

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

7 July 3, 2023  
 8 4:00 p.m.  
 9 Station One Firehouse  
 10 236 3rd Street  
 11 Greenport, New York 11944

12  
 13  
 14 BEFORE:  
 15 PATRICIA HAMMES - Chairwoman  
 16 SHAWN BUCHANAN - Member  
 17 DANIEL CREEDON - Member  
 18 ELIZABETH TALERMAN - Member  
 19 FRANCES WALTON - Member  
 20  
 21 ALSO PRESENT:  
 22 MICHAEL NOONE - Clerk of the Board  
 23  
 24  
 25

1 (The Meeting was Called to Order at 4 p.m.)

2 CHAIRPERSON HAMMES: Good afternoon. Welcome  
3 to the scheduled work session and regular meeting  
4 of the Village of Greenport's Planning Board for  
5 Monday, July 3rd, 2023. This meeting is a public  
6 meeting. Very short agenda today, so, hopefully,  
7 we can speak relatively quickly through it.

8 *The first order of business relates to the*  
9 *approval of the minutes from the May 25th meeting*  
10 *of the Planning Board.* Does anyone on the Board  
11 have any comments on those minutes?

12 MEMBER WALTON: No.

13 MEMBER TALERMAN: No.

14 MEMBER CREEDON: No.

15 MEMBER BUCHANAN: No.

16 CHAIRPERSON HAMMES: I move to accept and  
17 approve the minutes of the May 25th, 2023 Planning  
18 Board work session and regular meeting. Do I have  
19 a second?

20 MEMBER WALTON: Second.

21 CHAIRPERSON HAMMES: All those in favor?

22 MEMBER BUCHANAN: Aye.

23 MEMBER CREEDON: Aye.

24 MEMBER TALERMAN: Aye.

25 MEMBER WALTON: Aye.

1 CHAIRPERSON HAMMES: Aye.

2 Any opposed?

3 (No Response)

4 CHAIRPERSON HAMMES: Motion carries.

5 *The second order of business relates to the*  
6 *rescheduling of the next Planning Board work*  
7 *session and regular meeting from July 17th, 2023 to*  
8 *August 18th, 2023. Just to be clear, we've had*  
9 *email correspondence on this, but going forward as*  
10 *a general matter, the regular meetings for the*  
11 *Planning Board will be on the second Friday of the*  
12 *month at 4 p.m. here in the Firehouse, and if we*  
13 *need to, we'll be having a meeting on the third*  
14 *Friday of the month. For scheduling purposes,*  
15 *we're doing the third Friday next month. I know*  
16 *you can't make it, but I --*

17 MEMBER BUCHANAN: I might be able to, but  
18 it's likely not.

19 CHAIRPERSON HAMMES: But I think Dan couldn't  
20 make the week before.

21 MEMBER BUCHANAN: Yep, right.

22 CHAIRPERSON HAMMES: So we should, though, I  
23 think have a quorum on the 18th, so, I mean, the  
24 quorum is --

25 MEMBER CREEDON: Eighteenth of August or are

1 we still no longer two?

2 CHAIRPERSON HAMMES: Yeah, of August. No,  
3 I'm combining them --

4 MEMBER CREEDON: Combining them.

5 CHAIRPERSON HAMMES: -- into one  
6 conversation. You can make Friday, August 18th,  
7 right?

8 MEMBER CREEDON: Yes, I can.

9 CHAIRPERSON HAMMES: Yeah. So we're -- so  
10 we're going to do that, and then going forward --  
11 and, obviously, in August we'll schedule the  
12 September meetings. But just so everybody is  
13 aware, the meeting's going forward, the intention  
14 is to have them at 4 p.m. on Friday here in the  
15 Firehouse, with the principal meeting this -- being  
16 the second Friday of the month. And if we need to  
17 have a second meeting for the month, it will be the  
18 third Friday of the month.

19 And part of this, so that everybody is aware,  
20 that is that the Planning Board has a new Lawyer.  
21 Brian Stoler from Harris Beach has been appointed  
22 Counsel to the Planning Board and the ZBA. There  
23 was no need for him to be here today, but he'll be  
24 joining us in the future. And part of the reason  
25 for the scheduled change relates to that, although

1 there are other, other scheduling issues around  
 2 that.

3 So having said all of that, I -- unless  
 4 anybody has any comments, I would move to cancel  
 5 the Village of Greenport Planning Board work  
 6 session and regular meeting scheduled for  
 7 July 17th, 2023, and just schedule the next meeting  
 8 of the Village of Greenport Planning Board work  
 9 session and regular meeting for Friday -- I don't  
 10 know why I wrote Monday -- Friday, August 18th at  
 11 4 p.m. Do I have a second?

12 MEMBER WALTON: Second.

13 MEMBER CREEDON: Second.

14 CHAIRPERSON HAMMES: All those in favor?

15 MEMBER BUCHANAN: Aye.

16 MEMBER CREEDON: Aye.

17 MEMBER TALERMAN: Aye.

18 MEMBER WALTON: Aye.

19 CHAIRPERSON HAMMES: Aye.

20 Any opposed?

21 (No Response)

22 CHAIRPERSON HAMMES: Motion carries.

23 *The third order of business is a motion to*  
 24 *accept the following findings and determinations in*  
 25 *respect of the conditional use application of*

1        *Michael Verni, doing business as Silver By the Sea,*  
2        *and Perry Angelson, as owner, for the opening of a*  
3        *retail store to be named Silver By the Sea at the*  
4        *property located 29 Front Street, which is situated*  
5        *in the Waterfront Commercial District, and is*  
6        *located at Suffolk County Tax Map 1001-05-4-26.*

7        I'm going to now read the determinations into the  
8        record.

9                WHEREAS, Michael Verni doing business as  
10        Silver By the Sea, as tenant, and Perry Angelson,  
11        as owner, applied to the Planning Board for a  
12        conditional use permit; and

13                WHEREAS, the premises is located at 29 Front  
14        Street, Greenport, New York and designated on the  
15        Suffolk County Tax Map as -- and here there's an  
16        error that will have to be fixed --

17                MR. NOONE: I have --

18                CHAIRPERSON HAMMES: -- before I sign those.  
19        Is 1001-5-4-26, otherwise known as the "Premises";  
20        and

21                WHEREAS, the Premises is located in the WC  
22        Waterfront Commercial District, and the proposed  
23        use for the retail sale of retail products is a  
24        conditional use in the WC District.

25                WHEREAS, the application contemplates the

1 continuation of a retail use at the Premises, and  
2 will primarily include the sale of silver jewelry  
3 products; and

4 WHEREAS, the application is exempt from the  
5 moratorium contained in Local Law 1 of 2023,  
6 pursuant to Section 150-51(b) and (j) of the  
7 Moratorium Law; and

8 WHEREAS, in accordance with the New York  
9 State Environmental Quality Review Act, the Board  
10 declares itself Lead Agency, and determines that  
11 the proposed action is a Type II action under SEQRA  
12 which requires no environmental review; and

13 WHEREAS, the Planning Board held a public  
14 hearing on the application on May 5th, 2023 (sic)  
15 (May 25th, 2023), and

16 WHEREAS, the applicant testified at the  
17 public hearing and, although solicited, no other  
18 members from the public expressed interest in the  
19 application; and

20 WHEREAS, the Board closed the public hearing  
21 and discussed the application and testimony;

22 NOW, THEREFORE, BE IT RESOLVED that, upon  
23 consideration of the standards in Village Code  
24 150-11(C) and 150-29, the Board grants the  
25 conditional use permit.

1 Do I have a second to approve that,  
2 this finding -- these findings and determinations?

3 MEMBER BUCHANAN: Second.

4 MEMBER CREEDON: Second.

5 CHAIRPERSON HAMMES: All those in favor?

6 MEMBER BUCHANAN: Aye.

7 MEMBER CREEDON: Aye.

8 MEMBER TALERMAN: Aye.

9 MEMBER WALTON: Aye.

10 CHAIRPERSON HAMMES: Aye.

11 Any opposed?

12 (No Response)

13 CHAIRPERSON HAMMES: Motion carries.

14 *The fourth order of business is a motion to*  
15 *accept the following findings and determinations in*  
16 *respect to the application of Joan Chambers, as*  
17 *agent for Vanna Gworek and Sebastian Head in*  
18 *respect of a curb cut and driveway at the premises*  
19 *located at 408 Wiggins Street, which is located in*  
20 *the R-2 One- & Two-Family Residential District, at*  
21 *Suffolk County Tax Map 1001-6-2-14. I'm going to*  
22 *now read those findings and determinations into the*  
23 *record.*

24 WHEREAS, Joan Chambers, as agent for Vanna  
25 Gworek and Sebastian Head, applied to the Planning



1 Board for site plan approval to relocate a curb cut  
2 and driveway at the premises located at 408 -- 408  
3 Wiggins Street, Greenport, New York and designated  
4 on the Suffolk County Tax Map as 1001-6-2-14,  
5 otherwise known at the "Premises"; and then

6 WHEREAS, the Premises is located in the R-2  
7 One-and-Two-Family Residence District; and

8 WHEREAS, the application contemplates removal  
9 of an existing driveway and curb cut on Wiggins Street  
10 and construction of a new curb cut and driveway on  
11 4th Street; and

12 WHEREAS, in accordance with the New York  
13 State Environmental Quality Review Act ("SEQRA"),  
14 the Board declares itself lead agency, and  
15 determines that the proposed action is a  
16 Type II action under SEQRA which requires no  
17 environmental review; and

18 WHEREAS, no public hearing is required; and

19 WHEREAS, the Planning Board discussed the  
20 application at a meeting held on May 25th, 2023,  
21 and the applicant's agent addressed the application  
22 at the meeting;

23 NOW, THEREFORE, BE IT RESOLVED that upon  
24 consideration of the standards set forth in  
25 Village Code Section 150-30, the Board grants site

1 plan approval to relocate the curb cut and driveway  
2 to the 4th Street side of the Premises and  
3 eliminate the curb cut and driveway on the Wiggins  
4 Street side of the Premises, subject to the  
5 following conditions:

6 Except with respect to the restoration  
7 work -- well, No. 1, except with respect to the  
8 restoration work required as a condition of this  
9 approval, all work shall conform to the site plans  
10 entitled "Gworek/Head Residence 408 Wiggins St.  
11 Greenport NY Site Plan", prepared by press START,  
12 sheet S-1, dated 4/15/2023, last revised 5/10/2023.

13 At property owner's sole expense, the  
14 property owner shall restore the existing curb cut  
15 and related curbing and sidewalk area in a manner  
16 that matches the existing sidewalk and curb and in  
17 accordance with any Village requirements for such  
18 restoration work.

19 Property owner shall continuously maintain  
20 and trim any landscaping or vegetation existing or  
21 to be planted north of the proposed driveway and  
22 curb cut. Such maintenance shall be performed in a  
23 manner that presents a clear view to and from  
24 any -- to and from any vehicular or pedestrian  
25 traffic using the proposed driveway and curb cut on

1 the Premises or the driveway and curb cut on the  
2 premises located immediately north of the Premises.

3 No later than six months after the filing of  
4 this decision with the Village Clerk, the property  
5 owner shall obtain all required permits for the  
6 proposed work, and no later than eighteen months  
7 from the issuance of such building permits, the  
8 property owner shall require all certificates of  
9 occupancy and/or completion for the proposed work.  
10 Upon written request and without a public hearing  
11 from the -- this Board may grant an extension of  
12 these timeframes.

13 I move to accept and approve the foregoing  
14 findings and determinations in respect to the  
15 proposed curb cut and driveway for 408 Wiggins  
16 Street. Do I have a second?

17 MEMBER BUCHANAN: Second.

18 CHAIRPERSON HAMMES: All those in favor?

19 MEMBER BUCHANAN: Aye.

20 MEMBER CREEDON: Aye.

21 MEMBER TALERMAN: Aye.

22 MEMBER WALTON: Aye.

23 CHAIRPERSON HAMMES: Aye.

24 Any opposed?

25 (No Response)

1           CHAIRPERSON HAMMES: Motion carries.

2           At this time, unless anyone from the public  
3 or any Board Member has anything else they want to  
4 raise or discuss, I'm going to make a motion to  
5 adjourn the meeting. Okay. Please state your name  
6 and address for the record.

7           CHARLIE KULSZISKI: Hi. Charlie Kulsziski,  
8 433 Main Street. To tear a building down in  
9 Greenport, is that just a Buildings Department  
10 thing, or does it have to come before the Planning  
11 Board?

12          CHAIRPERSON HAMMES: I don't believe it has  
13 to come before the Planning Board, but that would  
14 really be a question for the Village's Building  
15 Department in the first instance.

16          MEMBER CREEDON: Is it fair to ask whether or  
17 not this is for safety reasons?

18          CHAIRPERSON HAMMES: I don't think so. I  
19 don't think I've ever heard in the code it's  
20 required. But I would not, you know, give 100%  
21 assurances on that, that would be something that  
22 you'd have to take up with the Building Department.

23          CHARLIE KULSZISKI: Yeah. I'm surprised at  
24 that. And I'm not sure the difference between the  
25 Planning Board and the Zoning Board. I feel like

1 the Planning Board makes a lot of decisions that  
2 seems like it's related to Zoning Board. Is there  
3 some difference between those two things?

4 CHAIRPERSON HAMMES: There is.

5 CHARLIE KULSZISKI: There is.

6 CHAIRPERSON HAMMES: There is. The Zoning  
7 Board hears appeals. The Zoning Board is a  
8 quasi-judicial body and it hears appeals from  
9 denials by the Village. So if somebody has filed  
10 an application and it does not conform to code,  
11 those things go to the Zoning Board.

12 CHARLIE KULSZISKI: So it's a Zoning Board of  
13 Appeals.

14 CHAIRPERSON HAMMES: Correct.

15 CHARLIE KULSZISKI: It's not Zoning Board.

16 CHAIRPERSON HAMMES: Correct.

17 CHARLIE KULSZISKI: Oh, okay, I always  
18 thought it was Zoning Board, but I'm surprised.  
19 I'm particularly talking about Emilio's Pizza. I'm  
20 surprised that that can be torn down without any --

21 CHAIRPERSON HAMMES: I'm not going to be held  
22 to that, but based on my understanding, that that  
23 is probably allowed under the code without Planning  
24 Board approval, but, ultimately, that would be a  
25 question for the Building Department.

1 CHARLIE KULSZISKI: Yeah. And I would just  
2 say that the Historic District is pretty small  
3 and --

4 CHAIRPERSON HAMMES: So that may require  
5 Historic Board approval. That's a different  
6 question.

7 CHARLIE KULSZISKI: Right. The --

8 MR. NOONE: It would require Historic.

9 CHAIRPERSON HAMMES: Right, I think it does.

10 MR. NOONE: Even if you were tearing a shed  
11 down, it would require Historic, if it's in  
12 Historic.

13 CHAIRPERSON HAMMES: Right.

14 CHARLIE KULSZISKI: Yeah.

15 CHAIRPERSON HAMMES: That's a different  
16 question than the Planning Board.

17 CHARLIE KULSZISKI: Yeah, okay.

18 CHAIRPERSON HAMMES: To build something on  
19 that site will require Planning Board.

20 CHARLIE KULSZISKI: Yeah, that I understand.  
21 And I did see the -- I know you all want to get out  
22 of here. I'm surprised you're even meeting today.  
23 I did see the original plan for that site, which  
24 was so outrageously out of character for that area  
25 in architectural design. And, also, for me what

1 stood out was the three outside bars. One on the  
2 roof was just -- just seemed outrageous, and --

3 CHAIRPERSON HAMMES: Just so you know, I  
4 mean, that application has never been before  
5 Planning or the Village, so there's --

6 CHARLIE KULSZISKI: Yeah, I know. I live  
7 across the street, so I follow it closely. And  
8 just when I learned that the building is likely to  
9 be torn down now, I thought that there would have  
10 to be some --

11 CHAIRPERSON HAMMES: Well, they need a  
12 demolition permit.

13 MR. NOONE: Yes.

14 CHAIRPERSON HAMMES: And I believe --

15 CHARLIE KULSZISKI: Okay.

16 CHAIRPERSON HAMMES: And I don't know even if  
17 that can be issued under the moratorium or not.  
18 That's a question for Counsel.

19 MR. NOONE: Yeah, that would be --

20 CHAIRPERSON HAMMES: And I believe that it --  
21 that Mike is correct, but I don't know for sure.

22 CHARLIE KULSZISKI: Yeah.

23 CHAIRPERSON HAMMES: And, again, I'm not --  
24 I'm not -- while I am a lawyer, I am not a  
25 practicing lawyer, so I'm not making a legal

1 interpretation here, but I believe it is correct,  
 2 in an Historic District, Historic Board approval  
 3 would be required for that.

4 CHARLIE KULSZISKI: Yeah, okay. Thanks  
 5 very much.

6 CHAIRPERSON HAMMES: Anybody on the Board  
 7 have anything?

8 MEMBER TALERMAN: No.

9 CHAIRPERSON HAMMES: All right. Then I would  
 10 make a motion to adjourn the meeting. Do I have a  
 11 second?

12 MEMBER WALTON: Second.

13 CHAIRPERSON HAMMES: All those in favor?

14 MEMBER BUCHANAN: Aye.

15 MEMBER CREEDON: Aye.

16 MEMBER TALERMAN: Aye.

17 MEMBER WALTON: Aye.

18 CHAIRPERSON HAMMES: Aye.

19 Any opposed?

20 (No Response)

21 CHAIRPERSON HAMMES: Motion carries.

22 Thank you, everybody.

23 MEMBER BUCHANAN: Thank you.

24 (The Meeting was Adjourned at 4:12 p.m.)

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

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

I, LUCIA BRAATEN, 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 July 3, 2023 to the best of my ability.

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 11th day of July, 2023.

*Lucia Braaten*  
\_\_\_\_\_   
Lucia Braaten