

VILLAGE OF GREENPORT

COUNTY OF SUFFOLK : STATE OF NEW YORK

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ZONING BOARD OF APPEALS

REGULAR SESSION

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Station One Firehouse

Third & South Streets

Greenport, NY, 11944

July 19, 2022

6:00 p.m.

B E F O R E:

JOHN SALADINO - CHAIRMAN

DINNIE GORDON - MEMBER

SETH KAUFMAN - MEMBER

JACK REARDON - MEMBER

DENA ZEMSKY - MEMBER

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ALSO IN ATTENDANCE:

ROBERT CONNOLLY - ZONING BOARD ATTORNEY

AMANDA AURICHIO - CLERK TO THE BOARD

ALEX BOLANOS - ENFORCEMENT OFFICER

EILEEN WINGATE -

JOHN BARRETT - GREENPORT, NY RESIDENT

1 (\*The meeting was called to order at 6:10 p.m.\*)

2 CHAIRMAN SALADINO: This is the Village of  
3 Greenport Zoning Board of Appeals Regular  
4 Meeting,

5 Item No. 1 is a motion to accept and  
6 approve the minutes of the June 21st, 2022 Zoning  
7 Board of Appeals meeting. So moved.

8 MEMBER GORDON: Second.

9 CHAIRMAN SALADINO: All in favor?

10 MEMBER GORDON: Aye.

11 MEMBER REARDON: Aye.

12 MEMBER ZEMSKY: Aye.

13 MEMBER KAUFMAN: Aye.

14 CHAIRMAN SALADINO: And I'll vote aye.

15 (June 21st, 2022 Minutes accepted & approved

16 VOTE: 5/0/0/0).

17 Item No. 2 is a motion to schedule the next  
18 Zoning Board of Appeals meeting for August 16th  
19 2022 at 6 p.m. at the Station One Firehouse,  
20 Third and South Streets, Greenport, New York,  
21 11944. So moved.

22 MEMBER REARDON: I'd like to second that.

23 CHAIRMAN SALADINO: All in favor?

24 MEMBER REARDON: Aye.

25 MEMBER KAUFMAN: Aye.

1 MEMBER ZEMSKY: Aye.

2 MEMBER GORDON: Aye.

3 CHAIRMAN SALADINO: And I'll vote aye.

4 (August 16, 2022 Meeting Date Set VOTE: 5/0/0/0).

5 Before we get to the public -- Folks,  
6 before we get to the public hearing, because I  
7 was chatting and stuff it kind of slipped my  
8 mind. The Zoning Board has a new member, Dena  
9 Zemsky; I'm going introduce her now. And Dena  
10 has agreed to volunteer for the Zoning Board.

11 Also, the other announcement I would like  
12 to make is -- and it makes me very angry, that  
13 our Building Clerk decided to move on to better  
14 things; I can't imagine that being possible,  
15 better than Greenport. But Amanda's leaving us  
16 and we thank her -- I do anyway, thank her for  
17 all the work she does for us.

18 MEMBER REARDON: I second that.

19 CHAIRMAN SALADINO: Thank you, Amanda.

20 MEMBER GORDON: I'd like to say something.

21 That you have made a big difference in my life  
22 because I am a little lazy about reading the  
23 minutes if I have to make a real effort. In  
24 fact, that you now send them electronically, this  
25 is an innovation that has really been very, very

1 useful. Thank you very much.

2 CHAIRMAN SALADINO: We don't know --

3 MEMBER GORDON: And I hope whoever succeeds  
4 you will do that, too.

5 CHAIRMAN SALADINO: We don't know what  
6 we're going to do, to be honest. I don't know  
7 what I'm going to do.

8 So, having said all that, we'll move on.

9 Applause

10 Item No. 3 is 237 Sixth Street. This is a  
11 public hearing regarding the application of  
12 Marisa Harney and John Barrett.

13 JOHN BARRETT: Yes, sir.

14 CHAIRMAN SALADINO: The applicants propose  
15 to expand the existing footprint at the property  
16 located at 237 Sixth Street. This property is  
17 located in the R-2 (One & Two Family) District  
18 and is not located in the Historic District. The  
19 proposed construction requires area variances as  
20 follows; They're on the agenda. The Suffolk  
21 County Tax Map No is 1001-7.-1-3. Is the  
22 applicant here?

23 Name and address for the stenographer.

24 Thank you.

25 EILEEN WINGATE: Eileen Wingate, 2805 West

1 Mill Road, Mattituck, New York.

2           Okay, so we just got back from a site  
3 visit. We're asking for as little as possible.  
4 The front porch is mostly to have a nicer space  
5 to sit at and catch a little bit of a view of the  
6 water; it's in two directions, so that's kind of  
7 fun.

8           And the little bite out of the back is just  
9 simply to facilitate having a better kitchen.  
10 That little bite breaks the flow of the kitchen  
11 and it would be really nice to have better  
12 kitchen in an old farm house like that.  
13 Any questions?

14           MEMBER GORDON: It's my understanding that  
15 the second story renovation does not -- does not  
16 bump out the edge of the house in the same way  
17 that the downstairs --

18           EILEEN WINGATE: That's --

19           MEMBER GORDON: -- does.

20           EILEEN WINGATE: There's the back door --

21           MEMBER GORDON: Right.

22           EILEEN WINGATE: We're grabbing that little  
23 corner.

24           MEMBER GORDON: Right.

25           EILEEN WINGATE: And upstairs --

1 MEMBER GORDON: Okay

2 EILEEN WINGATE: -- we're grabbing that same  
3 little corner.

4 MEMBER GORDON: Okay.

5 EILEEN WINGATE: Okay?

6 MEMBER GORDON: That's all I wanted to  
7 understand.

8 EILEEN WINGATE: Okay. So I have -- I have  
9 two pieces of information for you which you asked  
10 me. It doesn't scale exactly on the copy that I  
11 have, but it's about 30 or 31 feet tall, the  
12 front piece.

13 And you asked me about the line of the roof  
14 of the front porch and the line of the existing,  
15 what is going to be a dining room. The dining  
16 room, although it says existing, will get rebuilt  
17 because we want those rooms to line up.

18 MEMBER GORDON: Thank you.

19 EILEEN WINGATE: And we have windows in  
20 that one.

21 CHAIRMAN SALADINO: I'm looking at the  
22 plan; the dining room you said is going to line  
23 up with the --

24 EILEEN WINGATE: Dinny had asked on-site if  
25 we were -- Dena and Dinny had asked on-site if

1 the front porch roof line and the bump-out roof  
2 line don't line up, how we were going to --

3 CHAIRMAN SALADINO: Oh, but not interior.  
4 We're not talking about the dining room interior  
5 space.

6 EILEEN WINGATE: No, no, we're talking  
7 about roof lines and walls.

8 MEMBER GORDON: I'm not good at seeing how  
9 tall something is and I know the limit is 35 feet  
10 and I thought it was fairly close, and you're  
11 saying it's 32.

12 EILEEN WINGATE: It's 30, 31.

13 MEMBER GORDON: Thirty-one.

14 EILEEN WINGATE: But it's under  
15 regulations.

16 CHAIRMAN SALADINO: Okay. Anybody else?  
17 I have a couple of questions. Nobody else?

18 MEMBER REARDON: I don't have any  
19 questions.

20 CHAIRMAN SALADINO: We talked about what we  
21 should do for the record about the accessory  
22 building. I'm uncomfortable with the shed that  
23 was built on the accessory building that --

24 EILEEN WINGATE: Okay.

25 CHAIRMAN SALADINO: We don't see that

1 there.

2 EILEEN WINGATE: I have had a chance to  
3 talk to John and the little nailed-up shed is of  
4 no consequence and we'll take it down and not  
5 even consider it part of this application.

6 CHAIRMAN SALADINO: Okay. And there was --  
7 I think I asked this at the site visit to the  
8 applicant; there's two bedrooms upstairs.

9 JOHN BARRETT: Yes.

10 CHAIRMAN SALADINO: No bedrooms on the  
11 first floor.

12 JOHN BARRETT: No, sir.

13 EILEEN WINGATE: It's a little tiny house.

14 MEMBER ZEMSKY: Can I ask one question  
15 about the staircase? Are you leaving the  
16 staircase?

17 EILEEN WINGATE: Yes, we are.

18 CHAIRMAN SALADINO: What was the question?

19 MEMBER ZEMSKY: Just about the staircase.

20 MEMBER GORDON: It's very narrow.

21 MEMBER GORDON: It's very narrow, it's  
22 steep, it's ancient, it's existing. And if we  
23 were to put a code compliant staircase in, it  
24 will change the proportions of everything. And  
25 we're better off re-supporting it and working



1 with what we have and not eliminating the  
2 character of the original stair.

3 CHAIRMAN SALADINO: If that's okay with the  
4 Building Department, I guess it's kind of okay  
5 with us.

6 OFFICER BOLANOS: I didn't see any of that  
7 in the plans or the drawings, really what I just  
8 got was the exterior of the bump-out. But I  
9 would look into it further, because if we're --  
10 if we're building we should meet all current  
11 building code requirements.

12 EILEEN WINGATE: It's over 50%.

13 OFFICER BOLANOS: Well, I would have  
14 to look. I wasn't aware of it, it's the first I  
15 hear of it.

16 CHAIRMAN SALADINO: We're going to -- me  
17 personally, I'm going to leave that to the  
18 Building Department to work out with the  
19 applicant. We don't -- it kills me to admit  
20 this, but I don't know what else to do, so we're  
21 going to leave that to the guys that know, right.

22 Anybody else? There was one other thing.  
23 And also, Eileen, I think I had asked you the  
24 last month about storm water runoff, you were  
25 going to kind of let us know where the dry wells

1 and stuff were.

2 EILEEN WINGATE: Oh, just wherever they're  
3 required. Usually there's four down spats and  
4 we'll tie two in together and they'll probably  
5 be --

6 CHAIRMAN SALADINO: But normally --

7 EILEEN WINGATE: I will get that to you.

8 CHAIRMAN SALADINO: You get it to them, all  
9 right? But they're going to be dry wells and  
10 storm water --

11 EILEEN WINGATE: They're going to be dry  
12 wells, sure.

13 CHAIRMAN SALADINO: Okay. And -- go ahead.

14 MEMBER GORDON: There are several of the  
15 questions in the -- in the environmental  
16 assessment form that are just not answered.  
17 That's not anything that should hold us up, but  
18 if you could fix --

19 EILEEN WINGATE: Mostly I don't answer if  
20 it's N/A. Some of the stuff is just not  
21 applicable to a small residential project.

22 MEMBER GORDON: Well, it says, "Are public  
23 transportation services available at or near the  
24 site of the proposed action."

25 EILEEN WINGATE: No.

1 MEMBER GORDON: You don't think that --

2 EILEEN WINGATE: Public transportation?

3 I mean, it's quite -- public transportation --

4 MEMBER GORDON: I would say yes.

5 EILEEN WINGATE: Would you really? I'd say  
6 it's three blocks on Main Street and --

7 MEMBER KAUFMAN: There's a train station,  
8 there's a bus stop.

9 EILEEN WINGATE: So, I think they're  
10 talking about the site, they're not talking about  
11 the neighborhood. It's site specific, the  
12 environmental form.

13 MEMBER KAUFMAN: It's irrelevant.

14 CHAIRMAN SALADINO: I'm not sure if --

15 MEMBER GORDON: Okay.

16 EILEEN WINGATE: I honestly think that when  
17 they ask questions like that they're referring to  
18 the corner bodega and whether the bus stops on  
19 the corner or not.

20 MEMBER GORDON: And you don't think you  
21 should be putting no in the question, "Is the  
22 proposed action located in an archeological  
23 sensitive area"?

24 EILEEN WINGATE: No. You're correct, maybe  
25 I missed a few there.

1 MEMBER GORDON: Just check it.

2 EILEEN WINGATE: I will try.

3 MEMBER GORDON: I mean, it's obviously not  
4 something that should hold you up. But I just --  
5 it seemed to me there were three or four that  
6 were just not --

7 EILEEN WINGATE: I will take another look,  
8 Dinny.

9 CHAIRMAN SALADINO: Eileen, you know us, we  
10 dot the i's and we cross the ts, so

11 EILEEN WINGATE: My mistake. I am -- my  
12 mistake.

13 CHAIRMAN SALADINO: And nobody's going to  
14 hold it against you.

15 Is there anything else? We resolved my  
16 questions about the shed and about the bedrooms.  
17 And do we have any questions that aren't -- for  
18 either -- anybody want to know about this project  
19 from the --

20 MEMBER KAUFMAN: (Shook head no).

21 CHAIRMAN SALADINO: I'll ask but you don't  
22 have to answer. Are you going to live there? Is  
23 this investment property?

24 JOHN BARRETT: It will be used for friends  
25 and family primarily, and then if we have a

1 chance to rent it we might, but we're going to  
2 use it for friends and family.

3 CHAIRMAN SALADINO: Just asking.

4 Nobody else has any questions? No one  
5 else? Everybody's good? All right, then I'll  
6 make a motion that we close this public hearing.

7 So moved

8 MEMBER KAUFMAN: I'll second that.

9 CHAIRMAN SALADINO: All in favor?

10 MEMBER KAUFMAN: Aye.

11 MEMBER ZEMSKY: Aye.

12 MEMBER GORDON: Aye.

13 MEMBER REARDON: Aye.

14 CHAIRMAN SALADINO: And I'll vote aye.

15 (Public Hearing Closed - VOTE: 5/0/0/0).

16 I think we're missing something on the  
17 agenda here, but I think I'll just wing it.

18 MEMBER GORDON: There isn't an item here  
19 for --

20 CHAIRMAN SALADINO: I know.

21 MEMBER GORDON: -- the discussion and vote.

22 CHAIRMAN SALADINO: I know. I'm going to  
23 wing it.

24 All right, the agenda item is -- that we're  
25 going to insert here is possible discussion and

1 vote on this application. The Suffolk County Tax  
2 Map stays the same at 1001-7.-1-3. Does anybody  
3 have any comments about this before we vote? No?

4 MEMBER REARDON: Just that we're proceeding  
5 with the vote contingent upon the homeowner's  
6 follow-thru with the dry wells or the runoff of  
7 the house.

8 CHAIRMAN SALADINO: Yeah, we're going to  
9 leave that to the Building Department. The  
10 Building Department will -- this is strictly  
11 about dimensional stuff now. You know, we look  
12 at the site plan, we look at the survey, whatever  
13 we see that we kind of disagree with or have a  
14 question about. But we trust the Building  
15 Inspector to keep his eye open on what we  
16 discussed here, the shed dry wells.

17 So, because the applicant agreed to get rid  
18 of the shed, we'll vote on the variances that we  
19 have.

20 MEMBER GORDON: One, two and three.

21 CHAIRMAN SALADINO: We'll take them -- you  
22 don't want to take them all at once, all four?

23 MEMBER GORDON: But are we going to vote on  
24 four if he says he is going to --

25 CHAIRMAN SALADINO: He's not taking the

1 garage down, Dinny, he's just taking the shed  
2 down.

3 MEMBER KAUFMAN: It's still on the  
4 property, too (indiscernible).

5 STENOGRAPHER MAHONEY: Seth, I could not  
6 hear you.

7 MEMBER KAUFMAN: I said it's still too  
8 close to the property line so we do need to  
9 consider it.

10 CHAIRMAN SALADINO: So should we vote --

11 MEMBER GORDON: Okay.

12 CHAIRMAN SALADINO: You're comfortable  
13 voting on all of them?

14 MEMBER GORDON: I'm fine.

15 CHAIRMAN SALADINO: All right, I'll make a  
16 motion that -- oh, I've got to do -- I'm sorry.

17 MEMBER GORDON: SEQRA.

18 CHAIRMAN SALADINO: We'll do SEQRA and I  
19 forgot to do the balancing test in case somebody  
20 takes exception to what we do here. I apologize,  
21 folks, normally we're more on the ball but it's  
22 hot and the air conditioner is not really working  
23 that well.

24 MEMBER GORDON: Do you have letters from  
25 people?

1 CHAIRMAN SALADINO: And we have the  
2 mail-ins.

3 MEMBER GORDON: The mail-ins.

4 EILEEN WINGATE: I'll forward them to you.  
5 I'll get them when we're done.

6 CHAIRMAN SALADINO: I need the mailings for  
7 the stenographer.

8 EILEEN WINGATE: I will go run and get  
9 them.

10 CHAIRMAN SALADINO: We'll -- if Eileen has  
11 a list of the mailings, we'll give it to the  
12 stenographer, we won't have to --

13 BUILDING CLERK AURICHIO: I can always  
14 e-mail them to her.

15 CHAIRMAN SALADINO: And this way -- so  
16 we'll do -- I'll make a motion that the Zoning  
17 Board of Appeals declares itself Lead Agency for  
18 the purposes of SEQRA. So moved

19 MEMBER GORDON: Second.

20 CHAIRMAN SALADINO: All in favor?

21 MEMBER GORDON: Aye.

22 MEMBER REARDON: Aye.

23 MEMBER ZEMSKY: Aye.

24 MEMBER KAUFMAN: Aye.

25 CHAIRMAN SALADINO: And I'll vote aye.



1 (ZBA Declared Lead Agency - VOTE: 5/0/0/0).

2 And also, we'll ask Rob, this is a Type II  
3 Action?

4 ATTORNEY CONNOLLY: Yes, it is.

5 CHAIRMAN SALADINO: For the purposes of  
6 SEQRA and we'll do this balancing test.

7 EILEEN WINGATE: Sorry about that.

8 CHAIRMAN SALADINO: We're not going to read  
9 these into the record, we're going to give them  
10 to -- there's only a couple of them.

11 Question one is whether an undesirable  
12 change will be produced in the character of the  
13 neighborhood or a detriment to nearby properties  
14 will be created by the granting of this area  
15 variance. Jack?

16 MEMBER REARDON: No.

17 CHAIRMAN SALADINO: Dinny?

18 MEMBER GORDON: No.

19 CHAIRMAN SALADINO: Seth?

20 MEMBER KAUFMAN: No.

21 CHAIRMAN SALADINO: Dinny? Oh, Diana?

22 MEMBER ZEMSKY: Dena. No.

23 (\*Laughter\*)

24 MEMBER GORDON: I knew this was going to  
25 happen.

1 CHAIRMAN SALADINO: And I'll vote no.

2 (VOTE: 5/0/0/0).

3 Will the benefits sought by applicant can  
4 be achieved by some method feasible for the  
5 applicant to pursue other than an area variance;  
6 Jack?

7 MEMBER REARDON: I doubt it.

8 CHAIRMAN SALADINO: I'll take that as a no.

9 MEMBER REARDON: No.

10 CHAIRMAN SALADINO: Dinny?

11 MEMBER GORDON: No.

12 CHAIRMAN SALADINO: Seth?

13 MEMBER KAUFMAN: No.

14 CHAIRMAN SALADINO: Dena?

15 MEMBER ZEMSKY: No.

16 CHAIRMAN SALADINO: And I'll vote no.

17 (VOTE: 5-0-0-0).

18 Were the requested area variances  
19 substantial? Jack?

20 MEMBER REARDON: No.

21 CHAIRMAN SALADINO: Dinny?

22 MEMBER GORDON: No.

23 CHAIRMAN SALADINO: Seth?

24 MEMBER KAUFMAN: No.

25 MEMBER ZEMSKY: I didn't hear the question,

1 sorry.

2 CHAIRMAN SALADINO: Were the requested area  
3 variances substantial?

4 MEMBER ZEMSKY: No.

5 CHAIRMAN SALADINO: And I'll vote no (VOTE:  
6 5-0-0-0).

7 Will the proposed variances have an adverse  
8 effect or impact on the physical or environmental  
9 conditions in the neighborhood or district?  
10 Jack?

11 MEMBER REARDON: No.

12 CHAIRMAN SALADINO: Dinny?

13 MEMBER GORDON: No.

14 CHAIRMAN SALADINO: Seth?

15 MEMBER KAUFMAN: No.

16 CHAIRMAN SALADINO: Dena?

17 MEMBER ZEMSKY: No.

18 CHAIRMAN SALADINO: And I'll vote no (VOTE:  
19 5-0-0-0).

20 Whether the alleged difficult was  
21 self-created, which consideration shall be  
22 relevant to the decision of the Board of Appeals  
23 but not necessarily preclude the granting of an  
24 area variance. Jack?

25 MEMBER REARDON: Yes.

1 MEMBER GORDON: Yes.

2 MEMBER KAUFMAN: Yes.

3 MEMBER ZEMSKY: Yes.

4 CHAIRMAN SALADINO: And I'll vote yes

5 (VOTE: 5-0-0-0).

6 I'm going to make a motion that we accept  
7 that we grant these area variances. Do I have to  
8 read them for the record?

9 ATTORNEY CONNOLLY: No.

10 CHAIRMAN SALADINO: So moved. Jack?

11 MEMBER REARDON: Second.

12 CHAIRMAN SALADINO: All in favor? Oh, we  
13 don't want to do a roll call? Jack?

14 MEMBER REARDON: I approve, yes.

15 CHAIRMAN SALADINO: Dinny?

16 MEMBER GORDON: Yes.

17 CHAIRMAN SALADINO: Seth?

18 MEMBER KAUFMAN: Yes.

19 CHAIRMAN SALADINO: Dena?

20 MEMBER ZEMSKY: Yes.

21 CHAIRMAN SALADINO: And I'll vote yes.

22 Easy peasy (VOTE: 5-0-0-0).

23 MEMBER GORDON: Congratulations.

24 CHAIRMAN SALADINO: Item No. 4 is -- well,  
25 actually it's Item No. 5, any other Zoning Board

1 of Appeals business that might properly come  
2 before this Board. Anybody? No, people in the  
3 back? Nobody? Okay.

4 Item No. 5 (sic) (6) is a motion to  
5 adjourn. So moved.

6 MEMBER REARDON: Second.

7 CHAIRMAN SALADINO: All in favor?

8 MEMBER KAUFMAN: Aye.

9 MEMBER GORDON: Aye.

10 MEMBER REARDON: Aye.

11 MEMBER ZEMSKY: Aye.

12 CHAIRMAN SALADINO: And I'll vote aye.

13 (VOTE: 5/0/0/0).

14 Thank you, folks.

15 (\*The meeting was adjourned at 6:30 p.m.\*)

16 \*\*\*\*\*

17 Mailings Re: 237 Sixth Street Public Hearing

18 Austin, Sara - 355 W 85th St, Apt 65

19 New York, NY 10024

20 Thomas, Tupper - 361 77th Street

21 Brooklyn, NY 11209

22 Van Eysden, Inga - 233 Sixth Street

23 Greenport, NY 11944

24

25

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

2

3 STATE OF NEW YORK )

4 ) SS:

5 COUNTY OF SUFFOLK )

6

7 I, ALISON MAHONEY, a Court Reporter and  
8 Notary Public for and within the State of New  
9 York, do hereby certify:

10 THAT, the above and foregoing contains a  
11 true and correct transcription of the proceedings  
12 taken on July 19, 2022, at Station One Firehouse,  
13 Third & South Streets, Greenport, NY 11944.

14 I further certify that I am not related to  
15 any of the parties to this action by blood or  
16 marriage, and that I am in no way interested in  
17 the outcome of this matter.

18 IN WITNESS WHEREOF, I have hereunto set my  
19 hand this 29th day of July, 2022.

20

21

22

\_\_\_\_\_  
Alison Mahoney

23

24

25

**A**

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