

1 VILLAGE OF GREENPORT  
 2 COUNTY OF SUFFOLK : STATE OF NEW YORK  
 3 -----X  
 4 PLANNING BOARD  
 5 WORK & REGULAR SESSION  
 6 -----X

7 August 25, 2022

8 4:00 p.m. - Station One Firehouse  
 9 236 3rd Street  
 10 Greenport, NY 11944

11 B E F O R E:

- 12 WALTER FOOTE - CHAIRMAN
- 13 SHAWN BUCHANAN - MEMBER
- 14 LILY DOUGHERTY-JOHNSON - MEMBER
- 15 PATRICK BRENNAN - MEMBER
- 16 PATRICIA HAMMES - MEMBER

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18 ALSO IN ATTENDANCE:

- 19 PAUL PALLAS - VILLAGE ADMINISTRATOR
- 20 TINA ZILNICKI - CLERK OF THE BOARDS

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1           *(\*The meeting was called to order at 4:02 p.m. \*)*

2           CHAIRMAN FOOTE: Good afternoon. This is  
3 the Village of Greenport Planning Board. It's a  
4 Work Session and Regular Meeting, it's August  
5 25th at about 4 p.m.

6           And *Item No. 1 is a motion to accept and*  
7 *approve the minutes of the July 28, 2022 Planning*  
8 *Board Work Session meeting.* May I have a second?

9           MEMBER HAMMES: Second.

10          CHAIRMAN FOOTE: All in favor?

11          MEMBER DOUGHERTY-JOHNSON: Aye.

12          MEMBER HAMMES: Aye.

13          MEMBER BRENNAN: Aye.

14          MEMBER BUCHANAN: Aye.

15          CHAIRMAN FOOTE: Aye. So *accepted*  
16 *(& approved - VOTE: 5-0-0-0).*

17          *Item No. 2 is a motion to schedule the next*  
18 *Planning Board Regular Meeting for 4 p.m. on*  
19 *September 29, 2022.* May I have a second to this  
20 motion?

21          MEMBER HAMMES: Second.

22          CHAIRMAN FOOTE: All in favor?

23          MEMBER HAMMES: Aye.

24          MEMBER DOUGHERTY-JOHNSON: Aye.

25          MEMBER BUCHANAN: Aye.

1 MEMBER BRENNAN: Aye.

2 CHAIRMAN FOOTE: Aye. *The meeting is so*  
3 *scheduled (VOTE: 5-0-0-0).*

4 *Item No. 3, 47 Front Street. A motion to*  
5 *accept the findings and determinations for the*  
6 *site plan application of Christoph Mueller on*  
7 *behalf of ASCM LLC (Anker). This property is*  
8 *located in the Waterfront Commercial District and*  
9 *is not located in the Historic District at*  
10 *Suffolk County Tax Map 1001-5.-4-19.*

11 Unless anybody has any questions on the  
12 findings and determinations that were produced,  
13 at this time --

14 MEMBER HAMMES: I just have a general  
15 question as to the extent that there are no  
16 tables down there and there's a hostess stand and  
17 that's the way it's been since you guys met in  
18 July, what the status is in terms of the  
19 Village's view on enforcement. Because I'm  
20 not -- like we're approving something that they  
21 were told they could do but they're not even  
22 doing it and they haven't been doing it for a  
23 month.

24 CHAIRMAN FOOTE: Well, they haven't done it  
25 yet. I think they're waiting for this to be --

1 the motion to be approved.

2 MEMBER HAMMES: Okay.

3 CHAIRMAN FOOTE: It's my understanding.

4 Right?

5 ADMINISTRATOR PALLAS: I mean, basically,  
6 yeah. I mean, assuming this passes and we will  
7 inform them that they have to do what's in there.

8 MEMBER HAMMES: Okay.

9 ADMINISTRATOR PALLAS: And nothing more  
10 nothing less.

11 MEMBER HAMMES: Okay. That's fine.

12 ADMINISTRATOR PALLAS: It'll be a brief  
13 conversation with them.

14 MEMBER HAMMES: Okay. That was my only  
15 question.

16 CHAIRMAN FOOTE: Okay. Do I have a second  
17 to this motion?

18 MEMBER BRENNAN: Second.

19 CHAIRMAN FOOTE: All in favor?

20 MEMBER DOUGHERTY-JOHNSON: Aye.

21 MEMBER BRENNAN: Aye.

22 MEMBER BUCHANAN: Aye.

23 CHAIRMAN FOOTE: Aye.

24 MEMBER HAMMES: I'm abstaining

25 CHAIRMAN FOOTE: So, the *findings and*

1        *determinations are accepted by the Board by a*  
2        *vote of four and one abstention (VOTE: 4-0-1-0 -*  
3        *Abstention: Member Hammes).*

4                *Okay. Item No. 4, 117 Main Street. This*  
5        *is a Pre-Submission Conference regarding the site*  
6        *plan application for Encanto Crepes, LLC,*  
7        *represented by Gustavo Acero at Suffolk County*  
8        *Tax Map 1001-5.-4-35.2. Is there feedback on*  
9        *this?*

10                MEMBER HAMMES: A little bit, yes.

11                        *(\*Feedback issue was fixed\*)*

12                CHAIRMAN FOOTE: Testing, one, two. That's  
13        better, thank you. Thanks a lot.

14                Okay. So, continuing on this  
15        Pre-Submission Conference. The applicant is not  
16        here. I think it's a pretty straight-forward  
17        application. It looks like the only thing being  
18        requested is approval of a sign.

19                ADMINISTRATOR PALLAS: The -- just so --

20                MEMBER HAMMES: No, it's a conditional use.

21                ADMINISTRATOR PALLAS: Yeah. The  
22        information on the sign was inadvertently put in  
23        with your packets. The sign is -- actually, in  
24        this case, because it's in the Historic district,  
25        its the jurisdiction of the Historic Preservation

1 Commission and not the Planning Board. It will  
2 need zoning for the sign, but it has no bearing  
3 on the application and the use of the site.

4 To be clear and some further information,  
5 we the Building Department missed that this was  
6 in the WC as it were, it was our fault that it  
7 didn't come to you sooner, actually.

8 So it is a conditional use within the WC  
9 and the way our code reads is that the  
10 continuation of a conditional use, which requires  
11 a review of the site -- renewal or however else  
12 you want to paraphrase it, of the site plan  
13 approval. There are no physical changes to the  
14 interior or exterior other than the sign other  
15 than the addition of some chairs.

16 CHAIRMAN FOOTE: So why is it before us in  
17 that case?

18 ADMINISTRATOR PALLAS: Because it's  
19 required by the way our code is written because  
20 it's a continuation of a conditional use. It's a  
21 new owner.

22 CHAIRMAN FOOTE: Okay.

23 ADMINISTRATOR PALLAS: The prior owner had  
24 a conditional use approved. That -- when it  
25 changes ownership or it changes business, it's

1 required to come back.

2 CHAIRMAN FOOTE: Okay.

3 MEMBER HAMMES: It's like when Industry  
4 Standard changed or that children store changed  
5 to Mimi's in the Alley Way. Because it's a  
6 conditional use in the WC it requires Planning.

7 CHAIRMAN FOOTE: Okay. So even though the  
8 type of use is unchanged.

9 MEMBER HAMMES: That's the way it's going to  
10 be interpreted or implied by the Village.

11 CHAIRMAN FOOTE: Okay. Okay, thank you.  
12 Does anybody have any comments on the  
13 application, or questions?

14 MEMBER HAMMES: I mean, I think that there  
15 are some questions in the Planning Board memo  
16 that should probably be addressed at some point.

17 I would note that the conditional use  
18 language itself says that it has to be an  
19 on-premises sit-down type eating or drinking  
20 establishment, which this seems to be but that --  
21 you know, we want to make sure that that's, in  
22 fact, what is intended as opposed to, you know,  
23 some kind of window service or delay.

24 ADMINISTRATOR PALLAS: I can note that I  
25 spoke with the applicant two or three days ago

1 and he conveyed that's exactly his intent.

2 MEMBER DOUGHERTY-JOHNSON: My only  
3 question, my eternal question now is about  
4 dumpsters and garbage, just because that's not  
5 addressed on here. It does seem like a little  
6 bit more of an intense garbage type use, you know  
7 what I'm saying, if you're having people sit down  
8 to eat. They're not retail, they have a little  
9 bit more waste. So I just wonder where that's  
10 going.

11 CHAIRMAN FOOTE: Is this --

12 ADMINISTRATOR PALLAS: We can get that  
13 information from the applicant in time for the  
14 hearing.

15 CHAIRMAN FOOTE: Okay.

16 ADMINISTRATOR PALLAS: If you choose to  
17 schedule one.

18 CHAIRMAN FOOTE: Right. Is this where the  
19 chocolate shop used to be?

20 MEMBER HAMMES: Yes.

21 CHAIRMAN FOOTE: Okay. All right. Anybody  
22 else?

23 MEMBER BRENNAN: Well, the consultant's  
24 memo here has five criteria that are outlined.  
25 So, Paul, you had confirmed with them about the



1 first one about it being a sit-down  
2 establishment?

3 ADMINISTRATOR PALLAS: Yes.

4 MEMBER BRENNAN: What about the four other  
5 criteria that follow that?

6 ADMINISTRATOR PALLAS: They have a copy of  
7 this. We always provide a copy so those  
8 questions, we can have them answered certainly in  
9 time for the hearing.

10 MEMBER BRENNAN: Okay. And then there's --  
11 yeah, the consultant outlined seven other  
12 questions that we'd like to confirm with them.  
13 So, is that something we do at the hearing?

14 ADMINISTRATOR PALLAS: I mean, typically  
15 you could do it here or at the hearing.

16 CHAIRMAN FOOTE: Yeah, we can't do it here  
17 if the applicant's not here.

18 ADMINISTRATOR PALLAS: I mean, the seats --  
19 I'm not going to answer that question, I count  
20 them but I'm not going to do that. I know  
21 there's no alcohol planned, we have no SLA permit  
22 that has been provided.

23 I'm not aware of any -- I mean, we can get  
24 all these question answered, yes. I'll ask them  
25 to put them in writing in advance so you'll have

1           them in time.

2           MEMBER BRENNAN: Okay. The other question  
3 I had is I see that we have a floor plan and a  
4 ceiling plan in our packet but I don't see an  
5 actual site plan, and that might address Lily's  
6 question about where the dumpster is. So, could  
7 we see a site plan so we can see what's happening  
8 at the sidewalk and the rear of the building?

9           ADMINISTRATOR PALLAS: The site --  
10 actually, the building itself, these walls are  
11 the property lines, so this would be the entire  
12 site. I'm assuming they have arrangements, like  
13 a lot of the businesses do, for a shared dumpster  
14 somewhere.

15          MEMBER BRENNAN: Right.

16          ADMINISTRATOR PALLAS: But the building is  
17 on the property line, it would provide almost no  
18 information, just to be clear.

19          MEMBER BRENNAN: Okay.

20          ADMINISTRATOR PALLAS: But we will get --  
21 as I said, we will get the information as to what  
22 their plan is for refuse.

23          CHAIRMAN FOOTE: Well, thank you. Unless  
24 anybody else has anything else to say? Despite  
25 the absence of the applicant, given the

1           simplicity of the application, I would move to  
2           schedule this for the next public hearing which  
3           will be next month. Do I have second?

4           MEMBER HAMMES: Second.

5           CHAIRMAN FOOTE: All in favor?

6           MEMBER DOUGHERTY-JOHNSON: Aye.

7           MEMBER HAMMES: Aye.

8           MEMBER BRENNAN: Aye.

9           MEMBER BUCHANAN: Aye.

10          CHAIRMAN FOOTE: Aye. *So scheduled*

11          (*VOTE: 5-0-0-0*).

12          CHAIRMAN FOOTE: And finally, *Item No. 5 is*  
13          *a motion to adjourn.* Second?

14          MEMBER HAMMES: Second.

15          CHAIRMAN FOOTE: All in favor?

16          MEMBER DOUGHERTY-JOHNSON: Aye.

17          MEMBER HAMMES: Aye.

18          MEMBER BRENNAN: Aye.

19          MEMBER BUCHANAN: Aye.

20          CHAIRMAN FOOTE: This meeting is adjourned.

21          (*\*The meeting was adjourned at 4:11 p.m.\**)

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

STATE OF NEW YORK )  
   ) SS:  
 COUNTY OF SUFFOLK )

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

THAT, the above and foregoing contains a true and correct transcription of the proceedings taken on August 25, 2022, at Greenport Fire Department, Third Street Fire Station, Greenport, NY, 11944.

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

IN WITNESS WHEREOF, I have hereunto set my hand this 30th day of August, 2022.

Alison Mahoney  
 Alison Mahoney