGE ADMINISTRATOR

JOSEPH PROKOP - ATTORNEY FOR VILLAGE

DONNA L. RITZMANN - Court Reporter

2 (Meeting was called to Order
3 at 4:01 p.m.)

4 CHAIRMAN BRENNAN: All
5 right. Let's get started.

6 Welcome. This is the
7 Village of Greenport Planning
8 Board Work Session/Regular
9 Meeting, December 14th.

10 First item, Item Number 1,
11 Motion to accept and approve the
12 minutes of the November 3rd, 2022
13 Planning Board/Work Session.

14 MEMBER HAMMES: Second.

15 CHAIRMAN BRENNAN: Any
16 discussion?

17 (No response.)

18 CHAIRMAN BRENNAN: All
19 right.

20 All in a favor?

21 MEMBER CREEDON: Aye.

22 MEMBER HAMMES: Aye.

23 MEMBER DOUGHERTY-JOHNSON:
24 Aye.

25 MEMBER BUCHANAN: Aye.

2 CHAIRMAN BRENNAN: Aye.

3 Motion approved.

4 Item Number 2, Motion to
5 schedule the next Planning Board
6 Work Session and Regular Meeting
7 for 4:00 p.m. on January 5th,
8 2022. This should say
9 January 26th, 2023. I believe we
10 already made a Motion to accept
11 the January 5th meeting.

12 MEMBER CREEDON: I had both
13 in my calendar.

14 ADMINISTRATOR PALLAS:
15 Yeah.

16 CHAIRMAN BRENNAN: At the
17 last meeting. I think we already
18 scheduled the January 5th one.

19 ADMINISTRATOR PALLAS:
20 Yeah, I think that's correct.

21 CLERK NOONE: Yes.

22 CHAIRMAN BRENNAN: So what
23 we want to do now is schedule the
24 January 26th meeting, 2023.

25 CLERK NOONE: Yeah.

2 CHAIRMAN BRENNAN: So we
3 have both meetings lined up for
4 January. Does that make sense to
5 everyone?

6 MEMBER BUCHANAN: Yup.

7 MEMBER CREEDON: Yes.

8 MEMBER DOUGHERTY-JOHNSON:
9 Mm-hmm.

10 CHAIRMAN BRENNAN: Are you
11 checking something?

12 MEMBER HAMMES: Well, I'm
13 looking at the agenda for the last
14 one, we may have added it, but it
15 wasn't -- it wasn't on it. So the
16 meeting for January 5th, see it
17 was December 14th.

18 CHAIRMAN BRENNAN: Mm-hmm.

19 MEMBER HAMMES: So it might
20 make sense to just do both and
21 make sure.

22 CHAIRMAN BRENNAN: Let's do
23 that. All right. I'll make a new
24 Motion. That Motion's withdrawn.

25 Motion to schedule the next

2 Planning Board Work Session and
3 Regular Meeting for 4:00 p.m. on
4 January 5th, 2023 and -- okay.

5 MEMBER HAMMES: Fine, go
6 ahead.

7 CHAIRMAN BRENNAN: -- and
8 following the meeting will be a
9 Work Session and a Regular Meeting
10 on January 26th, 2023.

11 MEMBER HAMMES: Second.

12 CHAIRMAN BRENNAN: All
13 right.

14 All in favor?

15 MEMBER CREEDON: Aye.

16 MEMBER HAMMES: Aye.

17 MEMBER DOUGHERTY-JOHNSON:

18 Aye.

19 MEMBER BUCHANAN: Aye.

20 CHAIRMAN BRENNAN: Aye.

21 Thank you. Motion

22 approved.

23 Item Number 3, 45 front
24 Street. Motion to accept the
25 Findings and Determinations for

2 45 Front Street. The property is
3 located in the W-C Waterfront
4 Commercial District and is not
5 located within the Historic
6 District.

7 Will someone second that?

8 MEMBER CREEDON: Second.

9 CHAIRMAN BRENNAN: Some
10 discussion?

11 MEMBER HAMMES: I think the
12 only comment I had, which I know I
13 didn't pass on to Rob previously,
14 but hopefully this could just
15 be marked in.

16 ATTORNEY CONNOLLY: Sure.

17 MEMBER HAMMES: Is I think
18 that the applicant had agreed that
19 they would be in kind of -- I
20 don't know what the right
21 terminology would be, but the
22 regular level tables as opposed to
23 high tops.

24 ATTORNEY CONNOLLY: Oh,
25 right, so the high top, right, so

2 we can just add that in.

3 MEMBER HAMMES: Yeah.

4 MEMBER DOUGHERTY-JOHNSON:

5 I want to add in, too, or suggest
6 that we add in the location of the
7 dumpster put be on the site plan.

8 CHAIRMAN BRENNAN:

9 Indicated on the site plan?

10 MEMBER DOUGHERTY-JOHNSON:

11 Yeah, indicated just so we know
12 for the future.

13 ATTORNEY CONNOLLY: Yeah,
14 that's fine.

15 CHAIRMAN BRENNAN: Yeah, we
16 can discuss it, so that would be
17 good.

18 MEMBER DOUGHERTY-JOHNSON:

19 Yeah.

20 CHAIRMAN BRENNAN: I have a
21 question about this. Are these
22 Determinations and Findings part
23 of the public record? Or how
24 would we -- how would someone find
25 it later?

2 ATTORNEY CONNOLLY: It's
3 filed with the Village Clerk.

4 CHAIRMAN BRENNAN: Okay.

5 MEMBER HAMMES: Would they
6 have to file a FOIL to get it?

7 ATTORNEY CONNOLLY: Yes.

8 ADMINISTRATOR PALLAS: An
9 applicant. Any -- yes, the short
10 answer is yes. It's kept with the
11 property files and the applicant
12 is mailed a copy within a certain
13 of numbers of days, I forget the
14 actual number, within a certain
15 number of days of when it's
16 signed, approved and signed.

17 CHAIRMAN BRENNAN: Okay.

18 ADMINISTRATOR PALLAS: I'm
19 sorry, was that responsive or not?

20 CHAIRMAN BRENNAN: Is that
21 satisfactory to you or do you have
22 a specific --

23 MEMBER HAMMES: No, it's
24 not problem, I was just always --
25 you know, it's actually a general

2 question, and Patrick had asked me
3 a question, I was always wondering
4 why it wasn't more included
5 specifically as part of the
6 record, either attached to the
7 minutes or read out when the
8 Trustees do at their meeting, I
9 guess, is my -- my point. But
10 it's not the biggest point, I was
11 just curious.

12 ADMINISTRATOR PALLAS:

13 Understood.

14 CHAIRMAN BRENNAN: Okay.

15 All right.

16 So I'm going to -- I'm
17 going to change that Motion to say
18 Motion to accept the Findings and
19 Determinations for 45 Front
20 Street, the property is located in
21 the Waterfront -- in the W-C
22 Waterfront Commercial District and
23 is not located within the Historic
24 District. And the applicant will
25 indicate where the dumpster is

2 located on their site plan and the
3 determinations will indicate that
4 the tables will be standard low
5 tables and opposed to high tops.

6 Second?

7 MEMBER HAMMES: Second.

8 CHAIRMAN BRENNAN: All in
9 favor?

10 MEMBER CREEDON: Aye.

11 MEMBER HAMMES: Aye.

12 MEMBER DOUGHERTY-JOHNSON:
13 Aye.

14 MEMBER BUCHANAN: Aye.

15 CHAIRMAN BRENNAN: Aye.

16 CHAIRMAN BRENNAN: Aye.

17 Motion approved.

18 All right. Item Number 4,
19 15 Front Street. Motion to accept
20 the Findings and Determinations
21 for 15 Front Street. The property
22 is located in the W-C Waterfront
23 Commercial District and is not
24 located within the Historic
25 District.

2 Second?

3 MEMBER HAMMES: Second.

4 CHAIRMAN BRENNAN: Any

5 discussion?

6 (No response.)

7 CHAIRMAN BRENNAN: No. All

8 right.

9 All in favor?

10 MEMBER CREEDON: Aye.

11 MEMBER HAMMES: Aye.

12 MEMBER DOUGHERTY-JOHNSON:

13 Aye.

14 MEMBER BUCHANAN: Aye.

15 CHAIRMAN BRENNAN: Aye.

16 CHAIRMAN BRENNAN: Aye.

17 Motion approved.

18 Okay. We're gonna just
19 take a pause here for a moment and
20 wait for the Village Attorney; is
21 that right, Paul?

22 ADMINISTRATOR PALLAS: Yes.

23 CHAIRMAN BRENNAN: Yeah.

24 ADMINISTRATOR PALLAS:

25 Yeah.

2 CHAIRMAN BRENNAN: It's
3 fine with me, yeah, just give him
4 a few minutes.

5 ADMINISTRATOR PALLAS:
6 Thought it might be helpful for
7 you.

8 CHAIRMAN BRENNAN: Sure.

9 MEMBER HAMMES: Maybe while
10 we're waiting, I can ask a quick
11 question?

12 I had sent an email to you
13 all about putting together a
14 handbook for the Board Members. I
15 didn't know if there were any
16 issues with that or whether it was
17 something we can get put together
18 for people?

19 ADMINISTRATOR PALLAS: We
20 did -- we did take a look at it, I
21 mean it's -- it's well over 1,000
22 pages.

23 MEMBER HAMMES: I don't --
24 I mean this is basically what it
25 is (referring) because I basically

2 put my own together.

3 ADMINISTRATOR PALLAS: Not
4 from the links that you provided,
5 it was --

6 MEMBER HAMMES: Just the
7 highlighted things on the list.

8 ADMINISTRATOR PALLAS: I
9 believe even the highlighted
10 items, the way when I looked at
11 it --

12 MEMBER HAMMES: Well,
13 perhaps we should have a
14 discussion, maybe Rob can look at
15 it as well and tell us what he
16 thinks is really important, but I
17 think the concern I have is I'm
18 not sure everybody on the Board
19 has copies of all of the documents
20 that we really need to have, like
21 the LWRP and the -- and the Code
22 and the SEQRA stuff.

23 ADMINISTRATOR PALLAS:
24 Understood. These obviously are
25 all available online, 'cause you

2 sent the links, it is what we --
3 you know, at 1,000 pages that was
4 just an insurmountable task. I
5 apologize for not responding, but
6 if you can narrow it down a little
7 bit or maybe show me where I'm
8 looking wrong, I'd be more than
9 happy to take a look at it.

10 CHAIRMAN BRENNAN: Okay.

11 I'd like to do that. It's a good
12 idea, it would be helpful for the
13 Members to have a physical
14 handbook right on the table here
15 (referring).

16 ADMINISTRATOR PALLAS:

17 Sure.

18 CHAIRMAN BRENNAN: So I

19 understand the concern about the
20 size. So let's look at it and see
21 if we can edit it down and -- but
22 let's make it happen, so, it would
23 be a good resource.

24 ADMINISTRATOR PALLAS:

25 Sure.

2 CHAIRMAN BRENNAN: I'd
3 appreciate that. Thank you.

4 Is there other business
5 that people wanted to discuss
6 while we're waiting for the
7 Village Attorney?

8 MEMBER DOUGHERTY-JOHNSON:
9 Did we want to talk about
10 training? Take a look at this.

11 CHAIRMAN BRENNAN: Okay.
12 So I had a discussion with Paul
13 Pallas about training with either
14 Rob or Joe Prokop and -- either-or
15 or together, and I reached out to
16 both of them about trying to do
17 something quickly before the end
18 of the year, I haven't actually
19 heard back.

20 ATTORNEY CONNOLLY: Yeah,
21 it's just a little difficult right
22 now before the end of the year
23 to -- to get anything really put
24 together.

25 CHAIRMAN BRENNAN: Yeah.

2 ATTORNEY CONNOLLY: So we
3 can do it very early in the -- in
4 2023.

5 CHAIRMAN BRENNAN: Yeah.
6 Yeah, and we may do that with you
7 in 2023. Joe was still saying he
8 thought he could squeeze something
9 in, so we might be able to do a
10 session with Joe Prokop. But
11 maybe we'll ask him when he's
12 here.

13 MEMBER BUCHANAN: I won't
14 be available, I'm leaving
15 tomorrow. I won't be here 'til
16 next year.

17 CHAIRMAN BRENNAN: That's
18 your loss. All right. Well,
19 there'll be more.

20 You did get the link
21 that -- I forwarded a link that
22 Mr. Pallas had sent to me about
23 some online training, I think.
24 It's from you Paul, correct?

25 ADMINISTRATOR PALLAS:

2 Yeah. Well, it originated from
3 Attorney Prokop.

4 CHAIRMAN BRENNAN: Okay.

5 ADMINISTRATOR PALLAS: But
6 he had sent that to me and I
7 forwarded it out, yes.

8 CHAIRMAN BRENNAN: So have
9 you looked at that, Shawn? Did
10 anyone look at that?

11 MEMBER BUCHANAN: No, it's
12 online.

13 MEMBER DOUGHERTY-JOHNSON:
14 I did look at it, but I didn't do
15 anything.

16 CHAIRMAN BRENNAN: Okay.
17 Well, they're like YouTube things
18 or something that you can do on
19 your own, so I would encourage you
20 do to do that. So that's another
21 opportunity.

22 MEMBER BUCHANAN: Okay.

23 CHAIRMAN BRENNAN: Thank
24 you.

25 That's all I have on that.

2 MEMBER DOUGHERTY-JOHNSON:

3 Okay. Yeah.

4 CHAIRMAN BRENNAN: Thank
5 you, Paul, for sending that along.

6 ADMINISTRATOR PALLAS:

7 Sure.

8 MEMBER HAMMES: I mean do
9 you want to start just talking
10 about it generally and then if we
11 have questions we can ask Joe? I
12 mean Joe's coming what, to answer
13 questions or to hear us?

14 ADMINISTRATOR PALLAS: I
15 would venture to guess both.

16 MEMBER HAMMES: Okay.

17 CHAIRMAN BRENNAN: Let's
18 give him a few more minutes.

19 (4:10 p.m. Village
20 Attorney, Joseph Prokop, entered
21 the room.)

22 ATTORNEY PROKOP: I'm
23 sorry, I didn't realize you were
24 waiting for me.

25 MEMBER HAMMES: Okay.

2 CHAIRMAN BRENNAN: Yeah,
3 it's okay.

4 MEMBER HAMMES: We were
5 speedy with most of our business.

6 CHAIRMAN BRENNAN: Okay.
7 So welcome, Joe. We just, we
8 worked through our agenda and
9 we're to the other business that
10 we're going to spend a little bit
11 of time discussing some work that
12 Board Member Hammes did on marking
13 up the proposed Moratorium and we
14 understand you want to be here, so
15 thank you.

16 ATTORNEY PROKOP: I was
17 contacted by the Village and asked
18 to be here.

19 CLERK NOONE: Joe, did you
20 want a copy of the markup?

21 ATTORNEY PROKOP: Yes,
22 please.

23 CLERK NOONE: (Handing).

24 MEMBER HAMMES: It's the
25 same markup you already have, Joe.

2 ATTORNEY PROKOP: The
3 Village Administrator contacted me
4 and asked me to be here.

5 CHAIRMAN BRENNAN: Okay.

6 ATTORNEY PROKOP: If it
7 would be helpful for the Board.

8 CHAIRMAN BRENNAN: Okay,
9 thank you.

10 ATTORNEY PROKOP: Okay.

11 CHAIRMAN BRENNAN: All
12 right. So Tricia did a thorough
13 review of this and we thought we
14 would just spend a little bit of
15 time where Tricia might walk us
16 through the sort of salient points
17 of what she -- of what her
18 thoughts are on the draft
19 Moratorium, and we don't need to
20 get into like the edits of grammar
21 and punctuation --

22 MEMBER HAMMES: No.

23 CHAIRMAN BRENNAN: -- but
24 if you may, you can.

25 MEMBER HAMMES: Sure, I can

2 walk -- try and do kind of the
3 high-low on the questions.

4 CHAIRMAN BRENNAN: Yeah,
5 that would be great, we'd
6 appreciate that.

7 MEMBER HAMMES: Not a
8 problem.

9 So I had originally, just
10 taking a step back, done a markup
11 of both the Resolution and the
12 law. The Resolution, as everybody
13 knows, was enacted on Friday,
14 December 1st, so I think that is a
15 done deal. So I did not propose
16 to discuss any of those comments,
17 I was just gonna focus on the
18 comments that I had provided the
19 Trustees and -- and the Village on
20 the law itself on that day, which
21 I also had sent to all of you.

22 And the basis for my review
23 of this was I did review kind of
24 20 plus Moratoriums that had been
25 enacted in New York State over the

2 last couple years that focused on
3 land use in particular. There's a
4 lot of them out there that deal
5 with various specific things, like
6 solar farms or battery plants, I
7 did not really focus on those as
8 much as ones that seemed to be
9 similarly situated to the Village
10 in terms of a need to kind of
11 either put in place an initial
12 Comprehensive Plan or, in most
13 cases, update a plan that hadn't
14 been updated for more than 10
15 years, as well as take a good look
16 at the Zoning Code. And so that
17 was kind of the basis for a lot of
18 comments that I made as well as an
19 understanding of some of the kind
20 of more nuanced issues that might
21 arise in the Village that unless
22 you kind of were doing this on a
23 day-to-day basis, you might not
24 think through and we could
25 inadvertently have issues with

2 during the moratorium, assuming it
3 is enacted.

4 I had a question generally
5 about why this was an amendment to
6 the Code as opposed to a
7 standalone law. And not the
8 biggest point, it was just what I
9 had reviewed had largely been done
10 as a standalone law, but I think I
11 would totally defer to the Village
12 on the right structure for that,
13 so I don't know that that's really
14 worth discussing unless people
15 want to.

16 Most of the -- a lot of the
17 comments in here are cleanup. I
18 think the first kind of global
19 comment I had kind of from a high
20 level substantive point comes up
21 when you look at 1.4 A. 4 little
22 i, which is on Page 2, which was
23 just to say that as you work
24 through the LWRP and necessary
25 Code changes, it might not be

2 limited to the Zoning Code, for
3 instance, the noise ordinance is
4 in a section, a separate section
5 of the Code, subdivision is in a
6 separate section of the Code, so
7 in a number of places I had
8 proposed that it should just
9 really refer to the Greenport
10 Village Code generally as opposed
11 to just the zoning chapter.

12 The next thing was really
13 in the section -- this is when you
14 kinda get into the moratorium
15 language in 150-51. My
16 understanding was that the intent
17 was, taking a step back, was to
18 have a moratorium on kind of the
19 issuance of discretionary
20 approvals relating to development
21 use, construction in C-R, G-C and
22 W-C, so Commercial Retail, General
23 Commercial and Waterfront
24 Commercial not to affect at all
25 the residential neighborhood

2 during -- during the pendency of
3 the moratorium. And so a number
4 of the comments that I made in the
5 section in particular with respect
6 to 150-51 (B) where you're kind of
7 defining what is a development
8 approval that's cut up was to --
9 to make that clear, and then
10 elsewhere throughout the draft is
11 a cleanup to make sure we're
12 referring to development approval,
13 so we're referring to the correct
14 term and not just inadvertently
15 picking up any other approval that
16 might be outside of that.

17 Then I think kind of the
18 really next big substantive point
19 was to add a number of exceptions,
20 because the way the moratorium
21 works, right, if you take a step
22 back, is you have a moratorium, it
23 says, okay, for six months, which
24 is the proposed term of this

2 discretionary approvals will be
3 issued with respect to
4 development, construction,
5 operation of use of properties and
6 businesses in the W-C, C-R, G-C,
7 but obviously that you can't not
8 have any exceptions to that,
9 that's not in anybody's interest.
10 And so there were a couple in here
11 already that had been proposed,
12 including kind of fixing,
13 alterations which were needed to
14 maintain structures. Due to the
15 nature of the Village having some
16 residential properties that are
17 actually zoned W-C, as well as
18 some residential properties that
19 are in res -- are in R-1 and R-2
20 but have kind of adjacent
21 properties owned by same property
22 that are W-C. There were a couple
23 of points that I thought should be
24 adjusted to deal with that. So
25 kind of at a high level of the

2 additional carve outs I had
3 suggested were development
4 approvals relating to repairs or
5 restorations of existing bulkheads
6 in any of those districts, as long
7 as it kind of wasn't a material
8 change in the size and it's not
9 intended to accommodate a
10 different use. And then also the
11 construction of bulkheads, marinas
12 and docking facilities on kind of
13 waterfront infrastructure property
14 on W-C property that is adjacent
15 to a personal residence that's for
16 personal use. So this is
17 principally the properties that
18 are located over on Sterling where
19 they're on one side of the road
20 and they're zoned residential, and
21 the other side they own a piece of
22 property that the W-C and it's,
23 you know, their personal marina or
24 whatever, if there were issues
25 there or they needed to build out

2 their floating docks, since we're
3 not intending to capture
4 residential properties by this
5 moratorium, it seemed to me that
6 that would also need to be cleaned
7 up.

8 I also thought that, as I
9 mentioned before, we needed to
10 carve out the privately-owned
11 homes that by -- that just by the
12 vagary of circumstances fall in
13 W-C, since we're not intending
14 to -- to pick residential
15 properties up, and so I added a
16 carve out for that. Obviously so
17 long as it's for that use, it's
18 not like you could take a home and
19 it's in W-C and then convert it
20 into a hotel, but if you needed to
21 get a construction permit on your
22 home because, just because it's in
23 the W-C, I didn't think it should
24 be caught up by the moratorium.

25 The next exception that

2 seemed to me to be something that
3 would be -- we all want to see
4 would be if a property, use the
5 shipyard for example, needed an
6 accessory structure of some point,
7 whether it was a garage or a tent,
8 to help it with storing things
9 that are incidental to its
10 business; so in other words, you
11 can't kind of create a new
12 business, but you need a kind of
13 temporary or even permanent
14 structure, but it's something that
15 really is an accessory structure,
16 I thought that should be -- should
17 be permitted.

18 I thought extensions of any
19 development approval in effect on
20 the date of enactment that might
21 otherwise expire, that's probably
22 principally would pertain to
23 variances, should be allowed to
24 continue as long as they're
25 working to get the work done.

2 without that we could
3 inadvertently -- I think Nina Weil
4 (phonetic) had raised this in his
5 comments to the moratorium, we
6 could inadvertently end up in a
7 situation where we have a number
8 of empty storefronts downtown,
9 that would not be in anybody's
10 interests, so the point is as long
11 as you're not kind of materially
12 changing that which would be
13 against the spirit of the
14 moratorium, it should be
15 permitted.

16 Any questions on that? I
17 know it's a lot. It was kinda
18 fast. I don't know if anybody had
19 any other thoughts on other
20 exceptions that they thought
21 should be in there?

22 CHAIRMAN BRENNAN: I had a
23 question just to clarify. The
24 example of properties along
25 Sterling Harbor where there's a

2 residence on one side of the
3 street and there's a Waterfront
4 Commercial on the water side of
5 the street.

6 MEMBER HAMMES: Mm-hmm.

7 CHAIRMAN BRENNAN: Is it
8 necessary to make an exception for
9 them? 'Cause they are separate
10 lots in separate zones, right?

11 MEMBER HAMMES: The
12 exception that I put in there
13 would only work if they were tied
14 together; in other words, it
15 wouldn't be somebody can go and
16 rent that out or sell it and then
17 you do it, it would be that
18 somebody, as I understand most of
19 those, not all of them, but most
20 of them are used by the people
21 that own the houses across the
22 street, and so if somebody needed
23 to extend their floating dock for
24 their personal use, I mean I'm
25 not, you know, that's really what

2 I was trying to get at, and so it
3 ties, I think the language that I
4 used was very specific, it had to
5 be for personal use only and not
6 for commercial use, so it's not
7 like somebody could go and put a
8 new commercial marina in there.

9 CHAIRMAN BRENNAN: Right.

10 MEMBER CREEDON: Are those
11 generally considered two lots or
12 are they --

13 MEMBER HAMMES: They are
14 two lots, two separate lots.

15 MEMBER BUCHANAN: They're
16 two lots.

17 MEMBER HAMMES: So the
18 exception basically says they have
19 to be owned by the same person and
20 it has to be for an ancillary
21 personal use.

22 CHAIRMAN BRENNAN: Okay.

23 MEMBER HAMMES: Anything?

24 CHAIRMAN BRENNAN: The
25 last, one of the last points that

2 you brought up about vacancies and
3 allowing a new occupant to come
4 in. I'd be concerned about that,
5 so if it's in the Waterfront
6 Commercial and they are coming in
7 and saying they were proposing to
8 put in a conditional use.

9 MEMBER HAMMES: They
10 wouldn't be able to do that.

11 CHAIRMAN BRENNAN: Not a
12 conditional use.

13 MEMBER HAMMES: This
14 says -- this says where there's no
15 change in material use in respect
16 to the property and no other
17 approvals are otherwise required.
18 So, for instance, in, I guess, the
19 shipyard, if somebody came in and
20 wanted to continue to do what's
21 already being done in the
22 shipyard, that would be permitted,
23 if somebody came in and said, I
24 want to do something completely
25 different, whether it was

2 permitted or a conditional use,
3 but it wasn't what was already
4 there, that would not be. And --
5 and, in any event, if it ever
6 tripped the requirement for a
7 Building Permit or something like
8 that, it wouldn't be. So even --
9 even frankly for retail to retail,
10 if the retail required a Building
11 Permit, this exception would not
12 apply.

13 CHAIRMAN BRENNAN: Right.

14 MEMBER HAMMES: Basically
15 the only -- it's that -- it's the
16 issue of, I think is I can't
17 remember if it was Chapter 65 or
18 the issue that came up last time
19 that I was trying to get at,
20 which, again, I'm happy to -- if
21 people don't like these
22 exceptions, we can go back and,
23 you know, suggest that they should
24 come out, but I did think that
25 there was some validity at least

2 in the Commercial Retail area and
3 frankly anywhere where there's an
4 operating business, that if that
5 business either got sold to
6 somebody else to be continued or
7 somebody was coming in in a
8 similar vein, that it wasn't in
9 the interest of the Village to
10 kind of stop kind of that ordinary
11 course of commerce from going on.

12 CHAIRMAN BRENNAN: So is
13 that, just to clarify though,
14 because they wouldn't -- if they
15 didn't trigger a Planning Board
16 review or Building Permit, they're
17 already -- it's already an
18 exception, isn't it?

19 MEMBER HAMMES: Yes, that
20 is true.

21 CHAIRMAN BRENNAN: They'd
22 have to trip that.

23 MEMBER HAMMES: That is
24 true, but I wasn't even until last
25 week aware of that issue and it

2 was not in the Zoning Code, I had
3 never focused on the fact that if
4 it's just a change in use, even
5 though it's a permitted use,
6 right, because the example is the
7 yoga studio, for instance, would
8 still be caught up by this, 'cause
9 as I understand it, they need a
10 Building Permit, so this won't --
11 this will not help them, but the
12 whole reason they had to come to
13 us is not for the Building Permit,
14 they had to come to us because of
15 change of use, and even though it
16 was a change from one permitted
17 use to another permitted use, my
18 understanding is that they were
19 still required to come to us.

20 We're not approving -- the
21 Building Permit's a separate
22 issue.

23 CHAIRMAN BRENNAN: Right.

24 MEMBER HAMMES: Right?

25 CHAIRMAN BRENNAN: Right.

2 MEMBER HAMMES: That's what
3 my concern was.

4 CHAIRMAN BRENNAN: Right.
5 Do other people have
6 questions?

7 MEMBER DOUGHERTY-JOHNSON:
8 I guess -- so sorry. I'm still
9 thinking about the same thing,
10 like Creations by Lisa is a
11 conditional use.

12 MEMBER HAMMES: That is
13 true.

14 MEMBER DOUGHERTY-JOHNSON:
15 Because it's in Waterfront. So
16 wouldn't they have to come to us
17 just like Salt & Sea did even
18 though it was a --

19 MEMBER HAMMES: Yeah --

20 MEMBER DOUGHERTY-JOHNSON:
21 To approve it.

22 MEMBER HAMMES: -- so I
23 guess if you want to except that
24 we'd have to add in that you can
25 continue a conditional use

2 without, but then I guess we would
3 still want them to come back, so
4 that's a good point.

5 MEMBER DOUGHERTY-JOHNSON:
6 Right. I mean they would have to
7 come to us, but we could approve
8 it during the moratorium, that's
9 what --

10 MEMBER HAMMES: Not the way
11 this is worded.

12 MEMBER DOUGHERTY-JOHNSON:
13 Right. Okay. Well, because I
14 think that -- I mean if we want
15 things like that to sort of be
16 able to continue --

17 MEMBER HAMMES: That's,
18 again, a nuance of the Village
19 because we've got that whole W-C
20 District.

21 MEMBER DOUGHERTY-JOHNSON:
22 Right.

23 MEMBER HAMMES: So I guess
24 we can say on that particular --
25 if that's what we wanted to do or

2 suggest that the Board, because
3 obviously it's ultimately the
4 Trustees that have to decide this,
5 you could say approvals relating
6 solely to a change in occupancy or
7 tenancy where there's no change in
8 material use with respect to the
9 property and no other approvals
10 would otherwise be required in the
11 Village Code other than any
12 conditional use which shall, you
13 know, still be subject to the
14 requirements of, so they would
15 still have to come back to us on
16 the conditional use. But maybe
17 that's going too far, I don't
18 know. I was really just trying to
19 make it so that there was an
20 ability for a business that was
21 shutting down to continue under a
22 new ownership.

23 MEMBER DOUGHERTY-JOHNSON:

24 Right.

25 MEMBER HAMMES: Or -- or a

2 similar type business. But you're
3 correct, that if it's in the
4 Waterfront Commercial they would
5 also --

6 MEMBER DOUGHERTY-JOHNSON:
7 Right.

8 MEMBER HAMMES: -- they
9 would trip that with the way it's
10 worded now, which says no other
11 approvals because a conditional
12 use approval would be required.

13 CHAIRMAN BRENNAN: Yeah, I
14 personally wouldn't want to make
15 an exception for conditional uses
16 being extended because I think the
17 conditional use is one of the
18 issues that the -- that we might
19 address in the moratorium.

20 MEMBER HAMMES: Okay.

21 CHAIRMAN BRENNAN: Right?

22 MEMBER HAMMES: Well, then
23 that, I guess, would work from
24 that perspective.

25 CHAIRMAN BRENNAN: Yeah.

2 MEMBER DOUGHERTY-JOHNSON:

3 Okay.

4 CHAIRMAN BRENNAN: Good.

5 MEMBER DOUGHERTY-JOHNSON:

6 But it would allow someone to open
7 an arcade as a retail spot.

8 MEMBER HAMMES: It could.

9 MEMBER DOUGHERTY-JOHNSON:

10 Yeah, I think that makes sense.

11 MEMBER HAMMES: I suspect
12 that they wouldn't because they
13 probably need a Building Permit,
14 which would --

15 MEMBER DOUGHERTY-JOHNSON:

16 Well, not that that matters.

17 (Laughter.)

18 MEMBER HAMMES: Any other
19 thoughts?

20 (No response.)

21 MEMBER HAMMES: All right.

22 Then most of the rest of the
23 changes in here were cleanup,
24 until we get to basically Section
25 150-51 (E), which -- so 150-51 (E)

2 is "Administrative Relief from
3 Moratorium based on Hardship."
4 And this is what's known as the
5 relief valve. It's similar to the
6 concept that we have in the
7 existing Code where if you can't
8 comply with something under the
9 Code, you need building to go to
10 the ZBA for a variance. Most
11 of -- or all of the Moratoriums I
12 looked at have a relief valve that
13 is effectively the equivalent of a
14 variance from the law. The
15 majority of them are required to
16 get Board of Trustees' approval.
17 There were certain limited
18 instances where the Board of
19 Trustees had the ability to
20 delegate that to the Planning
21 Board. The way that this original
22 provision in the law is drafted,
23 it was the Board of Trustees that
24 were able to grant the limited
25 relief. What my markup did was it

2 added a number of kind of more
3 specifics around that, which seem
4 more in line with the Moratoriums
5 that I was looking at, while the
6 initial draft talked about showing
7 unique and pervasive hardship, I
8 went on and added kind of some
9 provisions about what specifically
10 would have to be provided so an
11 applicant knows what they have to
12 file if they're looking for that
13 relief, what the Board, you know,
14 kind of things that the Village
15 Board would be entitled to request
16 as part of that, which is
17 generally the same things that a
18 ZBA or a Planning Board would be
19 able to request. A requirement
20 for the payment of fees and
21 coverage of the Village's costs, a
22 requirement for a Public Hearing,
23 which every relief valve I saw had
24 a Public Hearing in it. I don't
25 know if there was a reason why the

2 Village didn't think that was
3 necessary, but it seemed to me
4 that that would be something,
5 since it's a deviation from a law,
6 it should be included. And then
7 kind of language that kind of
8 circles back to say when the
9 Village Board makes its decision
10 what do they kinda take a look at
11 to prove out the fact that there's
12 this unique and pervasive
13 hardship? So that's what that all
14 does.

15 And then I would say that
16 the rest of this largely, again,
17 is cleanup and legal-type
18 language. And I think, you know,
19 the penalties, for instance, I
20 added the idea that you haven't
21 given up the right to seek an
22 injunction, you know, to make it
23 clear that your only remedy is not
24 monetary damages.

25 I don't know, I hope that's

2 helpful. I know I'm a lawyer at
3 heart, I tend to read documents
4 and mark them up, so.

5 I think since this is being
6 done obviously as an amendment to
7 the Code, to Chapter 150, it will
8 obviously require Planning Board
9 review and signoff under the Code.
10 I had kind of hoped that we'd have
11 a revised draft before this
12 meeting, but I -- we have not
13 received that, I assume it will be
14 discussed if there is going to be
15 one at the Trustees' meeting
16 tomorrow night. And I don't know
17 what the overall timing is, but
18 given the 22nd is when the Public
19 Hearing is scheduled, I was
20 wondering; one, whether this Board
21 having walked through this and if
22 there were any other comments or
23 thoughts people thought that we
24 should include, should we think
25 about sending a letter to the

2 Board of Trustees for tomorrow
3 indicating that if these comments
4 were accepted and any other
5 comments that we thought we should
6 make or if there were no other
7 material changes, that we would
8 effectively would have no further
9 comments unless there were other
10 material changes on it and/or if
11 we should try to at a minimum
12 otherwise suggest that we'd like
13 to, if possible, receive the draft
14 before the 22nd and we could
15 endeavor through email to provide
16 any comments, 'cause I would not
17 like this Board to be the holdup
18 for the 45 days of this being
19 passed given what the community
20 seems to -- to want.

21 CHAIRMAN BRENNAN: Well, I
22 think that makes a lot of sense,
23 so we want to -- we want to be
24 helpful, we want to do it as
25 quickly as possible. I don't want

2 to forego the ability to review
3 whatever version of the law is
4 going to be considered, so.

5 MEMBER HAMMES: I don't
6 think we can waive that.

7 CHAIRMAN BRENNAN: Yeah.

8 MEMBER HAMMES: But I think
9 we can send the message that if
10 this is kind where the law ends
11 up, we'll obviously need to take a
12 look at it again before the 22nd,
13 but we are unlikely to have major
14 substantive comments at that
15 point.

16 CHAIRMAN BRENNAN: Right.

17 MEMBER HAMMES: Unless
18 other people think differently.
19 I'm open to whatever the will of
20 the Board is.

21 CHAIRMAN BRENNAN: Well,
22 Joe, do you think that's something
23 we might see before the 22nd?

24 ATTORNEY PROKOP: Can I ask
25 a question?

2 CHAIRMAN BRENNAN: Yes.

3 ATTORNEY PROKOP: So

4 when -- from -- unless I'm

5 mistaken, when you started off by

6 saying that you're withholding

7 comments about the Local Law

8 because it was already enacted,

9 did you mean to say the

10 Resolution?

11 MEMBER HAMMES: The

12 Resolution. The Resolution.

13 ATTORNEY PROKOP: The

14 Resolution. Okay.

15 So all the comments that I

16 got on the Resolution you're

17 withdrawing or?

18 MEMBER HAMMES: Yeah,

19 because the Resolution was

20 enacted, so there's no point in

21 commenting on it, correct?

22 ATTORNEY PROKOP: I don't

23 know. Were you, I mean --

24 MEMBER HAMMES: I assume --

25 I mean --

2 ATTORNEY PROKOP: Are
3 you -- excuse me.

4 MEMBER HAMMES: You can
5 correct me if I'm wrong --

6 ATTORNEY PROKOP: I can say
7 that I do know, are you looking
8 for an amendment of that
9 Resolution?

10 MEMBER HAMMES: No, not at
11 this time.

12 CHAIRMAN BRENNAN: No. No.

13 ATTORNEY PROKOP: Okay.

14 MEMBER HAMMES: I mean I
15 think we're looking to try to make
16 the law something that we don't
17 run into a lot of problems once
18 the law is enacted, and that's the
19 request for some additional
20 exceptions and language around the
21 relief valve.

22 ATTORNEY PROKOP: Okay.

23 And I have a few -- I have
24 a few questions, but I don't think
25 it's -- this meeting probably

2 might not be the proper form to
3 ask those questions, but I'm happy
4 to pass them along.

5 MEMBER HAMMES: Okay.

6 CHAIRMAN BRENNAN: Okay.

7 Yeah. We -- that's fine. So --

8 MEMBER HAMMES: I mean is
9 it -- is it the intention for the
10 Trustees to be discussing this
11 tomorrow evening, do you know, by
12 any chance?

13 ATTORNEY PROKOP: I do --
14 you know, I don't -- I'm sure that
15 they will, you know. When you
16 said that it would have been nice
17 if you had an amended copy, we --
18 I don't have any -- there seems to
19 be a discussion about whether or
20 not an amended copy should have
21 been done, but I don't have any
22 authority to do an amended copy on
23 my own. I mean I have reviewed
24 your -- I have reviewed your
25 comments very carefully, I did

2 that the day I got -- the night I
3 got them, late at night that night
4 and the next day. And I -- I have
5 prepared a version that the
6 Trustees could review, if that's
7 what they would like to do, but
8 I -- there's no -- because we
9 haven't had a meeting, there's no
10 mechanism for the Board to --

11 MEMBER HAMMES: Okay.

12 ATTORNEY PROKOP: They
13 haven't given me the authority to
14 make changes and there's no -- we
15 already have a Local Law that's
16 been submitted for Public Hearing,
17 so I'm not sure how they're going
18 to handle that, but I'm sure that
19 it will be discussed tomorrow
20 night.

21 MEMBER HAMMES: Okay.

22 Did you have any concerns
23 or questions about the -- the
24 comments?

25 ATTORNEY PROKOP: Yes, I

2 said I do, but --

3 MEMBER HAMMES: Okay. So
4 you will send them separate.

5 ATTORNEY PROKOP: I
6 definitely do, but I don't think
7 that this meeting is the --

8 MEMBER HAMMES: Okay.

9 ATTORNEY PROKOP: And I
10 would like to discuss them with,
11 you know, maybe two members, a few
12 members of the Board, your Board.

13 MEMBER HAMMES: Okay.

14 CHAIRMAN BRENNAN: Okay.
15 Well, we can do that.

16 ATTORNEY PROKOP: Yeah.

17 CHAIRMAN BRENNAN: You let
18 us know.

19 ATTORNEY PROKOP: Okay.

20 CHAIRMAN BRENNAN: I'm glad
21 you reviewed Tricia's comments
22 and, you know, we're fortunate
23 that Trish --

24 ATTORNEY PROKOP: And,
25 Mr. Connolly, I'm sorry, I

2 apologize, Mr. Connolly would --
3 I'd like him to be involved in any
4 discussion we have.

5 CHAIRMAN BRENNAN: All
6 right. Good. Well, I'm
7 available. So, you know, you let
8 us know.

9 MEMBER HAMMES: I'm
10 available, I mean we can do it
11 after this meeting if everybody
12 else left.

13 CHAIRMAN BRENNAN: Yeah.

14 MEMBER HAMMES: Whatever
15 you -- whatever's appropriate.

16 ATTORNEY PROKOP:
17 Whatever -- whatever facilitates
18 the process. You know, I'm
19 willing to do whatever moves this
20 along.

21 MEMBER HAMMES: It would
22 probably be best to do it before
23 the meeting tomorrow night.

24 CHAIRMAN BRENNAN: Okay.
25 So we want to be helpful, too, so,

2 you know, to the extent that we
3 can meet with you, you know, let
4 us know, we can do it now, later.

5 ATTORNEY PROKOP: Well, if
6 you're looking to bring the
7 meeting to close fairly soon, I
8 can do it for a few minutes now.

9 CHAIRMAN BRENNAN: Okay.
10 All right. Let's -- all right.
11 We'll discuss that once we close
12 the meeting.

13 I just want to thank Tricia
14 for digging into this quickly and
15 thoroughly. And, you know, we're
16 fortunate to have Tricia on the
17 Board, and so thank you for those
18 efforts.

19 MEMBER HAMMES: Thank you.
20 I try to do what I can to help.

21 CHAIRMAN BRENNAN: Any
22 other questions on Tricia's work?

23 (No response.)

24 CHAIRMAN BRENNAN: Any
25 other business?

2 MEMBER HAMMES: I just, I
3 know we're closed on this, but I
4 talked a lot, so I don't want to
5 be the only person talking. I
6 mean I'd be really be interested
7 if other people have any views
8 about this state of the moratorium
9 or concerns about it, I don't...

10 MEMBER BUCHANAN: I mean
11 the only thing that concerns me
12 that is not in this, but that's
13 not even this Board, is I think
14 the fact that R-1 and R-2 are not.
15 And looking at it, I mean some --
16 people are buying properties and
17 tearing them down and building
18 things that look nothing like the
19 rest of the neighborhood, and I
20 think that whether you're a
21 developer doing that in one place
22 or whatever, that's just -- that's
23 something that personally I wish
24 could be reflected in here. I
25 don't want to stop people being

2 able to put in a shed, put in a
3 pool, do whatever they need to do,
4 but I think some of those sort of
5 things as, you know, we go back to
6 the beginning of this document and
7 the LWRP and how this is supposed
8 to guide the entire Village, it
9 feels a little bit like there's
10 some development, but that's not
11 this Board, I think that we're too
12 far along that people don't
13 necessarily want to do that, and I
14 think people are concerned that
15 that then impacts what they can do
16 on their properties. And to some
17 of the language that you included
18 in your work, Tricia, I like how
19 you said, you referenced the fact
20 that it's not -- if you're living
21 here, it's not -- because it's
22 really to me it's like where are
23 we overbuilding? Where are we
24 building a house next to a house
25 with a breezeway and saying it's

2 just an addition, you know, and
3 things like that. So those are
4 concerns that I have, but I don't
5 think that this will -- I would
6 like that to be maybe brought up
7 down the road, but it's not
8 something I think we can really
9 add to this right now.

10 MEMBER DOUGHERTY-JOHNSON:

11 I think one change that's saying
12 we're not just looking at the
13 Zoning Code, so they -- we could,
14 we could look at it, I mean it's
15 not going to stop development, but
16 they could look at a Comprehensive
17 Plan.

18 MEMBER BUCHANAN: Right.

19 MEMBER DOUGHERTY-JOHNSON:

20 Which I think is the point.

21 MEMBER BUCHANAN: Right.

22 MEMBER DOUGHERTY-JOHNSON:

23 But I also like the last thing
24 that you added about I do think
25 like if something is just changing

2 occupancy or changing, you know,
3 retail to retail and where it's
4 approved, that should be allowed,
5 because I don't think we want more
6 empty storefronts either.

7 CHAIRMAN BRENNAN: Yes.

8 MEMBER HAMMES: Thanks,
9 Sorry.

10 CHAIRMAN BRENNAN: No,
11 thank you, Tricia.

12 ATTORNEY PROKOP: Maybe I
13 can say --

14 CHAIRMAN BRENNAN: Yes.

15 ATTORNEY PROKOP: I'm
16 thinking about how to handle this.
17 So, you know, not if we -- if I
18 was going to speak to you it would
19 have to either be, you know, not a
20 quorum of the Board or a quorum in
21 Executive Session, and not to be
22 disrespectful to including the
23 other members whose views are
24 important also, I just, I have
25 some -- I have some -- I would

2 like to look over the language
3 about what exactly will be --
4 they'll be -- what the carve out,
5 what you call carve outs are
6 and/or exemptions or exceptions
7 and what it is exactly that will
8 be, there will be a moratorium on
9 because that language is -- that
10 language is one of the things
11 that's modified in this, in these
12 comments, so I'm going to take a
13 look at that. I may have to
14 discuss that with the Board of
15 Trustees directly, you know,
16 directly, but it probably would be
17 helpful if you, since you do have
18 the -- since the Planning Board
19 does have, you know, we have this
20 requirement that you have to -- we
21 have to make a trip around through
22 the Planning Board before the
23 Trustees take action, you know, it
24 would probably be helpful if you
25 gave us that, gave the Board that

2 ability or signoff, you know,
3 based on these comments, if that's
4 what you intend to do or not. You
5 could -- I could speak to the
6 Board and get their reaction and
7 then we can have another
8 discussion. You could -- your
9 Board could have another
10 discussion.

11 CHAIRMAN BRENNAN: Yeah,
12 let's do that. You're gonna --
13 the Trustees' meeting is
14 tomorrow --

15 ATTORNEY PROKOP: Yes.

16 CHAIRMAN BRENNAN: --
17 correct?

18 So before we signoff on it,
19 I think we need to be asked first
20 to comment on it.

21 ATTORNEY PROKOP: Okay.

22 CHAIRMAN BRENNAN: All
23 right. So we haven't been asked.

24 MEMBER HAMMES: That is
25 true.

2 CHAIRMAN BRENNAN: So as
3 just a matter of process or
4 procedure, I think the Trustees
5 should ask the Planning Board for
6 their comments, and then we could
7 effectively signoff on it with the
8 comments that have been prepared
9 or we can add.

10 MEMBER HAMMES: Well, look,
11 okay, I mean I would have thought
12 again that we could say based on
13 the initial draft, while this does
14 not reflect our final comments,
15 because we've not been asked to
16 comment on a final draft, these
17 are our comments on this draft,
18 and then ultimately we're going to
19 need an official transmission to
20 us of the final draft to signoff
21 on it, right? I mean I guess it's
22 a chicken and the egg, but I
23 would -- I would -- I guess I
24 would have liked, and I guess
25 maybe we should take a vote or

2 whatever the right thing is, but I
3 would like -- I would like a
4 message to go to the Board before
5 tomorrow night's meeting saying
6 that these comments largely the
7 Board's -- the Planning Board
8 thinks that these comments are
9 appropriate and should be looked
10 into at.

11 MEMBER DOUGHERTY-JOHNSON:

12 I agree with that. I think if
13 we're going to get asked anyway,
14 and we know legally we have to get
15 asked, we might well give them --

16 MEMBER HAMMES: I mean I
17 don't think this precludes us from
18 commenting on the final draft. I
19 just don't want to not make these
20 comments, have them not take them
21 tomorrow, and then we resubmit
22 them, that seems to me to be a
23 grossly inefficient process.

24 CHAIRMAN BRENNAN: Mm-hmm,
25 right.

2 ATTORNEY PROKOP: So if I
3 can just -- do you mind if I just
4 say something?

5 CHAIRMAN BRENNAN: Go
6 ahead, please.

7 MEMBER HAMMES: Yeah, go
8 ahead.

9 ATTORNEY PROKOP: You know,
10 I think that one of things that
11 occurs is that these comments came
12 from Tricia, you know, and thank
13 you for them, but they came, you
14 know, they came from Tricia rather
15 than from the Planning Board, so
16 maybe, you know, instead of being
17 stuck on whether or not these are
18 your final comments or, you know,
19 if maybe you could vote that as a
20 Board you have consensus that
21 these are, you know, Board
22 comments, not necessarily being
23 your final comments.

24 CHAIRMAN BRENNAN: Yeah.

25 ATTORNEY PROKOP: I'm

2 sorry, Mr. Connolly, as a
3 suggestion --

4 ATTORNEY CONNOLLY: No,
5 that makes sense.

6 CHAIRMAN BRENNAN: Yeah, I
7 think that makes sense.

8 MEMBER DOUGHERTY-JOHNSON:
9 I also kinda think, not to make it
10 more complicated, but maybe just a
11 very brief, 'cause like if I look
12 at this, as not a lawyer, I'm
13 kinda like, I don't get it right
14 away.

15 MEMBER HAMMES: Mm-hmm --

16 MEMBER DOUGHERTY-JOHNSON:
17 Yeah, exactly. Just like a brief
18 like here are our concerns, like
19 briefly, and then -- and then the
20 comments, just to explain to them
21 why you think there should be
22 these changes. Does that make
23 sense? Instead of just -- just
24 the comments, just a brief like
25 we're concerned about whatever

2 they are. That, you know, people
3 being able to do the same things
4 that they've been doing and also
5 like the procedure for exceptions.

6 CHAIRMAN BRENNAN: So like
7 an executive summary?

8 MEMBER DOUGHERTY-JOHNSON:
9 Yeah, exactly, just something that
10 says, here, this is what we're
11 concerned about, and this is what
12 we should change, it doesn't have
13 to be super long, just a very
14 brief like so non-lawyers can be
15 like, oh, okay, I get it.

16 MEMBER HAMMES: I mean I'm
17 happy to write that up and get
18 it -- I can get it out by some
19 time tomorrow, but I don't know if
20 I can get it to everybody and wait
21 for comments and get it out by
22 some time tomorrow.

23 CHAIRMAN BRENNAN: I
24 don't -- I don't think we need any
25 further comments.

2 MEMBER HAMMES: So if you
3 want me to write something up and
4 send this over -- I guess I should
5 send it to -- I don't know, Rob,
6 does it have to come from you or
7 can I --

8 ATTORNEY CONNOLLY: It
9 doesn't have to come from me, no.

10 MEMBER HAMMES: -- send
11 it to Paul and copy everybody on
12 it?

13 ATTORNEY CONNOLLY:
14 Actually I'm going to be in the
15 City all day tomorrow, so if you
16 can then just send a copy.

17 MEMBER HAMMES: Because I
18 already kind of have an executive
19 summary from the comments I made
20 at the -- at the Board Meeting
21 that night anyway, so that will be
22 the basis for it, so rather than
23 having somebody else have to
24 reinvent the wheel, I'm happy to
25 do that and I can get it in by,

2 you know, late morning tomorrow
3 the latest.

4 CHAIRMAN BRENNAN: Great.

5 So let's follow Joe's suggestion
6 where we're going to make a Motion
7 to essentially accept Tricia's
8 work as the Board's comments at
9 this time so that we can
10 officially send them off to the
11 Trustees.

12 Does that make sense, Joe,
13 to you?

14 ATTORNEY PROKOP: Yes,
15 thank you.

16 CHAIRMAN BRENNAN: Yes,
17 okay.

18 So I'd like to make a
19 Motion to accept Tricia's work on
20 the -- her comments on the
21 Moratorium with the addition of an
22 executive summary that's going to
23 be forthcoming. And we will take
24 Tricia's work and forward that to
25 the Trust -- to the Village

2 Trustees as our Planning Board
3 comments on the current draft of
4 the Local Law.

5 MEMBER HAMMES: Second.

6 CHAIRMAN BRENNAN: All in
7 favor?

8 MEMBER CREEDON: Aye.

9 MEMBER HAMMES: Aye.

10 MEMBER DOUGHERTY-JOHNSON:
11 Aye.

12 MEMBER BUCHANAN: Aye.

13 CHAIRMAN BRENNAN: Aye.

14 Does that work for you?

15 ATTORNEY PROKOP: Yes,
16 thank you very much.

17 CHAIRMAN BRENNAN: Thank
18 you.

19 Okay. Thank you, Tricia.

20 Thank you, Joe.

21 All right. So, any other
22 business?

23 (No response.)

24 CHAIRMAN BRENNAN: Okay.

25 Item Number 6, Motion to

2 adjourn.

3 MEMBER HAMMES: Second.

4 CHAIRMAN BRENNAN: All in

5 favor?

6 MEMBER CREEDON: Aye.

7 MEMBER HAMMES: Aye.

8 MEMBER DOUGHERTY-JOHNSON:

9 Aye.

10 MEMBER BUCHANAN: Aye.

11 CHAIRMAN BRENNAN: Aye.

12 Motion approved. Thank

13 you.

14 (4:44 p.m. the Work Session

15 & Regular Meeting of the Planning

16 Board was adjourned.)

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CERTIFICATION

I, DONNA L. RITZMANN, a Notary Public
in and for the State of New York, do hereby
certify:

THAT the foregoing is a true and
accurate transcript of my stenographic notes.

IN WITNESS WHEREOF, I have hereunto
set my hand this 31st day of December, 2022.

DONNA L. RITZMANN

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